

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2010

WEDNESDAY, MAY 20, 2009

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

The subcommittee met at 10:01 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 ABIGAIL KIMBELL, CHIEF

OPENING STATEMENT OF SENATOR DIANNE FEINSTEIN

Senator FEINSTEIN. Good morning.

On behalf of the Interior Appropriations Subcommittee, I would like to welcome you to the hearing on the fiscal year 2010 budget.

Unfortunately, both Senator Alexander and I have to leave a little before 11 a.m. So, Ms. Kimbell, this will be necessarily a short hearing. I don't think you would object to that, and we will do what we have to do and do it efficiently, I hope.

I am very pleased to welcome you, as Chief of the Forest Service, before this subcommittee.

I would like to start by saying that I think this is a very good budget. It may need some changes around the edges to meet certain priorities, but we can talk about that.

I would like to express my appreciation that the President has requested \$200 million in supplemental firefighting funds for the Forest Service before the fire season begins in earnest. That is a welcome change.

The recent fires in Santa Barbara showed it is likely that we are in for another brutal, expensive fire season. And so, it is my hope that these funds will help prevent the service from borrowing from other programs to pay for firefighting needs this year.

The President has requested \$5.226 billion for the Forest Service for 2010. That is a 10 percent increase, or \$480 million over the 2009 enacted level.

The new administration recognizes that firefighting costs are likely to exceed the 10-year fire suppression average and has sub-

mitted a budget that reflects that reality. It requests full funding in the 10-year average for a total of \$1.128 billion and includes a new \$280 million reserve fund that is available for the Forest Service if its regular appropriations run out before the end of the fiscal year.

It also invests in the Service's aging network of facilities, roads, and trails. Overall, the Service's capital improvement and maintenance program is funded up 10 percent, at \$557 million over the enacted level. And this includes \$50 million to help address the Service's \$5 billion backlog of deferred maintenance and also to create jobs.

In particular, this budget proposes to reduce hazardous fuels reduction programs by \$13 million, and that is a 4 percent cut. And I must tell you, I have a problem with that. In my view, this cut doesn't make sense. Particularly when we are pouring money into firefighting programs, we have to begin to manage our forests and remove hazardous fuels and be prepared for fire, prevent fire.

I am also concerned that the request funds fire preparedness programs at \$675 million, equal to the enacted level. This means that the Service will be forced to shift more costs for firefighter salaries and equipment to the fire suppression program, further driving up the 10-year average.

But in summary, a 10 percent increase in this time of debt and deficit, is, indeed, a very good budget.

PREPARED STATEMENT

So that completes my remarks, and Mr. Ranking Member, I would be happy to recognize you at this time.

[The statement follows:]

PREPARED STATEMENT OF SENATOR DIANNE FEINSTEIN

Good morning, ladies and gentlemen. On behalf of the Interior Appropriations Subcommittee, I welcome you to our hearing on the fiscal year 2010 budget request for the U.S. Forest Service.

I'm pleased to welcome Gail Kimbell, Chief of the Forest Service, before the subcommittee.

I'd like to start this morning by saying that I think this budget is a good first step toward meeting the needs of our national forests.

Now, that doesn't mean that there isn't room for improvement, because there certainly is. We'll talk about some of the priorities that are left out of this budget. But the request lays a foundation that this subcommittee can build on.

I'd also like to express my appreciation that the President has requested \$200 million in supplemental firefighting funds for the Forest Service before fire season begins in earnest this year. That's a welcome change from the position of the previous administration.

As the recent fires in Santa Barbara showed, it is likely that we are in for another brutal, expensive fire season. It is my hope that these funds will help prevent the Forest Service from borrowing from other programs to pay for firefighting needs this year.

Turning to the particulars, the President has requested \$5.226 billion for the Forest Service for fiscal year 2010, an increase of \$480 million over the fiscal year 2009 enacted level. That's a welcome 10 percent increase.

Most importantly, I am pleased that the new Administration recognizes that firefighting costs are likely to exceed the 10-year fire suppression average—and has submitted a budget that reflects that reality.

The budget request fully funds the increase in the 10-year average for a total of \$1.128 billion. It also includes a new \$282 million reserve fund that's available to the Forest Service if its regular appropriations run out before the end of the fiscal year.

The budget also invests in the Forest Service's aging network of facilities, roads, and trails. Overall, the Forest Service's capital improvement and maintenance program is funded at \$557 million, an increase of 15 percent more than the enacted level. That includes a \$50 million initiative to help address the agency's \$5 billion backlog of deferred maintenance and create jobs.

Finally, the budget request includes a \$42 million boost to State and private forestry programs, targeted specifically to protecting open spaces through conservation easements.

These are all important priorities, and I am pleased to see them funded. However, at the same time, I am also concerned that the budget request shortchanges other priority needs to pay for these initiatives.

In particular, this budget proposes to reduce hazardous fuels reduction programs by \$13 million. That's a 4 percent cut to fire prevention—at a time when we're pouring money into firefighting. This cut just doesn't make any sense, and I won't support it. In fact, I plan to increase funds for fuels reduction in the fiscal year 2010 Interior bill.

I am also concerned that the request funds fire preparedness programs at \$675 million, equal to the enacted level. That means that the Forest Service will be forced to shift more costs for firefighter salaries and equipment to the fire suppression program—further driving up the 10-year average.

The request funds operating programs for national forests at \$1.5 billion, also equal to last year. That means important programs like forest products and law enforcement are being cut back. And other cooperative programs face the chopping block, including a 6 percent cut to State and local fire assistance and a 4 percent cut to programs that fight insects and disease.

In short, I think these programs deserve more support—and I plan to ensure that the rising tide of this budget lifts all of the agency's programs, not just a select few.

Now I'd like to turn to my Ranking Member, Senator Alexander, for any comments that he wishes to make.

STATEMENT OF SENATOR LAMAR ALEXANDER

Senator ALEXANDER. Thanks, Madam Chairman.

Chief, it is nice to see you and to discuss the Forest Service.

I completely agree with the chairman about fire. It is an essential part of the Forest Service program, but we don't want to see the U.S. Forest Service become the U.S. fire department. And I am also glad to see that because of the chairman's hard work especially, there is more money to deal with fires this year.

In the East, we don't have as many public lands and Forest Service lands as we do in the West. And most of the Forest Service lands I notice, looking at the map, run up the Appalachian Ridge. They start down in Georgia and run up through in and around the Smokies, where I live, where you have the Cherokee National Forest. But then there is the Blue Ridge Parkway and on up through Pennsylvania and into the area where you come from, with the White Mountains and the Green Mountains.

So I have a couple of questions about renewable energy that I would like to ask you, and then I would like to follow up, ask you if you don't have the answers today to perhaps provide me with the answers later.

And let me start with an opportunity I think I see, and that is the use of biomass—wood products, wood chips—from Forest Service areas to create electricity by burning them. What are the opportunities that you see for biomass on Forest Service lands that might—and what might that have to do with reducing the danger of fire?

SUMMARY STATEMENT OF ABIGAIL KIMBALL

Ms. KIMBELL. Thank you, Senator.

The Forest Service worked with a number of different partners to produce what we call the "million ton report," and that has been updated. And from forested lands in the United States—Ron is going to produce here in a minute that sheet that has the numbers, the millions of tons that are available from sustainably managed forests across the United States.

Senator ALEXANDER. Oh, pardon me, Chief. I got carried away. I had about finished my opening statement, and the questions will come next. I was so enthusiastic.

Ms. KIMBELL. Okay.

Senator ALEXANDER. So I thank you for being here. Those will be the two areas that I would like to explore. And why don't we go now to the chairman, and then I will take questions next.

Senator FEINSTEIN. I am fine with you doing that, and I will go after you. Go right ahead, please.

Senator ALEXANDER. Are you? Well—

Senator FEINSTEIN. I am. I wouldn't say it if I wasn't.

Senator ALEXANDER. I think you would.

In fact, I know you would. That is a great courtesy. Excuse me for doing that.

But go ahead with your comment on biomass.

BIOMASS

Ms. KIMBELL. There is a biomass study that has just recently been updated and will be published shortly. And where it talks about forests in the United States being able to provide about 40 million tons of oven-dried biomass per year from sustainably managed forests.

So that assumes things like nutrient cycling, maintenance of biodiversity, water quality, wildlife habitat. It assumes sustainable management. So 40 million tons, and this could produce the equivalent of about 4 billion gallons of biofuel.

And for Tennessee alone, Tennessee could produce 2.5 million tons, or 5 percent of the Nation's total of oven-dried biomass from sustainably managed forests.

Senator ALEXANDER. You would think of it as used for fuel rather than electricity?

Ms. KIMBELL. It could be—this report will actually lay it out in a lot of different possibilities, but either for fuel or for the generation of electricity.

RENEWABLE ENERGY

Senator ALEXANDER. Well, that is very helpful. I would like to try to get that into some perspective, and that puts it there. I mean, that sounds like a lot.

On the other hand, I believe I remember—I will have to check my figures—that the new Southern Company's 100-megawatt electric plant would take 1 million tons a year just to keep it going of biomass. And that 100 megawatts isn't much. I mean, that is about $\frac{1}{12}$ of 1 unit of a nuclear plant. But that would be very helpful.

Now let me move to another part of the renewable, and then that will be my other part of the question. I noticed on the sheet that I got, and the chairman and I have talked about this in general.

This is the cover, Madam Chairman, of the Forest Service summary of all of its activities. You selected a beautiful view. And——

Senator FEINSTEIN. It might be California.

Senator ALEXANDER. Might be. It might be.

Or it could be the Appalachian Range, but let us say it is California. And so, my concern is, and I will just speak for myself, is that I would like very much for us to have in this country as much renewable energy as we reasonably and appropriately can. I think, for example, biomass may be especially appropriate for Forest Service lands.

But on the other hand, when I think of wind turbines, for example, they are three times as tall as the football stadium the University of Tennessee has in Knoxville, and the blades are as long as the football field, and you can see them for 20 miles. And in our part of the world, they don't produce much electricity because the wind doesn't blow very much.

But my concern more is with the landscape. I mean, here is a picture of Mars Hill, a big wind turbine right up on the Appalachian Trail. And I think about the time when I was on the Energy Committee, Madam Chairman, and someone pointed out that the Yellowstone Park director put a big cell tower right in front of Old Faithful.

And so, my question is what does viewscape have to do with decisions, as you are making them, about the siting of renewable energy facilities like wind facilities or along the Appalachian Trail or solar facilities perhaps in the West, where it might make a difference there?

Ms. KIMBELL. The siting of any facility or any project on national forest goes through the environmental analysis process and can be documented in a number of different ways. But certainly, visual quality is something that is assessed for every project that is implemented on national forest.

So for the siting of a cell tower, the siting of a windmill, the siting of a vegetation management project, the visual characteristics and the visual impacts of that project are taken into consideration in the environmental analysis and certainly is discussed in the public involvement and public input.

And as you point out, there are some things that stand out more than others, and those things attract a lot of discussion and attention through the public involvement process and are considered very much in the decision to be made by the line officer.

Currently, we have two proposals being considered on National Forest System lands—one in Vermont on the Green Mountain National Forest, one in Michigan on the Huron-Manistee National Forest. There are other locations across the National Forest System where there are considerations. There are permit applications being considered to set up the towers that would actually monitor wind energy and climatic conditions over a period of 3 to 5 years before anybody would even submit a permit to develop.

But the permits to develop are in—the permit applications are in Vermont and Michigan, and there is public involvement, public comment being taken on the project in Vermont right now. And the forest supervisor will be considering all of that public comment, along with the rest of the environmental analysis in making a de-

termination about whether or not there will be turbines sited on the Green Mountain National Forest.

Senator ALEXANDER. Thank you. I will come back with other questions later.

Thank you, Madam Chairman.

FIREFIGHTER RETENTION

Senator FEINSTEIN. Thank you very much, Senator.

Chief, I wanted to ask you a couple of things. Let me do the California material first, and that begins with the firefighter retention challenge.

As I understand it, as of April 1, a CAL FIRE rank-and-file firefighter earned \$64,760, nearly 15 percent more than a comparable Forest Service firefighter, which averages \$56,096. And disparities at the captain level were even greater and reached \$18,000 last year.

In the continuing resolution, you provided—or we provided \$25 million to address the problem. We then provided an additional \$3 million in the fiscal year 2009 omnibus and required the agency to provide a spending plan for these funds.

Now since then, my understanding is that you have implemented two main strategies—a 10 percent bonus for the GS-5 to -8, the rank-and-file firefighters, and a conversion of part-time firefighters to full-time status. As of January, you had 4,205 firefighters on-board out of a total of 4,432.

Now I am concerned because I think this is going to be a big fire year again in my State, and we need to have the Federal service up to par. Can you tell us that it will be?

Ms. KIMBELL. Absolutely. The firefighting effectiveness of the Forest Service will be up to par, is up to par for this oncoming season. We have been fighting fire all year across the South into the Southwest. And with the fire just recently in Santa Barbara, it was very early season but tested the responsiveness of the State of California, the local fire departments and the U.S. Forest Service.

With the retention bonus that was provided to those grades 5 through 8, where we saw perhaps the greatest difference in recruitment and retention between the Forest Service and the State of California, that is where we focused that retention bonus. And with extending tours of duty to be yearlong, it allowed employees then to participate in things like health benefits and retirement benefits yearlong rather than the 9-month season or 6-month season that they might have been employed.

It does add duties. They will be working on nonfire-related activities when it is no longer fire season.

In looking at the number of firefighters in California, I still have to consider the number of firefighters across the border in Arizona, firefighters in Oregon, Nevada. When we do have a fire event, we bring in trained, experienced firefighters from all over the country. And certainly, we have hosted folks from all over in California over the last couple of years.

I would like to—I want to believe that we won't have that kind of season this year, but the numbers certainly indicate that it will be a long season.

NATIONAL FORESTS BORDERING LAKE TAHOE

Senator FEINSTEIN. Both the Governor of Nevada and the Governor of California have declared the Tahoe forests, the three national forests around Tahoe, in a state of emergency. I am very concerned. When I have been to the lake—which is rare, I must say—but when I can go, I notice very little burning activity.

I am told that this is done by contractors, and that contracting, seems to me, is really not what it should be. Can you respond to that? I mean, these forests have to get cleaned out of dead, dying, and down. And they aren't being, and that is just a fact.

Ms. KIMBELL. I just recently had the opportunity to visit with Terri Marceron, who is our forest supervisor in South Lake Tahoe. She was in here in Washington, DC, and I believe she met with staff from your office and with a number of other folks here in Washington, DC.

And Terri shared a pretty unique program that she has implemented there on the Lake Tahoe basin unit, where she is working with two counties in California and with the prison in Nevada to actually have woody biomass removed. So rather than burning piles, we actually have crews that are packing those piles out of the forest and hauling them to cogeneration facilities.

Senator FEINSTEIN. Okay. I am going back to the same trail that I broke my ankle on last year—

Ms. KIMBELL. I think I have a briefing paper on that.

Senator FEINSTEIN [continuing]. Again this year. And when I last went, there had been some burning of piles. But there were 10,000 piles. And they have been there for 3 years now, and they themselves are a fire hazard. And this is the Meeks Bay Trail.

Ms. KIMBELL. Yes.

Senator FEINSTEIN. So I am going to be watching. I am terribly worried about these forests because we have got a lot of bark beetle. We have got a lot of dead trees. We have had one fire. And the winds are westerly. They come over the Sierra Nevadas, and they blow right down into the homes and into the lake. And so, I hope you will give this your attention.

I would like to talk to you for a moment about the MAFFS units.

Ms. KIMBELL. Yes.

MODULAR AIRBORNE FIREFIGHTING SYSTEM (MAFFS)

Senator FEINSTEIN. Particularly the new MAFFS units. You are way down in planes. I don't have it right now, but I did have it. You have gone from something like 44 to 19 planes. And these MAFFS units are vital. Where are they in the United States, and are they available now, the big ones, the new ones?

Ms. KIMBELL. The new ones, I think they are called the MAFFS II units—

Senator FEINSTEIN. Right.

Ms. KIMBELL [continuing]. There are a number of them available. Aero Union is doing the work on that. We expect to have eight, a combination of the old MAFFS and new MAFFS units in service for this fire season, but not all of the new units that Aero Union has been developing, not all those units are going to be online.

But we do expect to have eight MAFFS units online for fire-fighting this season.

Senator FEINSTEIN. And where will they be located?

Ms. KIMBELL. They are based in California, Nevada, and Wyoming and North Carolina are training on the original MAFFS systems with the Air Force Reserve and Air National Guard. And Colorado Springs is training on the MAFFS II systems.

Senator FEINSTEIN. So there are two for each of these bases, each where they are based?

Ms. KIMBELL. Yes.

Senator FEINSTEIN. Is that right?

Ms. KIMBELL. Yes. So I misspoke. Nevada is not in there.

Senator FEINSTEIN. Okay. How many are operational now?

Ms. KIMBELL. Eight.

Senator FEINSTEIN. Are operational now. The training is done, and they can fly?

Ms. KIMBELL. Yes, the training is ongoing because some of these fire seasons aren't—even though southern California started very early, we still have a lot of snow in the Rockies and across different places in the country. So I am not sure of the exact status of the training, but we could certainly get that for you.

[The information follows:]

MAFFS training for 2009 is complete. We have eight MAFFS available for 2009. Two MAFFS are stationed at each of the following locations: California (Port Hueneme), Wyoming (Cheyenne), Colorado (Colorado Springs), and North Carolina (Charlotte).

Senator FEINSTEIN. I would appreciate that. California is now in a perpetual drought, and things are very dry. And many of us are very worried about what this year will bring, and I just want to say that to the head person.

Ms. KIMBELL. Thank you.

Senator FEINSTEIN. That I believe it does need some special attention. We have lost 3 million acres in the last 2 years from wild-fire, and what we find is the Santa Anas are blowing hotter. And as you know, in 2008, we had 8,000 lightning strikes on a given day, which started some 2,000 fires.

I flew out with the President, flew over Shasta, and it was like a moonscape. Everything was burned, all around the reservoir. It was just—it was a horror to behold. And I think we are on an increasing crescendo with respect to fire in this State.

So I would very much appreciate and welcome your attention to it.

Ms. KIMBELL. Absolutely. And Senator, if there is an opportunity to visit the Meeks Trail together, I would love to do that, and I hope that we do get the opportunity—

Senator FEINSTEIN. This weekend?

Ms. KIMBELL. Oh.

I guess it would be free of snow, wouldn't it?

Thank you so much. Thank you, Chairman.

Senator FEINSTEIN. Senator Alexander, you had additional questions?

BIOMASS

Senator ALEXANDER. Thank you, Madam Chairman.

If I could go back to the discussion we were having before, I want to make sure I understood what you said. I believe you said your report showed that there would be 40 million tons of biomass a year, is that right, in the entire Forest Service lands?

Ms. KIMBELL. That is all forest lands. Forty million tons of oven-dried woody biomass would be available across the country from sustainably managed forests.

Senator ALEXANDER. Oven-dried woody what?

Ms. KIMBELL. Woody biomass.

Senator ALEXANDER. And that is all forests?

Ms. KIMBELL. That is all forests.

Senator ALEXANDER. Not just the national—

Ms. KIMBELL. Not just national forests.

Senator ALEXANDER. Forty million tons. And you said in Tennessee, it was 2.5 million tons?

Ms. KIMBELL. Two and one-half million tons.

Senator ALEXANDER. A year?

Ms. KIMBELL. A year.

Senator ALEXANDER. All right. Now the questions—well, would it help with fire prevention if this biomass were removed from the forests?

Ms. KIMBELL. Absolutely. And this has been a major focus of our hazardous fuel reduction over the last 10 years, and there are many more acres that need treatment. The estimates have run from 40 to 60 million acres. There are some estimates that are much higher.

But there is definitely a need for treatment of acres across national forests, BLM, private lands. Certainly, we are doing a much better job today of working across landscapes than we were 10 years ago, just given this issue with fire and fire potential and the woody biomass that is on the ground. But having a market for this woody biomass is really critical to make this cost effective for the American taxpayer.

Senator ALEXANDER. Now the 40 million tons is on the ground. You are not talking about dead or dying trees?

Ms. KIMBELL. Oh, no. That does include dead and dying.

Senator ALEXANDER. It does include dead and dying trees. So you would like to see some biomass plants that would take large amounts of this oven-dried woody biomass and turn it into either fuel or electricity? That would be a help to the fire prevention and other aspects of your operation?

Ms. KIMBELL. Absolutely. Having a market for this woody biomass is really critical to make it cost effective.

Senator ALEXANDER. Can you tell me what size powerplant, in your estimation—and maybe this is a question for the Department of Energy—what size powerplant for electricity that 40 million tons of oven-dried woody biomass would operate every year? You don't need to tell me now.

Give me some idea of the kind of roads and trucks that would be involved in the hauling of all this stuff to plants. And any sort of judgment about whether, in the end, that whole process is carbon neutral?

Ms. KIMBELL. And actually, we have a couple of research projects that are going on, one in California, where we are trying to assess

just exactly that. And hopefully, we will have results from that study. But, yes, we can provide you with that information.

Senator ALEXANDER. That would be very helpful to me because I think it would give all of us a lot of good information. It may be well worth doing even if it isn't carbon neutral, but if it also is carbon neutral, that would fit into the national debate.

[The information follows:]

The generating capacity depends on the facility design and conversion technologies used and their associated efficiencies. Some technologies have been proven for woody biomass through commercial deployment and use, while others are in the research, development, or testing stages. Based on conversion and efficiency factors for the proven technology of stand-alone wood biomass fired steam turbine system, and the Energy Information Administration, 40 million oven dry tons available annually would support an estimate of approximately 4,550 MW generating capacity. Depending on facility design and operating hours, the amount could be less.

The existing transportation infrastructure including roads and highways, rail, and barge, would be expected to be involved in delivering material to conversion facilities. It is important to consider that the logging operations infrastructure must be healthy and in place to enable sustainable harvest of the material. Life-cycle analysis of the biomass energy supply chain is an active area of research for the Forest Service and our partners. Results of forest management and harvest lifecycle analysis in the Pacific Northwest and Southeastern United States obtained to date indicate that greenhouse gas emissions vary between 2.5 and 12.5 percent of carbon in the wood, depending on management regime and transportation.

SITING WIND ENERGY TURBINES

Senator ALEXANDER. And then my last questions have to do with the mountaintops. And different regions of the country have more appropriate renewable energy. Biomass may very well be an appropriate one for the southeastern United States, which is why the Southern plant south of TVA is building its 100-megawatt plant.

In the West, it may be that large wind turbines are fine. I know at Rocky Flats, they are down on the ground. But my impression is that all of the class I wind areas in the Eastern United States are on ridge tops. Is that your impression as well?

Ms. KIMBELL. And I have not studied that issue carefully. No, I don't know.

Senator ALEXANDER. Well, that is my impression. And so, we would end up putting these massive machines on ridge tops in many parts of the area where the wind doesn't blow very well. So the questions I would like for you to try to answer for me, which you did to some direction, is how will your directives take into account the importance of protecting viewsheds?

I mean, in our part of the world, we buy houses and live on roads that are named Scenic Drive and Lookout Mountain and Blue Ridge Parkway, and not 500-foot, 50-story tower, "wind tower parkway" with the flashing lights. How closely are you working with the Department of the Interior on drafting your policy?

Should these decisions along the ridge tops of Appalachia from Georgia to Maine all be made by individual park supervisors, or should there be some review at the national level? Would it make more sense to first study and review all these lands and then come to some conclusion about what we do?

I think you can see my own personal view is I think it is a preposterous idea to take land we have set aside for recreation and scenic and other uses and clutter it with eyesores that don't

produce much electricity. Even if they did produce electricity, I think the people of our region would not want to see that.

I mean, we are spending up to \$40 million, for example, to acquire Rocky Fork in the Cherokee National Forest, and then the very idea of coming and putting in 50-story towers with long transmission lines seems to me to be a preposterous notion. So I would like to find some way to get an intelligent set of—a framework within which we can consider the appropriate siting of renewable energy, such as wind, on the Appalachian chain running from Georgia up through Maine.

What are those considerations, and how do we make choices between biomass, which, in our region, seems to be a very appropriate form of renewable energy, and wind turbines on ridge tops, which seems to me not to be?

Ms. KIMBELL. Well, I believe there are two things. I think this whole address to energy and alternative energy is far more complex than maybe we have all acknowledged yet. But just all the different complexities with—that come with some of these different alternative energy sources is something that we do need a larger discussion about, more discussion as we talk about energy independence in the country.

And yet there are still questions about where is it appropriate to drill for oil? Where is it appropriate to put out solar panel arrays? Where is it appropriate for wind turbines? And when are public lands appropriate for any of those? I think that is part of a much larger discussion that we are going to need to have.

We have had some public discussion about transmission lines, and yet still there needs to be discussion about all these different energy independence opportunities.

For wind energy, the Forest Service in 2007 posted in the Federal Register a proposed directive. It was to help our field organization have some consistency for how they evaluated wind energy proposals on National Forest System lands.

We received more than 5,000 comments. We have been reviewing those comments. We are discussing those with the Department of Agriculture. We have worked closely with the BLM through this whole process of preparing this consistent direction to provide to our field for evaluating wind proposals.

But always those—any of those proposals would have to be considered in the context of the forest plans, and those forest plans lay out how sustainability will be addressed on that particular national forest and always visual characteristics are something that are considered with each proposal that comes in as when it is evaluated for how well it meets the forest plan.

So there needs to be this much larger discussion, and at the same time, this directive for how to analyze wind proposals on National Forest System land is something that we hope to have clarified and to the field here very soon.

Senator ALEXANDER. Thank you, Madam Chairman.

Senator FEINSTEIN. Thank you very much, Senator.

Before turning to Senator Tester, Chief, would you please submit your statement for the record?

Ms. KIMBELL. Okay.

Senator FEINSTEIN. And it will be included in the record.

Ms. KIMBELL. And I do have a written statement and—
 Senator FEINSTEIN. That is what I am referring to, right.

PREPARED STATEMENT

Ms. KIMBELL. Thank you. And I would like to submit it for the record. Thank you.

Senator FEINSTEIN. Yes, right. Thank you.
 [The statement follows:]

PREPARED STATEMENT OF ABIGAIL KIMBELL

Madam Chairwoman and members of the subcommittee, it is a privilege to be here today to discuss the President's budget request for the Forest Service in fiscal year 2010. I appreciate the significant support this subcommittee has repeatedly demonstrated for the Forest Service. Working together, this subcommittee and the Forest Service have served the public good by addressing issues from loss of open space to wildfire, from crime on national forestland to improving fish and other aquatic organism passage. With your continued support we will keep providing more of the things the American public expects and wants.

With the new administration, the Forest Service advances its mission to sustain the Nation's forests and grasslands through direct stewardship of the 193 million acres of the National Forest System, technical assistance to State and private partners, and science. The Forest Service continues to manage the National Forest System to provide diverse benefits to the public such as clean water, fish and wildlife habitat, recreation, and forest products. The Forest Service will make progress in its partnerships with other Federal agencies, States, local governments, tribes, and private landowners to sustain forests and address climate change and other issues across the landscape. The Forest Service will continue to develop innovative tools and provide understanding of complex forest ecosystems through its unique research program. And the Forest Service will continue to advance forest management across the globe in our International Programs.

The fiscal year 2010 President's budget request for the Forest Service totals \$5.2 billion in discretionary appropriations, a 9 percent increase over the fiscal year 2009 enacted level. As part of the budget, the President is proposing three major initiatives for the Forest Service in addition to maintaining essential funding levels for critical program areas.

Before discussing the fiscal year 2010 budget further, I would like to thank this committee for your support of our mission by providing \$1.15 billion to the Forest Service through the American Recovery and Reinvestment Act of 2009 (ARRA). The Forest Service is using these funds to create over 20,000 new private sector jobs and promote economic recovery, especially in those areas which the recession has impacted most. In addition to restoring jobs and revitalizing economies, the Forest Service ARRA projects will restore the land and improve facilities and infrastructure, augmenting critical mission objectives for the agency.

PRESIDENTIAL INITIATIVES

The fiscal year 2010 budget for the Forest Service includes three Presidential initiatives: responsibly budget for wildfire suppression; conserve new lands; and Protect the national forests. This suite of initiatives addresses the challenges we face, including the three themes I identified before last year's budget hearings: climate change, water supply and quality, and loss of connection to nature, especially for youth.

Responsibly Budget for Wildfire

Fires in recent years have become larger and more difficult to control due to a variety of factors, including climate change; persistent drought and hazardous fuels conditions; and the increased magnitude and complexity of the wildland urban interface. As these factors extend fire seasons and escalate cost, annual fire suppression expenditures have routinely exceeded the amount budgeted for suppression. Since 2002, the Forest Service has used the authority provided by Congress to transfer over \$2 billion from other programs to fire suppression to cover these costs. Even when the transferred funds are repaid through supplemental appropriations, these transfers result in significant disruptions in the agency's ability to deliver its program of work.

Our fiscal year 2010 budget proposes a strategy to responsibly budget for wildfire that centers on three main tactics: fully fund the 10-year average suppression costs,

establish a discretionary contingency reserve account, and ensure fire management resources are used in a cost-effective manner in high-priority areas. The budget provides additional fire management resources for fire suppression that reduce the likelihood or magnitude of transferring funds from other critical Forest Service activities should fire costs exceed the 10-year average for suppression costs.

The request to increase the fire suppression budget by \$135 million over fiscal year 2009, to fully fund the 10-year average for suppression costs of \$1.1 billion, represents a significant shift in budgeting policy. In recent years, the Forest Service budget request reduced funding for nonfire programs to maintain funding for the 10-year average for suppression costs, to meet an overall budget cap. This approach was in place even as the 10-year average cost for suppression rose by nearly \$600 million between fiscal year 2001 and fiscal year 2008. The approach proposed in the 2010 budget preserves funding for the Forest Service's nonsuppression programs despite rising fire costs.

In addition, the fiscal year 2010 President's budget proposes a discretionary wildland fire contingency reserve of \$282 million. The fund would be available to the Secretary, subject to a Presidential finding of need, once the suppression appropriation is exhausted and as long as suppression is fully funded at the 10-year average. The fund would enable the agency to respond to wildfires which threaten lives, property, and resources on more than 210 million acres of agency-protected lands, while minimizing the potential for the transfer of funds from other Forest Service programs to suppression, ensuring that resources for other critical Forest Service activities are available. The request for the Department of the Interior includes a similar \$75 million proposal.

Along with fully funding the 10-year average and the wildland fire contingent reserve fund, the Forest Service will continue to deploy analytic support tools to improve fire incident and program decisionmaking, cost containment, and agency accountability. A number of wildland fire decision support systems, such as FSPPro, which models fire behavior, and RAVAR, which models values at risk from fire, provide real-time support to fire managers implementing risk-informed management.

The projects accomplished through ARRA will augment these budgetary efforts by restoring forests to a State in which they are less prone to catastrophic fire. The bill provides \$500 million for hazardous fuels reduction, forest health protection, rehabilitation, and ecosystem improvement. These funds will be evenly divided between Federal and non-Federal lands. Up to \$50 million of the \$500 million are available for wood-to-energy grants. These grants are being coordinated with hazardous fuels treatments to maximize biomass available for energy creation. We anticipate using these funds for hundreds of hazardous fuels reduction, forest health, and ecosystem restoration projects while creating jobs in economically distressed areas.

Conserve New Lands

While Americans can take great pride in our existing National Forest System and other public lands, there are many landscapes and ecosystems at risk. Fifty-seven percent, or 430 million acres, of our Nation's forests are privately owned. Family forest owners and other landowners are facing increasing pressure to develop their land, which fragments ownership and converts environmentally important forests to nonforest use. Conservation across a landscape is essential to address large-scale conservation issues such as adaptation to climate change, conservation of water resources, reduction of wildfire risk, and protection of at-risk species.

The budget includes a \$34 million Presidential initiative to conserve new lands through the forest legacy program funded from the Land and Water Conservation Fund (LWCF). Funded at \$91 million for fiscal year 2010, the forest legacy program protects forested lands under significant development pressures through acquisition of conservation easements and fee-simple purchases. The easements acquired protect air and water quality, provide access to national forests, and provide habitat for threatened or endangered wildlife and fish. This budget proposes spending \$119 million of the LWCF through the Forest Service as part of broader effort to conserve land by increasing LWCF appropriations for the Departments of Agriculture and the Interior to \$420 million.

Protect the National Forests

The national forests face significant challenges to both protect new investments and sustain older infrastructure. Ecologically sustainable investments in roads, trails, and facilities made through ARRA require resources to protect those new assets through maintenance. The National Forest System has a transportation system that is not suited to its modern needs and requires realignment to "right-size" the system for the future. A number of Forest Service facilities have urgent health and

safety maintenance needs that, if not addressed, could result in those facilities' closure.

The fiscal year 2010 President's budget augments the work to be accomplished via the ARRA by including a \$50 million Presidential initiative to protect the national forests by extending and enhancing those investments. This initiative demonstrates the Forest Service's commitment to maintaining a healthy environment by addressing critical maintenance and operational components of the Forest Service. These funds will be a cornerstone for sustaining a healthy environment, and will be focused on three priorities which will: protect the investments made through the ARRA; implement travel management plans with an emphasis on decommissioning unnecessary roads; and address urgent health and safety needs at facilities. These strategic investments will reduce the agency's overall maintenance and operational costs in future years, result in infrastructure that is more energy efficient, and reduce potential harm to the environment.

FOCAL POINTS FOR THE FOREST SERVICE

Climate Change

Forests and grasslands produce many ecosystem services on which our Nation relies: clean water, clean air, wildlife habitats, biological diversity, recreation, and forest products. However, research shows that climate change is currently stressing the Nation's ecosystems and their ability to provide those services. These effects are very likely to accelerate in the future, in some cases destabilizing these forests. Disrupted ecosystems could have a decreased ability to provide the services upon which Americans rely. Many of the most urgent forest and grassland management problems of the past 20 years, such as wildfires, changes in water quality and quantity, and expanding forest insect infestations, have been driven, in part, by changing climate. The effects and magnitude of climate change vary across the country, but we must act now to be able to address these issues as they arise.

The Forest Service will use the best available science to assess the influence of climate change on the Nation's forests and grasslands. We will focus on how climate change affects the forests and grasslands as well as how land management can influence the reduction in global greenhouse gases. Climate change will be integrated into land management plans by describing desired conditions, objectives and standards. The Forest Service will also continue research and monitoring efforts to improve our understanding of climate change.

The budget continues support for key programs that enable the agency to achieve these goals. The forest and rangeland research request includes \$27 million for research programs on climate change. The fiscal year 2010 budget includes \$25 million for revising land management plans and \$26 million for conducting land management plan assessments, which enable national forests to address climate change in forest planning. The fiscal year 2010 budget maintains a steady \$653 million for wildlife and fisheries management; vegetation and watershed management; and forest products. These programs endow the agency with the ability to adapt to climate change's effects on National Forest System lands, ensuring resilient ecosystems. In fiscal year 2010, the Forest Service will build on a fiscal year 2009 investment of \$825,000 to promote sustainable operations in order to reduce the agency's own environmental footprint.

Water

Our society requires adequate supplies of clean freshwater as a source of drinking water and as an engine for both agriculture and industry. While freshwater is a renewable resource, it is also a limited resource that requires careful stewardship to ensure it will meet the needs of present and future generations. In the last few years, we have seen the threats of drought to drinking water, forests, and agriculture throughout the country, from California to Wisconsin to Georgia. With the importance of this vital resource, we must act to ensure we are prepared to address the increasing scarcity of clean water.

The Forest Service plays a significant role in management of our Nation's water, given that 58 percent of our water supply originates as precipitation on forest lands, both on State and private lands and on National Forest System lands. Our agency maintains partnerships that address nearly 560 million acres of forested watersheds on non-Federal lands that provide drinking water to over 138 million people. Another 70 million people get their drinking water from national forests and grasslands.

To ensure that National Forest System lands can continue to be a source for clean water, the Forest Service will conserve, maintain, and restore watersheds to sustain the ecosystems they support and the services they provide; secure water of sufficient

quantity and quality to sustain aquatic and terrestrial life; develop and advance knowledge and shared learning central to managing forest and grassland water resources and watershed conditions expected in the future; and facilitate watershed-based partnerships to foster conservation and citizen stewardship.

Currently, we are finalizing an inventory of the issues affecting National Forest System water resources, identifying actions that we can take to meet this crisis head-on, and developing materials to share with the public and our partners.

The Forest Service supports key programs that position the agency to address water-related challenges. The fiscal year 2010 budget includes \$57 million for managing aquatic habitat and \$60 million for maintaining and improving watershed conditions. These programs provide the base for efforts integrated across many other programs that secure ample supplies of clean water.

Kids in the Woods

As our Nation and especially our Nation's children develop more sedentary or more urban habits, we risk being disconnected from our environment. Being active in nature establishes healthy habitats and creates personal connections to nature, fostering a conservation ethic. Our Nation's urban and rural forests offer the setting for those active outdoor experiences, elucidating the contribution that the Forest Service can make to the national movement to bring children to nature and nature to children.

The Forest Service budget maintains funding to engage children in outdoor activities that will establish a meaningful and lasting connection to nature. The Forest Service has been active in youth contact programs for decades and is active in communities throughout the United States. The fiscal year 2010 budget continues a \$500,000 investment for the More Kids in the Woods cost-share award program. In fiscal year 2008, the program, in its second year, leveraged a 3:1 ratio of funds on 16 projects that engaged 20,000 youth with nature. Beyond the work done through the More Kids in the Woods cost-share program, the budget provides \$29 million for urban and community forestry and \$5 million for recreation research, programs that support this effort. The budget continues steady funding levels for recreation of \$280 million and wildlife interpretation and education of \$9 million, forming a base of work for this effort on national forests. In fiscal year 2010, the Forest Service will emphasize delivery of conservation education programs to underserved communities in urban and rural settings.

CONCLUSION

The Forest Service presents its fiscal year 2010 budget positioned to fulfill its mission of sustaining the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations. The budget supports the priorities of responsible budgeting for wildfires; of proactively addressing infrastructure needs to protect Forest Service facilities, roads, and trails; of conserving new lands; and of responding to climate change. This suite of monetary and management emphases enable the Forest Service to adapt to future challenges while continuing to conduct ground-breaking research, provide vital assistance to landowners and resource managers, and sustainably steward national forests and grasslands. Thank you and I look forward to our dialogue today.

Senator FEINSTEIN. Senator Tester.

STATEMENT OF SENATOR JON TESTER

Senator TESTER. Well, thank you, Madam Chair.

And it is good to have you here, Gail. I appreciate the opportunity to visit with you a little bit about what is going on.

HAZARDOUS FUELS TREATMENT

And I know that Senator Feinstein talked a little bit about fire, and I am going to probably spend a little more time on that. Real quickly, looking at the budget, there is a 14 percent increase in fire suppression. There is a \$218 million suppression contingency amount. There is about \$2.5 billion of the \$5.2 billion budget that is going to go for wild land fire management.

In Montana, and I think fair to say in a lot of other areas in the United States, we are experiencing a lot of disease, a lot of beetle

kill. I flew up from Salt Lake to Great Falls here a month ago, looked down. That forest is dead. It is primarily a different color of green than what you see, and that is not a good thing.

Are those kind of dollars adequate, and I am not talking—I think a lightning strike and a good wind, and you are not going to have enough money to fight anything. It is going to burn.

But are those kind of dollars adequate not only to take care of regular fires, but also, more importantly, deal with the forest management that has to be done in our national forests?

Ms. KIMBELL. Well, I probably need to preface that with thanking the subcommittee for your support to the Forest Service for including us in the ARRA and the \$250 million that is focused on hazardous fuel reduction work on National Forest System lands. That will be a tremendous help through 2009, 2010 in addressing some of those hazardous fuel loading on National Forest System lands.

This budget, the 2010 budget, though, is a far better starting point than I have been able to present to you in my whole tenure as chief. It does hold vegetation management flat. It does hold all of the National Forest System programs essentially flat.

So it doesn't increase the level of activity in forest management work, active management work on the ground, though the \$250 million from ARRA will be a tremendous help.

Senator FEINSTEIN. We may just change that, Senator, and increase it.

COLLABORATIVE PARTNERSHIPS

Senator TESTER. Okay. And I would say this—and this is no reflection on you, Gail. The bar was pretty low on some of these previous budgets. I would just tell you that.

So I will shift gears a little bit because I know Senator Feinstein has the same issues with fire in the forests that we do in Montana, in California, and there are other areas, too.

I want to talk a little bit about collaborative partnerships and how the Forest Service views groups like Beaverhead-Deerlodge, Quincy Library Group (QLP), Yak, and Blackfoot. How do you deal with those? Do you have a set of operating procedures to deal with collaborative groups that want to help, but yet you have the job, they don't?

Ms. KIMBELL. Every one of them is different because of the local needs, the local interests, the local energy that people bring to it. We encourage all folks considering in pulling together a collaborative group to make it as diverse as possible to include the diversity of interests in those public lands. We really welcome the energy that comes with those.

One that happened in Montana was the group that has been meeting to develop restoration guidelines for Ponderosa Pine in western Montana, and it was a very difficult and yet fabulous exercise in bringing people together from all different interest areas to put together a common set of restoration guidelines. It has been fabulous work and very, very helpful.

Senator TESTER. Are you able to utilize—I mean, I think these folks are an asset, from my perspective, but I don't sit in the chair you are sitting in. Are you able to utilize when they do get collabo-

rative groups together and come up with an agreement? How do you utilize those recommendations?

Ms. KIMBELL. The greater the diversity in the group, the more useful the information. So that if a group has worked to include the breadth of interests that we need to include when we consider different activities on national forests, it makes it more readily transferable.

STIMULUS PROJECTS CONTRACTING

Senator TESTER. I wanted to ask just a little bit on the stimulus jobs recovery monies. Away from the fire management for a second, then we will get back to it. But if my time has run out, we can come back.

Senator FEINSTEIN. Please, go ahead.

Senator TESTER. Okay. We can come back to this. But those monies are there for two reasons. Number one, it is to get people employed in areas where there is high unemployment and depressed economic conditions. And the other thing, in your particular case, is to get the forests cleaned up.

Is there any assurance that, for instance, there is a fair amount of money that is going to be heading up to the area around the Yak and Libby. Can you give me any assurances that those jobs for cleanup, those chainsaws that are going to be in the forests that are going to be doing the hazardous fuel reduction will actually go to anybody from that area?

Ms. KIMBELL. All of these projects that are contracted will be contracted using the Federal acquisition regulations. And so, there aren't special regulations that apply to these ARRA projects. We expect that given places like Libby, Troy, and Yak, that there are a lot of people trained in those different kinds of activities who can compete for those jobs. But there is no guarantee, no, that they will go to local people.

Senator TESTER. How is the Forest Service—how are they letting local residents know? I mean, the people who typically contract, they know all the rules. They know all the hoops to jump through. The guy that is trying to feed his family with a chainsaw sitting in his hand doesn't have a whole bunch of the bureaucratic experience, number one, and, number two, maybe doesn't even have the time because he is probably working—or she is probably working—several other jobs.

So how is the Forest Service reaching out in these local communities to let people know how to be a part of the puzzle?

Ms. KIMBELL. And I can probably get for you something far more specific because what I could give you today would be anecdotal.

[The information follows:]

ARRA legislation requires that we, to the maximum extent possible, award contracts on a competitive basis. In doing so we cannot predict nor directly control who is the successful bidder. We do, however, award based on best value, and part of the best value evaluation is the economic impact on small local communities. This impact can be as a result of direct employment, subcontracts, and purchase of supplies from local sources.

On March 10, 2009, the Director of the Forest Service Acquisition Management Staff sent a letter to Forest Service leadership asking that they be innovative in preparing projects for contracts, grants, or agreements funded by the Recovery Act. The letter stated the following:

"The Forest Service is in a unique position to focus our spending in communities near public lands, which are unlikely to receive funding from other agencies. Many of these communities have high poverty rates and chronically high unemployment rates. The closure of just one or two businesses in these areas can spike local unemployment rates.

I encourage you to be innovative in your approach to project design and layout, project packaging, solicitation methods, and awarding of grants and agreements in order to maximize economic benefit for the hardest hit communities."

Senator TESTER. That would be fine.

Ms. KIMBELL. Okay.

Senator TESTER. That would be fine. I just want to make sure that they have a shot. Sometimes the best-laid plans end up going—and I agree you have to be competitive—but if you don't know how to get through the door, you can't be competitive. That is all.

And I am not saying that is the case here at all. I just want to make sure that they get a shot at it.

Ms. KIMBELL. Well, my focus with ARRA from the beginning has been jobs, jobs, jobs. And I know that at the local level, our rangers, our forest supervisors, our people in the local communities have been talking to people and even putting together their project submittals and all, looking at the capacity in the community and really working to play to that capacity.

Senator TESTER. I really appreciate that. I will tell you in the area I am talking about, you are talking unemployment up 16 percent and above.

Ms. KIMBELL. Yes.

Senator TESTER. And these folks are skilled, but the wood products industry has tanked. You know that.

Ms. KIMBELL. Yes.

Senator TESTER. And so that we could not only put people to work doing good work, but these folks are used to working hard and they are used to working with their hands.

So thank you.

Ms. KIMBELL. Thank you, Senator.

QUINCY LIBRARY GROUP

Senator FEINSTEIN. Thank you very much, Senator Tester.

I would like to ask one last question on a subject that I have had a good deal of conversation with of your forest supervisors, and that is the Quincy Library Group, which has been a very frustrating exercise.

You know, Quincy was supposed to be about collaboration. We had terrible fires up in the Lassen and the Plumas forests. And you had the environmentalists on one side, and you had people who own property, who were business people on the other. And so, they went to the only place where they couldn't yell at each other, and that was the Quincy Library. And for years, they worked to collaborate and work out an agreement.

And the agreement was based on putting in firebreaks in areas that were critical, where you could get some timbering from those firebreaks but, at the same time, prevent the kind of catastrophic hot fire, which was now built up by the nonnative growth down below and really taking out the canopies of old growth, as well as any endangered species that happened to reside in those canopies.

And they came up with a project, and now it has been lawsuit after lawsuit after lawsuit.

So I met with some of your supervisors—interestingly enough, all women—and it was very interesting for me and wonderful to see in San Francisco recently. And we went over how there was effective collaboration in at least two of the forests and, I think, some problems in the third.

But the bottom line was that the Forest Service has provided my staff yesterday acreage targets having to do with the Lassen, which runs around 22,000 acres; the Plumas, which is about 7,000 acres to be treated; and the Tahoe, which is about 3,900 or 4,700 acres. And yet there are a number that still need to be agreed upon.

And I would like to ask for your oversight in seeing that that gets done. Again, the worry is that we have another catastrophic fire, and this has been years and years of trying to work this out.

Ms. KIMBELL. And Senator, last year, I had the opportunity to be there on the Shasta-Trinity National Forest and then on the Plumas during that great big fire event following the June 21 lightning storm. And I got to be in one of those areas where the Quincy Library Group had struggled for so long to come to agreement as to how it might be managed, and it had finally made it through all the legal process and then got caught up in one of those fires and burned hard. Burned very, very hard.

I was there with the forest supervisor and the district ranger, and that was—

Senator FEINSTEIN. So if we had done it 10 years ago, when we tried to do it?

Ms. KIMBELL. The fire may not have been as big as it was or as hot as it was, and the damage that it did to the watershed. So this year, we are expecting to treat overall with Quincy Library Group 30 projects, 18,000 acres, and there is the potential for more if there are some things that can work through the collaboration. And we are very hopeful.

Senator FEINSTEIN. Let me ask you, is that enough to keep a mill alive and the jobs or not?

Ms. KIMBELL. It is 150,000 million board feet. That is a lot of wood, and yet given the market conditions across the country, it is still very difficult to keep a market alive when the Random Lengths Index is so very low. And with all the announcements that have been coming from California and from Montana about the competitiveness in the world, it really makes it hard to keep a mill open in the United States.

Senator FEINSTEIN. I just want to say I very much welcome your oversight and trying to push people. You know, there is an effort at collaboration. There is an effort at compromise.

Ms. KIMBELL. Yes.

Senator FEINSTEIN. And it seems to me that unless—if this fails, the only alternative is for us to go ahead with very stringent legislation like a categorical exemption, which nobody wants to do. But that is all we are left with if these fires keep happening, and you have got the collaboration between the environmentalists and others to try to solve the problem and they can't solve the problem.

Ms. KIMBELL. And we very much want QLQ to be successful, as well as a number of other collaborative groups. These are people

giving their own time, coming together weekend after weekend or Tuesday night after Tuesday, drinking bad coffee to—well, I don't know. Maybe they drink good coffee?

Senator FEINSTEIN. I have spoken to Senator Tester about this, and he has the same issues in his State. There, he really believes that collaboration is going to work, and I hope that is true because there are so many problems in these forests.

Ms. KIMBELL. Yes, and having the social license to be able to do the work we need to do to be able to avoid this kind of catastrophic damage that we have been seeing over the last 10 years from wildfire is very, very important. We need to have a market that will be able to use these materials that we remove, and we need to have the social license to be able to remove those materials.

And these collaborative groups have been a tremendous help in moving some of that forward.

Senator FEINSTEIN. That is right. Thank you.

Senator, do you have additional questions?

If I may, I am going to turn this hearing over to you—

Senator ALEXANDER. And I will be right behind you.

Senator FEINSTEIN [continuing]. And then if you have to leave?

Senator ALEXANDER. Jon, do you have any other questions?

Senator TESTER. I don't. Thank you.

Senator FEINSTEIN. I have to go to the floor. So—

Senator ALEXANDER. Well, I don't really have another question. I think you have been very helpful.

Thank you, Madam Chair.

Senator FEINSTEIN. May I say thank you, Chief, very, very much. I have come to watch you and know you over the years and really believe you are doing a good job.

Ms. KIMBELL. Thank you, Madam Chairman.

ADDITIONAL COMMITTEE QUESTIONS

Senator FEINSTEIN. And I want to thank all of your staff and people for this. American forests are very important to us, and the work you do is very much appreciated.

So thank you, and thank you very much.

Ms. KIMBELL. Thanks so much, Madam Chairman.

[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

FUELS

Question. Since 2006, more than 3 million acres have burned in my home State of California alone. It's clear that more progress must be made to treat hazardous fuels in order to deal with the dead, dying, and downed trees on our national forests. How many high-priority acres does the Forest Service have nationwide that require treatment? How much progress has the agency made toward treating these priority acres?

Answer. The LANDFIRE project will provide a national appraisal of vegetative conditions and provide information which will allow the agency to make an informed assessment of the number of high-priority acres that need to be treated to mitigate the wildfire situation. Between fiscal years 2000 and 2008, the Forest Service treated more than 17.6 million acres of hazardous fuels nationwide across National Forest System lands. Treatments were conducted in high-priority areas to create or

maintain conditions that are at a reduced risk of catastrophic fire. Additional funding has been provided to the States to reduce fire hazard on State and private lands.

FIREFIGHTER RETENTION

Question. As you know, the subcommittee provided \$28 million this fiscal year to fund recruitment and retention initiatives for areas like California that face staffing shortages. I have not yet received the final spending plan for these funds required by the 2009 Interior bill. What are the details of how the money will be used? How are you using these funds to ensure your firefighting corps is fully staffed, and why did you select the initiatives you chose? What evidence do you have that these initiatives are working?

Answer. The Forest Service appreciates the patience of the Appropriations Committee in allowing the agency to develop a comprehensive recruitment and retention plan. The regional forester implemented a process across the State with line officers and employees to identify integrated elements for retention within his authority in four areas: mission related to fire suppression, workplace improvement, fire facilities, and pay. The approaches taken are expected to improve firefighter retention within the region and will be monitored to ensure their effectiveness. The region's efforts include:

—*Fire Suppression Mission.*—The regional forester has reiterated the Agency's fire suppression focus for National Forest System lands and his commitment to agency policy, and the 2008 Wildland Urban Interface Operating Principles. Additionally, the Regional Forester has reiterated the Agency's role in "all risk" missions based on Homeland Security Presidential Directive 5, including the expectation that Agency participation in medical response should be by exception, and not the rule.

—*Workplace Improvement.*—The regional forester will implement a wide range of actions including increased opportunities for leadership training at all levels, authorizing additional administrative and technical support personnel at local units, authorizing the promotion of apprentice employees to GS-5 within the program, and authorizing permanent, seasonal tours for firefighters outside of the Apprentice program to be adjusted to permanent full-time tours (for those employees wishing to do so).

—*Fire Facilities.*—A list of projects that would have an impact toward improving health, safety, and mission capacity has been developed. Once funding is available, the regional forester will provide direction to implement these projects. In the long term, the regional forester will direct the region to complete the strategic facility master plan, which will allow fire facility needs to be analyzed on a regional scale instead of the forest-by-forest process currently in place.

—*Pay.*—The regional forester has taken actions within his authority:

—*Firefighter Seasonal to Permanent Full-time Tour Conversion.*—On March 4, 2009, the regional forester authorized forest supervisors to convert permanent seasonal firefighter positions to permanent full-time. Permanent seasonal firefighters are those employees who normally work 6–9 months per year and are in a nonpay status for the balance of the year. Approximately 1,555 positions are eligible for the conversion, but more than 700 of those positions are currently vacant and reserved for apprentice firefighters who are ineligible for conversion. Apprentices will be placed into those vacancies as permanent full-time firefighters upon completion of their training. In fiscal year 2010, the region estimates that approximately 780 formerly seasonal positions will have been converted to full time resulting in an increased cost to the region of about \$9.5 million. In future years, as employee retention levels increase and apprentices graduate into current vacancies, the number of formerly seasonal positions that have been converted to full time will increase annual costs to the region. The potential increased costs to the region could rise as high as \$21.5 million a year if all 1,555 positions are eventually converted. However, these employees will be available to perform project work in ecosystem restoration, hazardous fuels reduction, biomass-to-energy, and other important agency priorities.

—*Firefighter 10 Percent Retention Incentive.*—On March 1, 2009, a 10 percent retention incentive for GS-5 through GS-8 firefighters was authorized. Thirteen hundred (1,300) firefighters received the benefit, which will continue to be reflected in employees' paychecks. The current authorization is for 1 year (26 pay periods). The retention incentive will be reviewed prior to expiration in 2010 to determine if it is having an effect on attrition patterns. The additional cost for the 10 percent retention incentive for 1 year is approximately \$7 million.

In addition, the agency is assessing the options of a new wildland firefighter series and a special salary rate for California. Both of these options will require Office of Personnel Management approval. The agency will evaluate the effectiveness of the recruitment and retention plan actions with two metrics. First, the region will assess vacancy rate trends in GS-6 through GS-8 positions. Second, agency will monitor the resignation trends of firefighters.

Question. Does the Forest Service plan to renew retention efforts in California for the coming fiscal year, fiscal year 2010? Your budget request didn't include funds to continue retention initiatives and, in fact, flat-lined the fire preparedness budget at \$675 million. If the Forest Service plans to continue these efforts, how do you propose to pay for them?

Answer. The agency will assess the effectiveness of the regional recruitment and retention actions at the end of the fiscal year. The actions taken this year will increase annual baseline costs. We expect that any actions will be funded through regional program funding allocations along with carryover from the original earmark of \$25 million to cover the costs of renewing the 10 percent retention incentive and the projected promotion of permanent seasonal employees to permanent full-time status.

Question. It is my understanding that the Forest Service is also continuing to look at other potential, long-term retention strategies, which include a special pay rate, a firefighter GS series, and a portal-to-portal pay system. Please provide me with specific updates on what steps you are taking to consider each of these strategies, including a timeline for review and decisionmaking for each. Please include any information that is available on current cost projections for implementing each of these strategies.

Answer. The agency is looking at several long-term strategies.

—*Firefighter Series.*—The agency is nearly finished assessing options and estimating the workload necessary to develop a proposal for a new wildland firefighter job series. The assessment requires an extensive job analysis to determine job requirements and is a Service-wide effort being coordinated with other wildland fire agencies in the Department of the Interior. Once the job analysis and proposal is completed, Office of Personnel Management (OPM) will make the final determination. Completing the analysis and gaining approval from the OPM will take time.

—*Special Salary Rate.*—The Forest Service currently has a special salary rate for wildland firefighters in certain southern California counties. For most GS grades (GS-3 through GS-9), the special salary rate is slightly above the locality pay for these areas. For GS grades starting at the GS-10, the locality pay is actually higher than the special rate in both the Los Angeles and San Diego area. The agency is currently analyzing the effect of the current special salary rate and whether a special salary rate for the rest of California would affect recruiting and retaining firefighters. The analysis will consider effects from the 10 percent retention incentive. Similar to requirements for a new firefighter series, the OPM requires a rigorous analysis and justification for any new special salary rate. The analysis will take time for the agency to prepare and work with the OPM.

—*Portal-to-Portal Pay.*—This option is not being considered by the agency at this time.

The cost for each of these is not known.

MARIJUANA ENFORCEMENT ON NATIONAL FOREST LANDS

Question. Over the past 3 years, I've worked to increase the Forest Service's law enforcement budget by \$25 million to fight marijuana cultivation on national forests. I'm extremely concerned that cultivation sites continue to be a danger to public safety, as these gardens are often guarded by armed drug traffickers. What progress have you made in eradicating these marijuana gardens? Please provide relevant statistics, both nationally and for California only, to support your response (i.e., number of plants eradicated, number of arrests made, number of prosecutions, etc.).

Answer. The Forest Service has made the following progress in eradicating the marijuana gardens both nationally and for California as follows:

Nationally	Fiscal year 2006	Fiscal year 2007	Fiscal year 2008
Marijuana plants eradicated	1,221,989	2,050,368	3,295,870
Sites eradicated	497	462	714
Sites tended by foreign nationals	216	256	245
Felony drug arrests	327	319	424

Nationally	Fiscal year 2006	Fiscal year 2007	Fiscal year 2008
Firearms seized	249	274	330

Region 5 (California)	Fiscal year 2006	Fiscal year 2007	Fiscal year 2008
Marijuana plants eradicated	1,060,114	1,878,589	2,655,916
Sites eradicated	250	328	437
Sites tended by foreign nationals	197	241	208
Felony drug arrests	78	78	198
Firearms seized	37	71	154

Question. I am very concerned about natural resource damage caused by marijuana gardens. I believe that efforts to clean up these sites will require dedicated funding. In fiscal year 2009, I provided a \$500,000 increase to your budget specifically to clean up national forest lands after drug eradication operations. How will the funds be used? Did you continue these funds in your budget request?

Answer. The fiscal year 2009 Omnibus Appropriation Act earmarked \$500,000 for rehabilitation of drug cultivation sites. This earmark was distributed in the final allocation based on each region's percent of cultivation sites identified in the LEIMARS database. The following regions received additional funding for restoration of drug cultivation sites: region 3—\$10,000; region 4—\$15,000; region 5—\$310,000; region 8—\$140,000; and region 9—\$25,000. Regions were also provided direction that additional vegetation and watershed management program funds may be utilized for rehabilitation of drug cultivation sites, based on regional watershed restoration objectives and priorities. In addition to these funds, regions should utilize minerals and geology management program funds for the clean-up of sites contaminated with hazardous materials.

The fiscal year 2010 President's budget request increased funding for watershed restoration activities from \$57.1 million in fiscal year 2009 to \$60.2 million in fiscal year 2010. Accomplishment of drug site restoration would be prioritized along with other watershed restoration needs, including those generated by wildfire and other natural events. Watershed restoration needs in high-priority watersheds, such as municipal watersheds will receive priority for available restoration dollars; and this will include treatment of drug cultivation sites with the potential to impact water quality in these watersheds.

Question. How much additional funding is needed to clean up remaining cultivation sites, both nationally and in California?

Answer. The agency will address reclamation and restoration with available funding on a priority basis. Cost for individual site reclamation will vary greatly, and a comprehensive assessment of these costs has not been completed. These sites create extensive resource damage, such as terraced soils, access trails; stream diversions; vegetation and timber removed, hazardous chemicals and buried irrigation systems.

FIREFIGHTING AVIATION NEEDS

Question. The Forest Service primarily depends on an aging fleet of old military P2-V and P-3 aircraft to serve as air tankers for initial attack on wildfires. The Forest Service is currently contracting 18 air tankers to fight fires—that's down from a peak of 44 aircraft in 2002—and I am very concerned that you continue to lose more aircraft each year to accidents and airworthiness concerns. How long will the rest of your air tanker fleet be able to fly safely? Please provide specific data for both types of aircraft.

Answer. The P-3 is currently supported by the manufacturer, Lockheed Martin, which provides service life extension programs for these aircraft as they approach retirement. The P2-V, however, is not supported by a manufacturer. We anticipate that P2-V fleet could be expended as early as 2022. Aircraft accidents continue to reduce airtanker numbers by approximately .5 aircraft per year.

Question. What role will the Modular Airborne FireFighting System (MAFFS) II units need to play as the Forest Service's air tanker fleet ages?

Answer. The MAFFS program has traditionally provided additional capacity for the Forest Service and our interagency partners. The MAFFS II is a significant improvement in design and operational effectiveness. We are looking forward to continued partnership with the military and the MAFFS II tanks. At this time we do not anticipate needing additional MAFFS units to support the wildland fire program.

Question. In 2005, the subcommittee directed the Forest Service to review its fleet and analyze future firefighting aviation needs. I understand that effort led to the

development of a new firefighting aviation strategy, including recommendations that pertain to the future of the Forest Service's air tanker fleet. You have not yet made this strategy public. What is the administration's timeline for the release of this strategy? When will you make a copy of this strategy available to the subcommittee and to the public?

Answer. The Forest Service, in cooperation with our interagency partners, has completed an extensive Interagency Aviation Strategy calling for replacement of critical firefighting assets. This document has been forwarded to the Acting Deputy Undersecretary for Natural Resources and Environment, USDA for discussion. Once discussion and review is complete we anticipate a decision.

CABIN USER FEES

Question. What is the total annual cost to the Forest Service for administering the recreation residence program for each of the past 5 fiscal years, including projected costs for fiscal year 2009? How many full-time employees (FTE) does the program require? Please provide the basis for how the costs were calculated, and separate out direct and indirect costs.

Answer. The Forest Service accounting system does not distinguish the cost of performing recreation residence permit administration from the cost of processing and administering recreational permits overall. In fiscal year 2009, the total for the administration of recreation special use authorizations is estimated at \$43.1 million and 338 FTEs. Of that planned amount, approximately \$6.7 million are indirect costs or about 15.5 percent. The fiscal year 2009 estimate for administering recreation special uses overall is based on regions' capability data. The indirect cost estimate is based on fiscal year 2008 actual expenditures and that same indirect cost percentage is applied to fiscal year 2009 planned levels.

Question. What are the real and projected costs to the Forest Service for implementing the Cabin User Fee Fairness Act of 2000 (CUFFA) for the past 5 fiscal years, including fiscal year 2009? How much is budgeted for fiscal year 2010? Please separate direct and indirect costs.

Answer. The cost of implementing the CUFFA is reflected in the direct appraisal costs estimated at \$7 million from fiscal year 2007 through fiscal year 2012 and an additional \$1.3 million in indirect costs. CUFFA did not result in a significant increase in direct appraisal costs per appraisal cycle, but by requiring appraisals every 10 years as opposed to the previous policy of every 20 years, CUFFA effectively doubled these costs. Indirectly, CUFFA resulted in a significant amount of time and money devoted to the writing of regulations, meeting with interested parties, and responding to the controversy generated by its implementation. The agency does not separately track these costs, as it is part of overall recreation permit program costs.

Question. Specifically, what are the costs of new appraisals to implement CUFFA in fiscal years 2007, 2008, and 2009? What appraisal costs are budgeted for fiscal year 2010? What is the expected total cost of an entire appraisal cycle for all forests? Please explain how the overall CUFFA implementation costs and the appraisal costs were determined.

Answer. Costs of new appraisal are spread out from fiscal year 2007 through fiscal year 2012. Our accounting system does not split out these specific costs, but the agency has developed the following estimates based on known direct contract costs and review appraiser costs, and then projecting forward. An estimated additional \$1.3 million over fiscal year 2007–fiscal year 2012 is estimated for indirect costs.

[In thousands of dollars]

Fiscal year	Direct estimate	Indirect estimate	Total estimate
2007	1,600	300	1,900
2008	1,800	300	2,100
2009	1,600	300	1,900
2010	1,000	200	1,200
2011	600	100	700
2012	400	100	500
Total	7,000	1,300	8,300

Question. How much revenue did the Federal Government receive from the fees paid for recreation residence permits in fiscal year 2008? Under current law and policies, how much revenue is the Federal Government projected to receive from fees

paid for recreation residence permits in each fiscal years from fiscal year 2009 to fiscal year 2014?

Answer. In fiscal year 2008, revenue received was \$14.6 million. Assuming there is little change in fees from second appraisals and assuming the increase indicated from the completed appraisals is representative for the whole, the agency projects \$40 million in annual fees upon full implementation. The last appraisals will be reviewed in fiscal year 2012 and will begin a 3-year phase-in in fiscal year 2014. Breaking out the increase over the intervening years would indicate the following estimates.

	Amount
Fiscal year 2009	20
Fiscal year 2010	22
Fiscal year 2011	24
Fiscal year 2012	26
Fiscal year 2013	32
Fiscal year 2014	35

QUESTION SUBMITTED BY SENATOR JUDD GREGG

FOREST LEGACY PROGRAM

Question. As you know, in the East, we feel very strongly about the need for funds to help us leverage purchases to protect land, and the Forest Legacy program is a vital part of that. The administration's fiscal year 2010 budget includes \$1 million for a new, Community Forests Program within Forest Legacy. Is the Forest Service committed to ensuring robust funding for the Forest Legacy program and also ensuring that funding levels for successful existing programs, such as Forest Legacy, will not be adversely impacted as a result of funding for new programs?

Answer. Both the Forest Legacy and Community Forests programs are important conservation tools that the Forest Service uses to conserve important open space and forest resources. In addition to the \$1 million for a new Community Forests program within the Forest Legacy program, the President's budget also included \$34 million for the President's "Conserve New Lands" initiative. This new initiative reflects the administration's priorities in land conservation. The commitment to the program is also reinforced through the participation from States; in fiscal year 2010, 44 States submitted 87 projects with a value of \$194 million. While the Forest Service is dedicated to all of its programs, it is explicitly committed to fulfilling the President's goals with respect to this new effort.

SUBCOMMITTEE RECESS

Senator FEINSTEIN. The hearing is recessed.

Ms. KIMBELL. Thank you.

[Whereupon, at 10:48 a.m., Wednesday, May 20, the subcommittee was recessed, to reconvene subject to the call of the Chair.]