

**H.R. 4235, H.R. 4353, H.R. 4717,  
H.R. 5582, H.R. 5665, H.R. 6070,  
AND DISCUSSION DRAFT OF H.R. \_\_\_\_\_,  
“BIOCHAR ACT”**

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**LEGISLATIVE HEARING**

BEFORE THE

SUBCOMMITTEE ON FEDERAL LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

\_\_\_\_\_  
Tuesday, November 14, 2023

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LEGISLATIVE HEARING ON H.R. 4235, TO DIRECT THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF THE INTERIOR TO ESTABLISH A WILDFIRE TECHNOLOGY TESTBED PILOT PROGRAM, AND FOR OTHER PURPOSES, “WILDFIRE TECHNOLOGY DEMONSTRATION, EVALUATION, MODERNIZATION, AND OPTIMIZATION ACT” OR “WILDFIRE TECHNOLOGY DEMO ACT”; H.R. 4353, TO AMEND PUBLIC LAW 91-378 TO AUTHORIZE ACTIVITIES RELATING TO CIVILIAN CONSERVATION CENTERS, AND FOR OTHER PURPOSES, “CIVILIAN CONSERVATION CENTER ENHANCEMENT ACT OF 2023”; H.R. 4717, TO AMEND THE HEALTHY FORESTS RESTORATION ACT OF 2003 WITH RESPECT TO THIRD-PARTY CONTRACTS FOR WILDFIRE HAZARD FUEL REMOVAL, TO AMEND THE NATIONAL FOREST MANAGEMENT ACT WITH RESPECT TO THE THRESHOLD FOR ADVERTISED TIMBER SALES, AND FOR OTHER PURPOSES, “LOCALLY LED RESTORATION ACT OF 2023”; H.R. 5582, TO PROVIDE FOR WHITE OAK RESTORATION, AND FOR OTHER PURPOSES, “WHITE OAK RESILIENCE ACT”; H.R. 5665, TO REQUIRE A COMPREHENSIVE ASSESSMENT OF CERTAIN FEDERAL TRAILS, CAMPSITES, BOAT DOCKS, AND OUTDOOR RECREATION FACILITIES TO DETERMINE THE ACCESSIBILITY OPTIONS FOR INDIVIDUALS WITH DISABILITIES, AND FOR OTHER PURPOSES, “PROMOTING ACCESSIBILITY ON FEDERAL LANDS ACT OF 2023”; H.R. 6070, TO AMEND THE MILITARY LANDS WITHDRAWAL ACT OF 1999 TO CLARIFY THE AUTHORITY OF DEPARTMENT OF DEFENSE TO CONDUCT CERTAIN MILITARY ACTIVITIES AT THE NEVADA TEST AND TRAINING RANGE, AND FOR OTHER PURPOSES; AND DISCUSSION DRAFT OF H.R. \_\_\_\_, TO ESTABLISH DEMONSTRATION PROJECTS TO SUPPORT THE DEVELOPMENT AND COMMERCIALIZATION OF BIOCHAR AND A COMPETITIVE GRANT PROGRAM TO CARRY OUT RESEARCH AND DEVELOPMENT WITH RESPECT TO BIOCHAR, “BIOCHAR INNOVATIONS AND OPPORTUNITIES FOREST CONSERVATION, HEALTH, AND ADVANCEMENTS IN RESEARCH ACT” OR “BIOCHAR ACT”

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Tuesday, November 14, 2023  
U.S. House of Representatives  
Subcommittee on Federal Lands  
Committee on Natural Resources  
Washington, DC

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The Subcommittee met, pursuant to notice, at 2 p.m. in Room 1324, Longworth House Office Building, Hon. Tom Tiffany [Chairman of the Subcommittee] presiding.

Present: Representatives Tiffany, Lamborn, Fulcher, Stauber, Bentz, Westerman; Neguse, Porter, and Peltola.

Also present: Representatives Amodei, Kim; Hoyle, Salinas, and Stansbury.

Mr. TIFFANY. The Subcommittee on Federal Lands will come to order.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

The Subcommittee is meeting today to consider seven bills: a Discussion Draft of H.R. \_\_\_\_\_, the BIOCHAR Act, it doesn't have a number, it is a discussion draft; H.R. 4235, Wildfire Technology Demonstration, Evaluation, Modernization, and Optimization Act; H.R. 4353, Civilian Conservation Center Enhancement Act; H.R. 4717, Locally Led Restoration Act of 2023; H.R. 5582, White Oak Resilience Act; H.R. 5665, Promoting Accessibility on Federal Lands Act of 2023; and H.R. 6070, to amend the Military Lands Withdrawal Act of 1999 to clarify the authority of the Department of Defense to conduct certain military activities at the Nevada Test and Training Range, and for other purposes.

I ask unanimous consent that the following Members be allowed to participate in today's hearing from the dais: the gentleman from Nevada, Mr. Amodei; the gentleman from Kentucky, Mr. Barr; the gentlewoman from California, Mrs. Kim; and the gentlewomen from Oregon, Ms. Salinas and Ms. Hoyle.

Without objection, so ordered.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member.

I therefore ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

I will now recognize myself for an opening statement.

**STATEMENT OF THE HON. TOM TIFFANY, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF WISCONSIN**

Mr. TIFFANY. Those who understand the magnitude of our forest health crisis understand it is not a problem the Federal Government can fix alone. State, tribal, local, and private partners will play a crucial role in addressing our overgrown, fire-prone Federal lands.

As my colleague on this Subcommittee, Congressman McClintock, often likes to say, we have a choice. We can either carry excess biomass out of our forests or we can burn it out. In one scenario, we create jobs and sustain rural communities through wood products. In the latter scenario, we degrade air and water quality, decimate wildlife habitat, and let rural economies shut down along with the wood products industry. The choice is clear, which is why the Subcommittee on Federal Lands will be considering several pieces of legislation today that will strengthen the partnership and coordination between Federal and non-Federal partners.

A key piece of addressing this crisis is creating new markets for wood products and expanding existing markets. Between 2000 and 2019, 1,500 mills shut down their operations. I will repeat that. Between 2000 and 2019, 1,500 sawmills in the United States of

America in the West shut down their operations. It should come as no shock to us that wildfires dramatically increased over this same period, as you can see on the chart behind me.

[Chart.]

Mr. TIFFANY. Today, despite the fact that the Forest Service's mission is to harvest timber under a multiple use and sustained yield mandate, the agency is failing to meet even its own modest timber targets. In 2021, the top 10 lumber producers harvested 17 billion board feet of timber, more than five times what the Forest Service produced.

One of the bills that would begin to address this problem is H.R. 4717, the Locally Led Restoration Act, offered by Congressman Lamborn. This bipartisan bill empowers third-party contractors to propose their own stewardship contracts, and requires that at least 10 percent of any project involve the removal of salvaged timber. This requirement will help address the enormous amount of hazard trees that have been killed by wildfires, disease, and insects over the past several years.

H.R. 4717 also raises the cap on timber sales that the Forest Service can have without undertaking a full competitive bidding process. This will enable the Forest Service to do direct sales for small, but still very meaningful, forest management projects. The positive changes in this bill provide benefits to rural economies and lead to better forest management.

Similarly, Congressman Barr's White Oak Resilience Act is another bipartisan proposal that relies on public-private partnerships to ensure the longevity of the white oak. White oak plays a critical role in supporting healthy forest ecosystems, and is also used to make furniture, flooring, and perhaps, most famously, barrels for wine and spirits. Scientists have warned that a looming shortage of white oak is imminent without intervention for this keystone hardwood species.

While we need to improve markets for high-value timber, we must also evaluate solutions for low-value hazardous fuels that must be removed from our Federal forests. That is why I am looking forward to hearing more from Chairman Westerman today on his bipartisan BIOCHAR Act, which would do just that.

Finally, we will consider Representative Young Kim's Wildfire Technology DEMO Act, which is a well-crafted bill that will improve the technologies and tools used to combat wildfires. This bipartisan proposal leverages public-private partnerships to test new and emerging technologies to detect and suppress wildfires early, which will ultimately reduce fire suppression costs.

This is a quality slate of serious proposals, and I look forward to discussing the merits of each today. I hope that, with today's hearing, we can move away from conversations about spending endless amounts of deficit dollars to manage our forests, and instead evaluate the truly novel concept that active forest management will enhance forest health and boost local economies.

I want to thank all of the witnesses for being here today, and I look forward to your testimony.

With that, we are going to go to our first panel. I think the Ranking Member is in Rules, which it is pretty important that he be in Rules today.

So, with that, first we will go to Representative Lamborn to introduce his bill.

**STATEMENT OF THE HON. DOUG LAMBORN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO**

Mr. LAMBORN. Mr. Chairman, thank you for having this important legislative hearing. I want to thank the witnesses on the next panel for what I am sure will be an enlightening and helpful dialogue with our members of the Committee and yourself.

Mr. Chairman, for decades our nation has been engaged in a hands-off approach to managing our natural resources in the attempt to preserve wilderness. My state of Colorado has been a pioneer of this approach, boasting over 3.7 million acres of designated wilderness and another 4 million acres of designated roadless. And these acres are used for hunting, fishing, backpacking, and more. Like all Coloradans and residents of Western states, I appreciate having public land that is available for these activities.

However, our national forests are facing immediate threats of devastation if we don't take the wildfire emergency seriously. That is why I have introduced the Locally Led Restoration Act, which attempts to establish more efficient ways of removing dead and dying timber from our forests.

Research shows that many parts of Colorado have four times more trees today than the forests did historically and naturally. Not only are these forests overcrowded, but they are also full of dead and dying trees that cannot be removed. In fact, Forest Service Chief Randy Moore testified before this Committee in April and stated that some of the areas of the country have a tree stand density of 600 to 800 trees.

It is no wonder that in the fall of 2020 Colorado saw the two largest wildfires in state history: the Cameron Peak Fire and the East Troublesome Fire. The Cameron Peak Fire burned over 208,000 acres through two snowstorms, while the East Troublesome burned over 193,000 acres. What is worse is that these fires burned so hot that they scorched the ground underneath, removing nutrients, chemicals, and fungal networks that allow a forest to regenerate after a fire.

In 1996, my district experienced the Buffalo Creek Fire, which burned 12,000 acres. The burn scar is still visible on the mountainside almost 30 years later, as vegetation struggles to recolonize the land. That land is still to this day unable to be hunted, fished, or provide timber as the landscape recovers from the catastrophic fire.

In current forest contracting, timber companies do not have a formal process to propose or counter-offer a contract from Forest Service or the Bureau of Land Management. It is a take-it-or-leave-it scenario, and many timber companies choose the leave-it option, due to the rising costs of hauling, the low price of small diameter timber, and other factors.

Right now, the Pike and San Isabel Forests, which have already faced massive wildfires, are full of brush piles that cannot be removed from the forest due to the cost and due to other punitive regulations. That is why I have introduced H.R. 4717, the Locally Led Restoration Act, as the Chairman mentioned.

I also want to give kudos to my, until recently, staff member, Taylor Tougaw, who is now with the Western Caucus. But he has been instrumental in forming this legislation.

Timber contractors are the only vehicle by which land management agencies can carry out forest restoration. Therefore, it is imperative that Congress streamlines the contracting process to make it more effective for both parties. My bill would allow timber contractors to propose their own contracts to land management agencies on the condition that at least 10 percent of the timber in a contract is salvaged material.

To be clear, the 10 percent threshold is a floor, not a ceiling, and can be altered during negotiations if needed.

This bill also increases the threshold with which the Forest Service must advertise sales from \$10,000 to \$50,000 to account for the inflation that has occurred since 1976, almost half a century ago.

I appreciate the Committee looking into this matter, and I look forward to forming a strong consensus on this important issue.

With that, Mr. Chairman, I yield back.

Mr. TIFFANY. Thank you, Representative Lamborn. I would now like to recognize Representative Amodei for 5 minutes on H.R. 6070.

**STATEMENT OF THE HON. MARK AMODEI, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF NEVADA**

Mr. AMODEI. Thank you, Mr. Chairman. For your record, Mark Amodei, representing Nevada's 2nd Congressional District.

H.R. 6070 is a technical amendment to the Military Lands Withdrawal Act of 1999. It results as the need for the Air Force in the Nevada Test and Training Range to update their threat emitter array for realistic training for folks who show up at Nellis Air Force Base and Creech Air Force Base to conduct ground attack and air-to-air training to be able to be some of the best warfighters in the country.

The proposal allows the Air Force, in conjunction with the land that they train on down there, which also shares some ground with the Desert National Wildlife Refuge, which is co-managed with the Fish and Wildlife Service, to construct up to 15 new threat emitter pads.

You may say, what is a threat emitter pad? A threat emitter pad can be as much as 150 feet by 150 feet to be the home for electronic measures, countermeasures, that are part of the training program.

You say, well, how much acreage is that? That turns out to be, if each of the 15 were constructed and they were all constructed to the 150-foot-by-150-foot footprint, we are talking about 7.75 acres of ground that would be impacted.

Well, how do we know how that is going to be in terms of an environmental sense? Fully subject to NEPA, fully subject to all the requirements that the Air Force has to comply with in order to do any construction, even this of a fairly de minimis nature.

And because of this Committee's foresight in terms of a Chairman who will remain unnamed, you want to run this through regular order. So, in order to amend the 1999 Military Lands Withdrawal Act, this bill is before this Committee that will, I

believe, be subject of an amendment through substitution later on in your process during your markup to also incorporate two more measures which say, hey, you have to have some memorandums with the appropriate resource folks in how you are going to handle this construction of this potential 7.75 acres regarding the 15 emitter sites.

So, Mr. Chairman, in view of your Committee's time, and thank you for your courtesy in allowing me to go, I know you have a full schedule today, that is the presentation of the bill. If there are any questions from you or Committee members, we would be happy to respond.

Thank you, and I yield back.

Mr. TIFFANY. Yes, thank you, Representative Amodei, and now I would like to recognize Representative Kim from California for 5 minutes in regards to H.R. 4235.

Welcome to the Committee.

**STATEMENT OF THE HON. YOUNG KIM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

Mrs. KIM. Thank you, Chairman Tiffany, I thank you for holding this hearing. And I also want to thank Chairman Westerman and your staff for your leadership on the issues before us today.

Chairman Westerman participated in a wildfire roundtable in my district last year, and I am very grateful for your continued engagement and partnership, and actually taking the time to come out to California to see for yourself the challenges that I face every single day in my district.

I represent California's 48th Congressional District that covers parts of Orange, San Bernardino, and Riverside Counties in Southern California. My district includes unincorporated areas spanning several canyon communities and the Cleveland National Forest Trabuco District.

I am proud to see H.R. 4235, the Wildfire Technology Demonstration, Evaluation, Modernization, and Optimization Act, or the Wildfire Technology DEMO Act, being considered in today's hearing. I introduced the Wildfire Technology DEMO Act after hearing directly from first responders in my district, including U.S. Forest Service rangers from the Trabuco District of the Cleveland National Forest and the firefighters from the Orange County Fire Authority and the San Bernardino County Fire Protection District.

I also heard from private-sector stakeholders developing innovative wildfire technologies like thermal cameras to track wildfires and heat trigger devices that release fire retardant hydrogels into the soil and air.

H.R. 4235 aims to improve public-private partnerships in developing and deploying the next generation wildfire technology. It directs the Secretaries of the Agriculture and the Interior to jointly create a 4-year pilot program that allows private entities developing wildfire technologies to partner with Federal land management agencies and test their technologies alongside ongoing hazardous fuel mitigation activities and training.

The bill allows Federal land management agencies to communicate key technology needs to private-sector partners, and it also

prioritizes consideration for emerging technologies including AI, quantum sensing, and augmented reality for wildfire mitigation.

This bill is a win-win for private entities looking to test their technologies at scale, and Federal land management agencies working to deploy emerging technologies to help first responders address wildfires and keep communities safe. It is bipartisan, common sense, and does not authorize new funding.

I thank Wildland and Aviation Division Chief Jim Topoleski from San Bernardino County Fire Protection District for joining us at this important hearing today. Our local firefighting agencies in Southern California are at the forefront of wildfire technology innovation, and serve as a model for Federal wildfire management efforts. I look forward to hearing Chief Topoleski's testimony today.

Many of my constituents in California's 48th Congressional District, especially in canyon communities, are weary of the increased threat of wildfires, and have felt the damage they can cause firsthand. We need to ensure that our Federal wildland firefighters have timely access to the best tools needed to address this threat.

Thank you for your consideration of H.R. 4235, and I yield back.

Mr. TIFFANY. Thank you, Representative Kim. I will now recognize Representative Salinas for 5 minutes in regards to H.R. 4353.

Representative Salinas.

**STATEMENT OF THE HON. ANDREA SALINAS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON**

Ms. SALINAS. Thank you, Chair Tiffany. Thank you for hosting this bill today. And I want to thank Chair Westerman, as well Ranking Members Neguse and Grijalva, for their work and for holding this important hearing.

I appreciate your attention to H.R. 4353, the Civilian Conservation Center Enhancement Act, which I did introduce with bipartisan co-leads Representatives Guthrie, Edwards, and my fellow Oregonian, Representative Hoyle.

For Oregonians, the threat of wildfires is all too real, and it is only growing more serious across the West. The last several years have been some of our worst fire seasons on record; 2020, in particular, was devastating to our state. That year saw upwards of 1.2 million acres of land and more than 5,000 homes burned in what was an unprecedented and deadly emergency.

And Oregon is not alone in facing increasingly disastrous wildfires. Studies by the National Oceanic and Atmospheric Administration show that wildfires have grown increasingly intense and widespread over the last decade, causing billions of dollars of damage and costing us countless lives. It is clear that Congress must do more to prevent these catastrophic wildfires, but also to ensure adequate resources and personnel are available to respond to them.

Since coming to Congress and assuming my role as Ranking Member of the House Agricultural Committee's Forestry Subcommittee, it has been my goal to work to increase our nation's ability to respond to these wildfires. As part of that goal, I was proud to work in a bipartisan manner to introduce this bill, the Civilian Conservation Center Enhancement Act.

This legislation takes a number of steps to improve and expand the wildland firefighting workforce by utilizing Civilian Conservation Centers, or we call them CCCs, which are operated by the U.S. Forest Service under Job Corps. CCCs provide important training and employment opportunities in natural resources conservation. The forest operates right now 24 CCCs around the country, and we have 3 in Oregon. They already play an important role in supporting wildland firefighting activities.

In fact, Job Corps actually estimates that CCC students provided almost 205,000 hours of support to Federal firefighters in 2022. This track record is why it is critical to build on the successes that CCCs have already had.

This legislation would do this through several means. It directs the Forest Service to create and pilot a specialized training program for wildland firefighting, including forestry practices and rangeland management. The Forest Service would also be directed to conduct an assessment of workforce shortages and needs at public land agencies and related agencies in an effort to determine better strategies for recruitment and workforce expansion, as well as retention.

Further, this legislation would set a firm goal that the Forest Service hire 300 CCC graduates per year into wildland firefighting roles or other critical workforce needs. To do so, the legislation ensures that the Forest Service can provide signing bonuses to graduates, and that the Forest Service has direct hiring authority, which they currently do not have, for graduates of the CCC programs.

The CCC Enhancement Act also benefits CCC graduates themselves. It ensures that they actually have a clearer career pathway available to them following graduation. Importantly, it also clarifies that the Forest Service can pay CCC students for the work that they are already doing to improve and maintain Federal lands.

Taken together, the pieces of this legislation will help to address our wildland firefighting workforce shortage, build on the successes that we have already seen through these CCCs, and provide pathways to careers for students seeking to protect and preserve our nation's natural resources. Quite simply, it is a critical step in mitigating the harm that increasingly common and severe wildfires cause.

I will close by once again thanking my co-leads on this legislation, Congressmen Guthrie, Edwards, Hoyle, as well as the stakeholders we have worked with to advance this legislation. I also want to thank Senators Merkley and Daines for their leadership on this on the Senate side. And finally, I want to thank one of our Oregonians, Linda Goodman, a respected former regional forester and former Forest Service Job Corps Director, for making the trip out here from Oregon to be able to testify today.

Once again, thank you, Chair Tiffany, for holding this hearing and considering this important step forward in addressing wildland firefighting.

Mr. TIFFANY. Yes, thank you for your testimony, Representative Salinas. I would now like to recognize Representative Stansbury in regards to H.R. 5665.

The floor is yours for 5 minutes.

**STATEMENT OF THE HON. MELANIE A. STANSBURY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW MEXICO**

Ms. STANSBURY. All right. Well, thank you, Mr. Chairman, and good afternoon, everyone. It is wonderful to be here with you this afternoon. I want to thank our Chairman for holding this hearing to consider all of the legislation that is on the docket today, but in particular our bipartisan bill, H.R. 5665, which is called Promoting Accessibility on Federal Lands Act of 2023.

I also want to extend a welcome to all of our witnesses who are here today and, in particular, my dear friend, Ms. Hall-Rivera, who I worked with at OMB many moons ago, when we had different lives.

And also, I wanted to thank Vote Vets Foundation for being here today and providing testimony on our bill. This organization is a non-profit, non-partisan group that works to strengthen the voices of our veterans. And, of course, this seems especially apropos as we are coming off of Veterans Day weekend.

And while we are here and I see some veterans in the audience, I want to say thank you for your service, for your sacrifice. Every day is Veterans Day, and we appreciate your service to our great nation. So, thank you.

I also want to take a moment to thank REI and Hispanics Enjoying Camping, Hunting, and the Outdoors, or what is also known as ECHO, for supporting our legislation.

And to tell you a little bit about our bill, we introduced this bill in honor of Public Lands Day and Veterans Day, and this bill would direct the United States Forest Service and Department of the Interior to conduct a comprehensive assessment of accessibility options for trails, campsites, facilities, and public lands so that all people, regardless of their physical limitations and abilities, will have access to our public lands.

More than 45 percent of New Mexico's lands are publicly owned, from the Cibola National Forest which overlooks my hometown of Albuquerque, New Mexico, or the world-class skiing and recreation of Santa Fe National Forest. These places are homes to unique heritage and culture that stretches back to time immemorial, including for our traditional pueblo and tribal communities, for our Hispano communities who have been there for countless generations, and all who enjoy these beautiful public spaces.

These spaces are crucial for connecting between people and our sacred lands. They provide opportunities for our communities to inspire stewardship for education, recreation, health benefits, and, of course, also for cultural activities.

Under the leadership of Secretary Haaland and Secretary Vilsack, our Federal land management agencies have invested heavily in the Great American Outdoors Act and the Inflation Reduction Act to help make our public lands more publicly accessible. But despite these efforts and the Americans with Disabilities Act, the ADA, and nationwide efforts by our Federal agencies to expand access for our family members and community members who live with disabilities, the reality is that many of our trails, our beaches, and our campgrounds are still not available and accessible to everyone.

America's public lands are for everyone, regardless of who you are and how you access them. This legislation, which I am co-leading with my fellow bipartisan supporter, Representative Ciscomani from the great state of Arizona, will help us to identify those disparities in access and help to take another critical step forward in making sure that these lands are accessible to every single American.

So, I want to thank you, Mr. Chairman, for holding this hearing. With that, I yield back.

Mr. TIFFANY. Thank you, Representative Stansbury. I would now like to turn to the Chairman of the Full Committee, Mr. Westerman, in regards to his BIOCHAR Act.

**STATEMENT OF THE HON. BRUCE WESTERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS**

Mr. WESTERMAN. Thank you, Chairman Tiffany, and thank you to the witnesses today. It is nice to come to a hearing where we are talking predominantly about trees. I have always said that trees are the answer; what is your question? Trees are something that should be bipartisan. We should all be able to come here and look at the benefit that trees and forests provide to us on many different levels, and I look forward to participating in the hearing and in future markups on these bills.

There are a couple of bills I am particularly interested in today, the first one being the BIOCHAR Act.

Biochar may seem like a strange concept for a congressional hearing, but I think it is something that the more we understand it, the more we all can get behind it. It is not a new product. The Incans were making biochar thousands of years ago in the Amazon, and you can go dig it up today because it lasts that long when you put it in the soil. You heat wood without oxygen, you drive off the volatiles which you can condense into transportation fuels or you can generate electricity from them. I was actually in a meeting earlier in my office with a company that is looking to invest a multi billion dollars in sustainable aviation fuel basically using the process that you make biochar with.

Biochar can be anywhere from 75 percent to 99.9 percent pure carbon. The density of carbon in wood is about 45 to 50 percent. This nice wood lectern here has stored carbon in it from many years ago, when the tree that this wood came from was performing photosynthesis and storing that carbon in the wood.

The BIOCHAR Act would provide demonstration facilities in every region of the Forest Service and with the Bureau of Land Management to look at specific species, specific technology, and how you apply this biochar to the agriculture in the region to make the lands more productive.

And what we know about biochar is it is like a sponge in the soil that holds moisture, it holds nutrients, makes the moisture and the nutrients available for plant uptake, which makes your agriculture land more productive. So, we could thin our overgrown forest to make biochar, have renewable energy and carbon sequestration, and make agricultural land more productive, which sounds like

multiple wins if we utilize that technology, not to mention create jobs in rural areas across the country.

The other bill that we will be talking about today is Representative Barr's White Oak Act. And as the only forester in Congress I often get asked, "What is your favorite tree?" And I say, if you are talking about hard woods, it is white oak, or *Quercus alba*.

Several of us went to the Yale School of Forestry to do a little field trip up there. And if you look at the emblem for the School of Forestry, it has a couple of white oak leaves and acorns on it. It is a very important tree to our country. A lot of things are made from white oak. It also provides tremendous wildlife habitat, and it has wood that is unique in that the grain structure of the wood prevents liquids from going through and vapors from seeping out. So, if you make bourbon, it has to be made in a new white oak barrel.

We have a lot of white oak in our country today, but the problem is it is kind of like our demographics with our human population. It is getting older, and we don't have enough young people. We have a lot of big old white oak trees, but we don't have the new young trees coming on for the future. So, if you are going to have a problem with forestry, this is more of an easy one to solve, where you can go in and promote regeneration, as we call it in forestry, to get more young white oak trees out there so that we will have great white oak forests for the future.

I am very excited about that and the other bills that we have in this hearing that others have talked about. I look forward to the testimony from all of the panels.

I yield back.

Mr. TIFFANY. I think we saw a biochar demonstration in Palau back in August. Thank you for the testimony, Chairman Westerman.

And now we have Ranking Member Neguse for an opening statement.

**STATEMENT OF THE HON. JOE NEGUSE, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF COLORADO**

Mr. NEGUSE. Good afternoon. Thank you to Chairman Tiffany for his indulgence and to Members on both sides of the aisle for participating in today's incredibly important legislative hearing.

And my apologies on the delay. I was in the Rules Committee, which was a bit more contentious than this one. It is good to be back in the Federal Lands Subcommittee hearing. No fights breaking out, no elbowing or anything like that. Anyway, we are grateful for, I think, the bipartisan approach and the collegial approach.

Mr. TIFFANY. It is early in the hearing.

Mr. NEGUSE. It is early in the hearing.

[Laughter.]

Mr. NEGUSE. But the collegial approach that Chairman Tiffany and I have been able to establish.

And I will say, and he has heard me say this quite a bit, but in the 117th Congress when I had the privilege of chairing this Committee and, of course, serving as Chairman during the course of the 117th Congress, this Subcommittee was the most prolific in

terms of volume of hearings held for bills, and was a member services Committee. And, of course, Mr. Fulcher knows that, having served as the Ranking Member in the prior Congress. On a bipartisan basis, we produced more legislative hearings on bills from Members than any other Subcommittee in the U.S. Congress.

And I will say I am heartened that Chairman Tiffany and, of course, under the leadership of Chairman Westerman and Ranking Member Grijalva, have taken a similar approach. And that is, of course, evidenced by today's hearing with six bills and, of course, including two Democratic bills, which we are certainly grateful for.

I would just simply say, with respect to the two bills that have been introduced by colleagues on my side of the aisle, I could not be more supportive of both, and grateful to their respective sponsors for bringing them forward. Of course, that includes Representative Salinas' bill, H.R. 4353, the Civilian Conservation Center Enhancement Act of 2023, which represents a creative response to the call for increased attention towards fire response, which is something I know she has worked on quite a bit throughout her career, going back to her time in the Oregon legislature, and essentially would build staffing support throughout our national forests in what I think is a creative approach. So, I am certainly excited about that bill and hearing the testimony on the same.

Secondly, I am also very excited about the bill that Representative Stansbury has introduced, again on a bipartisan basis, H.R. 5665, the Promoting Accessibility on Federal Lands Act of 2023, which, as we have heard, would require the Department of the Interior and the U.S. Forest Service to conduct a comprehensive assessment of accessibility options across the lands under their jurisdiction.

This is something that we hear often about. I say "we," my district, my office. I represent a district that is over 50 percent Federal public lands, larger than nine states, as I remind my colleagues from the Eastern Seaboard often, and I am grateful to Representative Stansbury for taking the initiative to raise this flag on this particular issue, which I think will inure to the benefit of countless citizens across our country.

So, I hope that we can consider both bills in short order in the Full Committee and get them to the Floor.

With that, I will yield back the balance of my time.

Mr. TIFFANY. Thank you, Representative Neguse. We are now going to move on to our second panel.

Let me remind the witnesses that under Committee Rules, you must limit your oral statement to 5 minutes, but your entire statement will appear in the hearing record.

To begin your testimony, press the "on" button on the microphone.

We use timing lights. When you begin, the light will turn green. At the end of 5 minutes, the light will turn red, and I will ask you to please complete your statement.

I would now like to introduce Mr. Edwin Oshiba, Principal Deputy Assistant Secretary for Energy, Installations, and Environment at the Department of the Air Force.

Mr. Oshiba, welcome, and you are recognized for 5 minutes.

**STATEMENT OF EDWIN OSHIBA, PRINCIPAL DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT, DEPARTMENT OF THE AIR FORCE, WASHINGTON, DC**

Mr. OSHIBA. Thank you, Chairman Tiffany, Ranking Member Neguse, and esteemed members of the Subcommittee, thank you for conducting this hearing to discuss H.R. 6070, a vital bill to amend the Military Lands Withdrawal Act of 1999 to clarify the authority of the Department of Defense to conduct certain vital military readiness activities at the Nevada Test and Training Range, or NTTR.

This hearing is timely. We are nearing the end of this legislative cycle, and if this legislation is not enacted we will continue to compromise realistic, mission-oriented training against our peer adversaries, which puts our nation at risk.

The NTTR is the Air Force's premier location for training our warfighters and testing our most advanced weapons technologies. Every year, the Air Force flies approximately 40,000 sorties on the NTTR, training approximately 12,000 joint warfighters for combat operations.

Notwithstanding the training value of the NTTR, I want to assure this Subcommittee that the Department of the Air Force takes its commitment to conservation, preservation, and enhancement of natural resources very seriously. The Integrated Natural Resources Management Plan prepared for the NTTR demonstrates how the Air Force seeks to achieve these commitments exemplified by conducting wildlife and vegetation surveys, performing habitat enhancement and restoration, and coordinating with the Bureau of Land Management, Nevada Department of Wildlife, U.S. Fish and Wildlife Service, and the U.S. Geological Survey.

The range itself has been a vital resource for Air Force readiness for over 50 years, but it is no longer adequate. The capabilities and technologies of our adversaries have advanced to the point where the current constraints on NTTR no longer allow our warfighters to train as they will need to fight. The Air Force is currently constrained geographically by other land uses beyond its control. While the Air Force can simulate adversary threat systems, it must also provide the realism to simulate how our pilots may encounter those threats spatially on the ground. Without that ability, the NTTR will no longer provide the capability for simulating real-world threat scenarios that will be encountered.

Having said all of that, I want to make clear that this bill does not include a geographic expansion of the range or any transfer of jurisdiction. It simply clarifies certain military activities that can be conducted in the joint use areas of the NTTR, a clarity not existing in the 1999 Military Land Withdrawal Act. These additional military activities are: the establishment and use of new or existing electronic tracking and communication sites, to include up to 15 gravel pads 150 feet by 150 feet to place mobile threat emitters; maintenance of existing roads to allow access to and periodic maintenance of those emitters; and emergency response.

H.R. 6070 requires these military activities within the Joint Use Area on lands under U.S. Fish and Wildlife Service primary jurisdiction be discussed and assessed by the Interagency Committee

and the Inter-Governmental Executive Committees to determine if they may be conducted. Both Committees were established in the Fiscal Year 2021 National Defense Authorization Act, and the Air Force is committed to their success.

It is also important to note the Air Force will comply with the National Environmental Policy Act and all other environmental laws before undertaking the additional authorized activities.

The added flexibility provided in the legislation was carefully developed in coordination with the Department of the Interior, the Council on Environmental Quality, the Nevada Congressional Delegation, and other stakeholders, and will foster continued collaboration. Without this flexibility, the Air Force's ability to provide training and testing against peer adversaries as directed in the National Defense Strategy would be compromised, and our nation's competitive advantage would be diminished.

I respectfully request your support of H.R. 6070, and look forward to your questions.

[The prepared statement of Mr. Oshiba follows:]

PREPARED STATEMENT OF MR. EDWIN OSHIBA, PRINCIPAL DEPUTY ASSISTANT  
SECRETARY OF THE AIR FORCE FOR ENERGY, INSTALLATIONS AND ENVIRONMENT,  
DEPARTMENT OF THE AIR FORCE

ON H.R. 6070

Chairman Tiffany, Ranking Member Neguse, and esteemed members of this subcommittee, thank you for conducting this hearing to discuss H.R. 6070—a vital bill to amend the Military Lands Withdrawal Act of 1999 to clarify the authority of the Department of Defense (DoD) to conduct certain vital military readiness activities at the Nevada Test and Training Range or “NTTR.” If not enacted, we will continue to compromise realistic, mission-oriented training against peer adversaries to the Department of the Air Force's (DAF) servicemembers.

The NTTR is the Air Force's premier location for training our warfighters and testing our most advanced weapons technologies. Simply put, the NTTR represents an irreplaceable national security treasure as the most advanced test and training range in the world. Every year, the Air Force flies approximately 40,000 sorties on the NTTR, training approximately 12,000 warfighters for combat operations.

The NTTR is divided into the North and South Ranges, consisting of approximately 1.8 and 1.2 million acres, respectively, of withdrawn land. The Desert National Wildlife Refuge is the largest national wildlife refuge in the contiguous United States, encompassing nearly 1.6 million acres. About half of the Desert National Wildlife Refuge overlaps the lands withdrawn for the NTTR—South Range. This overlap area, commonly referred to as the “Joint Use Area”, consists of approximately 846,000 acres. The U.S. Fish and Wildlife Service (USFWS) exercises primary jurisdiction over 734,000 acres of Desert National Wildlife Refuge lands within the Joint Use Area and secondary jurisdiction over the natural and cultural resources within the Air Force's primary jurisdiction lands (112,000 acres of designated impact areas) in the Joint Use Area.

As one of the largest federal landowners, the DoD takes its commitment to conservation, preservation, and enhancement of natural resources very seriously. The Integrated Natural Resources Management Plan prepared for the NTTR demonstrates how the Air Force seeks to achieve these commitments, exemplified by conducting wildlife and vegetation surveys, performing habitat enhancement and restoration, and coordinating with the Bureau of Land Management, Nevada Department of Wildlife, USFWS, and the U.S. Geological Survey.

However, while the range has been a vital resource for Air Force readiness for over 50 years, it is no longer adequate. The capabilities and technologies of our adversaries have advanced to the point where the current constraints on the NTTR no longer allow our warfighters to train as they will need to fight. A foundational component to ensure that the NTTR remains at the leading edge of tactical training and operational test and evaluation of our current and future weapons systems is ready access to capable range infrastructure. Emitters being acquired by the DoD/DAF have far greater capabilities to simulate adversarial threat systems and there-

fore provide our men and women the fidelity and realism they need to train as they would fight when called upon. Adversary threat systems have increased detection distances, which put our pilots in jeopardy at greater distances from a potential target or intended mission objective. Our emitters simulate these capabilities which then teach our pilots how to respond with the appropriate tactics, techniques, and procedures, and to exploit aircraft characteristics and capabilities.

As currently configured, the Air Force is constrained geographically by other land uses beyond its control. While the Air Force can simulate adversary threat systems in terms of spectrum attributes, it must also provide the realism to simulate how our pilots may encounter those threats spatially on the ground. Without that ability, the fidelity of the training is lost, and the NTTR will no longer provide the capability for simulating real-world threat scenarios that will be encountered.

The Air Force supports Representative Amodei's bill, which mirrors the Administration's Fiscal Year 2024 NDAA proposal as set forth in section 2844 of H.R. 2670. The Administration's proposal was developed in close coordination with USFWS, the Department of the Interior, the Council on Environmental Quality, the Department of the Air Force, the Department of Defense, and the Office of Management and Budget. It is a narrow provision which effectively balances the need to modernize the NTTR while preserving the purposes for which the Desert National Wildlife Refuge was established.

This bill does not include an expansion of the range or a transfer of jurisdiction. Rather, this provision clarifies certain military activities that can be conducted in the joint use areas of NTTR and clarifies membership on the two committees which advise the Air Force and the Fish and Wildlife Service regarding their respective management obligations.

These additional military activities are:

- Establishment and use of new or existing electronic tracking and communication sites, to include up to 15 gravel pads (150 feet by 150 feet) to place mobile emitters;
- Maintenance of existing roads to allow access to emitters and periodic maintenance; and
- Emergency response.

While these activities could be undertaken on land under sole DAF jurisdiction, to include impact areas within the overlapping area (land that is within both NTTR and the Desert National Wildlife Refuge), H.R. 6070 requires the additional military activities within the joint use area on lands under Fish and Wildlife Service primary jurisdiction be discussed and assessed by the Interagency Committee (comprised of the DAF & USFWS) and the Intergovernmental Executive Committee (IEC) (comprised of the DAF, USFWS, state and local governments, tribes, and the public) to determine if they may be conducted. Those committees were established in the Fiscal Year 2021 National Defense Authorization Act, and the Air Force is committed to their success. It is important to note, the Air Force will comply with the National Environmental Policy Act (NEPA) and all other applicable environmental laws before undertaking the additional authorized activities. Additionally, those military activities proposed to take place in lands of the joint use area under the primary jurisdiction of FWS are subject to the National Wildlife Refuge System Administration Act, as amended, and would require a compatibility determination.

The Desert National Wildlife Refuge is an irreplaceable national asset. The NTTR too is an irreplaceable national asset. H.R. 6070 leverages the NTTR's continued value to our national security in a manner which is protective of the Refuge. H.R. 6070 will enable the NTTR to fully support current or future operational test and training requirements. The added flexibility provided in the legislation, which has been developed in coordination with the other departments, will foster continued collaboration between the Air Force and the USFWS. Without this flexibility, the Air Force's ability and duty to provide training and testing against peer adversaries as directed in the National Defense Strategy would be compromised and our nation's competitive advantage would be diminished. I respectfully request your support of H.R. 6070 and look forward to your questions.

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Mr. TIFFANY. Thank you very much, Mr. Oshiba. I would now like to introduce Jeff Rupert, Director of the Office of Wildland Fire at the Department of the Interior.

Director Rupert, welcome back. You have 5 minutes.

**STATEMENT OF JEFF RUPERT, DIRECTOR, OFFICE OF  
WILDLAND FIRE, U.S. DEPARTMENT OF THE INTERIOR,  
WASHINGTON, DC**

Mr. RUPERT. Thank you. Good afternoon, Chairman Tiffany, Ranking Member Neguse, members of the Subcommittee, and Chairman Westerman. Thank you for the opportunity to appear before you this afternoon to provide testimony on the wildland fire and forest management bills being discussed today.

This legislation provides important tools and authorities that support the Department of the Interior's ongoing collaborative efforts to reduce wildfire risk, support wildland firefighters, and improve the resiliency of our nation's lands. We appreciate the Subcommittee's interest in making meaningful progress towards addressing these issues and providing the support necessary to protect communities, the public, and wildland firefighters.

Climate change and drought continue to intensify wildfire activity across the country. This past year, local impacts from wildfires were devastating. The Maui Fire destroyed the entire town of Lahaina, with 99 confirmed deaths as of last week. The Northwest and Southwest also experienced broad regional impacts and wildfires that destroyed structures, caused mass evacuations, and disrupted people's lives. Canada experienced the worst wildfires in its history, and smoke from those Canadian fires had a substantial impact on our air quality in the United States for most of the summer.

With the support of the Bipartisan Infrastructure Law we are tackling the climate crisis, working to reduce wildfire risk, and improving wildfire resiliency in our national lands. Bipartisan Infrastructure Law funding supported efforts this past year to complete over 2.5 million acres of hazardous fuels treatment on interior lands, a nearly 30 percent increase over last year. So far this year, BIL funding has also made possible supplemental pay benefits for more than 4,500 Interior firefighters.

However, Interior has reached the firefighting pay cliff that we had hoped to avoid, making supplemental payments using interim funding and interim authority that is provided in the current continuing resolution. We need Congress to take action to permanently fix wildland firefighter pay, otherwise we anticipate that a significant number of Federal wildland firefighters will look for work elsewhere. This will leave the interagency wildland fire community with reduced capacity to respond to wildfires, and will undermine the progress we have started to make with increasing fuels reduction work.

Notably, the Bipartisan Infrastructure Law Wildland Fire Mitigation and Management Commission submitted its final report and recommendations to Congress. The Commission recognized the urgency of addressing wildfire risk by being proactive across all areas of wildland fire management. Key to the Commission's work is reducing wildfire risk through collaborative efforts between tribal, Federal, state, local, and private partners.

H.R. 4235, the Wildfire Technology Demonstration, Evaluation, Modernization, and Optimization Act, establishes a wildfire technology test bed, to pilot a program to improve wildfire prevention, detection, communication, and mitigation technologies. The Depart-

ment supports H.R. 4235, and would like to work with the sponsor on technical changes to broaden the participants and technologies identified in the bill.

H.R. 4353, the Civilian Conservation Center Enhancement Act, establishes centers to train youth in forest and rangeland management, wildland fire management, and other mission areas. The bill also establishes a wildland firefighter housing program. The Department supports the goals of the legislation, and would like to work with the sponsor on technical changes to ensure that the interests of the Interior are addressed in the training and workforce development provisions of the bill.

H.R. 4717, Locally Led Restoration Act of 2023, amends HFRA to provide public and private entities the opportunity to propose vegetation removal stewardship contracts. The Department supports the bill with modifications to clarify the contract awarding processes.

H.R. 5282, the White Oak Resilience Act, requires assessment of white oak presence and restoration potential, and creates white oak regeneration pilot projects on DOI lands. The Department supports the goals of H.R. 5582, and would like to work with the sponsor on technical changes.

The Department also recognizes the potential value of biochar as a tool to help reduce wildfire risk. We look forward to working with the bill's sponsor on this topic and future biochar legislation, including the Biochar Innovations Opportunity for Conservation, Health, and Advancement Research Act.

Finally, the Bureau of Land Management has submitted a statement for the record on H.R. 5665, the Promoting Accessibility on Federal Lands Act. If you have any questions on that bill, I would be happy to take them back to BLM for a response.

Thank you again for the opportunity to provide testimony on these bills, and the Department looks forward to continuing to work with sponsors and this Committee.

That concludes my statement. Thank you.

[The prepared statement of Mr. Rupert follows:]

PREPARED STATEMENT OF JEFFERY RUPERT, DIRECTOR, OFFICE OF WILDLAND FIRE,  
U.S. DEPARTMENT OF THE INTERIOR

ON H.R. 4235, H.R. 4353, H.R. 4717, H.R. 5582, AND DISCUSSION DRAFT  
OF H.R. \_\_\_\_, BIOCHAR ACT

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to provide testimony on the wildland fire management and forest management bills being considered today. Collectively, this legislation provides important tools, authorities, and resources that support the Department of the Interior's (Department) on-going collaborative efforts to reduce wildfire risk, support wildland firefighters, and improve the resiliency of our nation's forests, rangelands, and grasslands. We appreciate the Subcommittee's interest in making meaningful progress towards addressing these issues and providing the support necessary to protect communities, the public, and wildland firefighters from the devastation of wildfires.

Climate change, drought, and invasive weeds continue to intensify wildfire activity. According to the National Interagency Coordination Center, during this past year more than 50,000 wildfires burned over 2.5 million acres. While the total number of wildfires exceeded the 10-year average of 49,830 wildfires, the total number of acres burned was well below. Nevertheless, we saw significant wildfire activity in several geographic areas of the country, including the Southern and Southwest Geographic Areas, that was more consistent with the 10-year average

trends. The peak deployment of federal wildland firefighting personnel totaled more than 20,400 personnel in late August, and overall resource availability continued to be a challenge, including firefighters and aerial assets during peak periods.

The Federal interagency wildland fire management community supported our Canadian partners who experienced their worst wildfire season on record. A total of 45.7 million acres of land burned throughout their country, which is more than six times the 10-year average of acres burned in the United States. Under our mutual wildfire assistance agreement with Canada, the United States deployed nearly 2,500 wildland fire fighting personnel to Canada, which was in Preparedness Level 5 consecutively from early May to September.

The Bipartisan Infrastructure Law (BIL) provides a once-in-a-generation investment in wildland fire management that is helping to tackle the climate crisis and improve the wildfire resiliency of our nation's lands. To date, the Department has allocated a total of more than \$640 million in BIL funding to address wildfire risk on Federal lands. These investments support our efforts to increase the pace and scale of fuels management projects. This past year, the Department completed a total 2.5 million acres of treatments, which is a 30 percent increase over last year's treatment level. Maintaining these accomplishments will require a commitment to a long-term, sustained investment.

Additionally, BIL funding supported \$126 million in supplemental pay for wildland firefighters. In fiscal year 2023, a total of 4,550 Department wildland firefighters have benefited from these payments. However, the Department has reached the firefighter "pay cliff" and is now funding the supplemental payments using authority and funding provided for in the current Continuing Resolution, which runs through November 17. The Administration supports a long-term solution to firefighter pay and the legislative proposals that were submitted to Congress with the Fiscal Year 2024 President's Budget to permanently address this issue. Unless Congress takes action, we anticipate that a significant number of federal wildland firefighters will leave the workforce and look for work elsewhere.

Finally, the BIL authorized Wildland Fire Mitigation and Management Commission recently finalized and submitted its report to Congress. The report includes a total of 148 recommendations that are intended to foster collaborative efforts to improve all facets of wildland fire management and solutions relevant to all levels of government, including local, state, Federal, and Tribal and other public and private entities. The Commission's recommendations recognize the urgency of addressing wildfire risk through partnerships and cross-boundary actions; being proactive in pre- and post-fire activities; expanding the use of prescribed fire and cultural burning; addressing wildland firefighting workforce reforms; and investing in training, research, development, and technology. A number of the bills being considered today help advance several of the key recommendations that are included in the Commission's report.

#### **H.R. 4235, Wildfire Technology Demonstration, Evaluation, Modernization, and Optimization Act**

H.R. 4235, the Wildfire Technology Demonstration, Evaluation, Modernization, and Optimization Act, requires the Secretaries of the Interior and Agriculture to establish a wildfire technology testbed pilot program to improve wildfire prevention, detection, communication, and mitigation technologies. We appreciate the sponsors' support for real-time technology application testing and recognition of the important role that federal agencies and existing interagency wildland fire coordinating groups play in facilitating the use and advancement of new technologies.

The Department supports the goals of H.R. 4235 but would like to work with the sponsors on technical modifications to the bill. These include expanding the list of "covered agencies" identified in Section 2(a)(1) to include other science-based organizations. For example, the U.S. Geological Survey is actively engaged in a number of technological areas that are referenced in the bill, including advanced computing; analytics; artificial intelligence; remote sensing; processing and sensor technologies; and dashboard and other advanced decision-support technologies.

Additionally, the Department recommends adding pre- and post-wildfire activities, such as environmental and fuels treatment monitoring and post-wildfire assessments and monitoring to the list of key technology priorities that are included in section 2(c)(2). Also, the priority for testing emerging technologies should not be unnecessarily restricted to those entities identified in Section 2(e). Finally, the Department recommends providing additional time to complete the initial report considering the staffing requirements and the time necessary to consider various technological needs and to solicit proposals from partners.

**H.R. 4353, Civilian Conservation Center Enhancement Act of 2023**

H.R. 4353, the Civilian Conservation Center Enhancement Act, would authorize the Secretaries of the Interior and Agriculture to establish Civilian Conservation Centers in alignment with the Job Corps provisions of the Workforce Innovation and Opportunity Act. The centers would train disadvantaged youth in forest and rangeland management, wildland fire management, and other mission specific areas. Each agency would be required to hire 300 graduates annually to contribute to wildland firefighter and other workforce needs, provide for a signing bonus, and authorize direct hire authority for program graduates. H.R. 4353 would also establish a housing pilot program for wildland firefighters and other employees.

The Department supports the goals of H.R. 4353 but would like to work with the sponsor of the legislation on technical changes to the bill. These include modifications to section 303 to ensure that the pilots specifically advance the mission of the Department of the Interior and that the Department maintains involvement in the development of the curricula and course offerings that are the focus of the experimental research and demonstration pilots. The Department also recommends that pre- and post-wildfire activities be included in the list of curricula and courses. This is critical to ensuring that the workforce and program needs that are unique and essential to the Department are integrated into the pilots.

In addition, the Department would welcome the opportunity to work with the sponsor on provisions regarding signing bonuses, pay setting, and recruitment goals. Finally, the Department recognizes the important role that youth have in developing the next generation of federal employees and works collaboratively with the Office of Personnel Management to assess the needs for tools like direct hire authority that promote efficient hiring for wildland fire management.

**H.R. 4717, Locally Led Restoration Act of 2023**

H.R. 4717 amends the Healthy Forests Restoration Act to provide a private person, or other public or private entity, with the opportunity to propose stewardship contracts to remove vegetation and requires that 10 percent of the timber covered by the contract is salvage—including wildfire kill, beetle kill, and dead or dying organic material. Under the bill, the BLM and the Forest Service are required to solicit proposals annually for the salvage-related stewardship contracts and have the authority to either accept or deny proposals within 120 days. Further, contracts must conform to resource management plans and forest plans and may not be carried out within National Wilderness Preservation System lands, inventoried roadless areas, or any area where removal of vegetation is prohibited by Federal statute. The BLM defers to the USDA regarding the bill's provisions affecting the management of lands under their jurisdiction.

Generally, the BLM either advertises a solicitation for stewardship contracts or publishes a Notice of Funding Opportunity for stewardship agreements. H.R. 4717 would provide an additional path to stewardship contracting proposals. The Department supports the goal of the bill to promote broader use of the stewardship contracting authority and would like the opportunity to work with the sponsor on modifications. For example, we recommend modifications to define the term “best value,” clarify whether the Department is intended to award the contract only to the proposing entity and extend the exclusion of contracts to lands in the National Landscape Conservation System.

**H.R. 5582, White Oak Resilience Act**

H.R. 5582, the White Oak Resilience Act, would require the Secretary of the Interior to assess the presence of white oak on land under the Department's jurisdiction and the potential to restore white oak forests on such land. The bill would also require the Secretary to conduct five pilot projects on DOI lands to restore and regenerate white oak. The Department defers to the Department of Agriculture with respect to land under the jurisdiction of the Forest Service.

White oaks provide ecological benefits as part of complex, functioning ecosystems, and the Department supports the goals of H.R. 5582, but would like to work with the sponsor of the legislation on technical amendments to the bill. The Department recommends the addition of Tribal representation to the White Oak Restoration Initiative Coalition established in Section 2 of the bill and revision of Section 5 of the legislation to broaden funding availability to include the Department of the Interior. The Department also recommends extending the authority contained in Section 6 to authorize Civilian Conservation Centers to provide assistance in carrying out reforestation work on Department of the Interior lands. Additionally, the Department recommends that the sponsor consider addressing factors that may be impacting the health and resiliency of white oak ecosystems, such as invasive

species, disease, changing climate conditions, and fragmentation of forest land, and avoid creating white oak monocultures which could negatively impact biodiversity. The Department also notes there are several species of white oak. There may be a benefit to clarifying which species of white oak the bill is intended to cover so that the Department can prepare to take the appropriate restoration actions.

**Discussion Draft of H.R. \_\_\_\_, Biochar Innovations and Opportunities for Conservation, Health, and Advancements in Research Act (BIOCHAR Act)**

The Department notes its strong preference to testify on bills after they have been introduced. We are providing the following preliminary comments on the bill, but the Department would like to preserve the opportunity to submit additional technical input on the bill after it is introduced, if necessary.

The BIOCHAR Act discussion draft directs USDA and DOI to establish demonstration projects on Forest Service and BLM-managed public lands to support the development and commercialization of biochar. It also authorizes a competitive grant program to carry out research and development.

Biochar is created when plant materials—such as wood, bark, switchgrass and the like—generally referred to as “biomass”—are heated in a low or no oxygen atmosphere. Biomass resulting from fuels reduction treatments or logging activities can be used to produce biochar which can then be used to enrich soil and sequester carbon that would otherwise be released into the atmosphere if biomass were left aboveground to decompose, or if it were burned.

The BLM has explored uses for biochar as early as 2012 through an agreement with Utah State University, Utah Biomass Resources Group. More recently, in 2023, the BLM and Forest Service generated biochar from otherwise unusable biomass resulting from the 2020 Holiday Farm Fire in Oregon, and continue to study how biochar can be used to benefit soil as well as the cost of generating biochar relative to other biomass use alternatives. The Department is open to further research regarding developments of biochar technology and efforts to improve cost efficiency of its use.

**Conclusion**

Thank you again for the opportunity to provide testimony on these important bills. The Department looks forward to continuing to work with the sponsors and the Committee on these important wildland fire management and forest management bills.

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Mr. TIFFANY. Thank you, Director Rupert. I now recognize Ms. Jaelith Hall-Rivera, Deputy Chief of State, Private, and Tribal Forestry at the U.S. Forest Service.

Deputy Chief Hall-Rivera, you have 5 minutes. Welcome back.

**STATEMENT OF Jaelith Hall-Rivera, Deputy Chief of State, Private, and Tribal Forestry, Forest Service, U.S. Dept. of Agriculture, Washington, DC**

Ms. HALL-RIVERA. Thank you, sir. Chairman Tiffany, Ranking Member Neguse, members of the Subcommittee and Full Committee, thank you for this opportunity to provide the perspective of the USDA Forest Service on six of the public lands bills under consideration today. I am Jaelith Hall-Rivera, Deputy Chief of State, Private, and Tribal Forestry in the USDA Forest Service.

The Forest Service manages 193 million acres of land for multiple uses and benefits, provides technical and financial assistance to state and private forestry agencies, and is the largest forestry research organization in the world. The bills that I am here to testify on today vary in specifics, but are trying to help the Forest Service tackle natural resource challenges, strengthen work with communities and partners, and equitably serve all people of America. I look forward to discussing these bills with you today.

H.R. 5582, the White Oak Resilience Act, would establish activities to provide for white oak restoration coordinated by a coalition of public, state, private, and non-governmental organizations. USDA has been heavily involved in white oak restoration work with many partners over the years, and supports the establishment of this coalition, as well as the intent of this bill to promote white oak restoration. We look forward to working with the Subcommittee and bill sponsors on technical assistance to accomplish the goals of the bill.

H.R. 4353, the Civilian Conservation Center Enhancement Act of 2023, supports specialized training programs focused on forestry and rangeland management, wildland firefighting, and topics related to our mission. The provisions in this bill support the Administration's priorities in wildland fire management and workforce development. It would significantly expand our capacity to train crews and interns engaged through partnerships, as well as Job Corps participants in support of workforce development efforts and hiring. USDA looks forward to working with Congress on some technical changes to further support our workforce capacity and development.

H.R. 5665, Promoting Accessibility on Federal Lands Act of 2023, would require USDA to complete a comprehensive assessment of various outdoor recreation facilities that we manage to determine the accessibility of such facilities for individuals with disabilities. USDA strongly supports the intent of H.R. 5665, and would like to work with the bill's sponsor and the Subcommittee on technical improvements to clarify the scope of the bill and address our concerns with the timelines it sets for completing the assessment.

H.R. 4235, the Wildfire Technology DEMO Act, would require USDA and the Department of the Interior to establish a pilot program for new and innovative wildfire prevention, detection, communication, and mitigation technologies within 60 days after the date of enactment. Much of what is directed in this bill is already in the works at the Forest Service, another Federal agency. USDA supports the intent of this bill, and looks forward to working with the Subcommittee and bill sponsors on technical assistance to accomplish the goals of the bill.

H.R. 4717, Locally Led Restoration Act of 2023, amends the Healthy Forest Restoration Act to allow private persons or other public or private entities to propose stewardship contracting projects under the Stewardship End Result Contracting program.

This bill also adjusts the threshold above which the Secretary must advertise timber sales. For low value material without good markets, raising the sale threshold enables the agency to do more direct sales and have more tools in our toolbox to complete forest health and fire risk reduction treatments, and we look forward to working with the Subcommittee to address some concerns in the bill that are noted in our testimony so that we can meet our shared goals to expand the use of stewardship contracting and increase the pace and scale of our forest health treatments.

We appreciate the Subcommittee's efforts to expand and enhance our authorities and work to reduce wildfire risk. We look forward to working with you, and I welcome your questions.

[The prepared statement of Ms. Hall-Rivera follows:]

PREPARED STATEMENT OF JAE LITH HALL-RIVERA, DEPUTY CHIEF, STATE, PRIVATE AND TRIBAL FORESTRY, U.S. DEPARTMENT OF AGRICULTURE—FOREST SERVICE  
ON H.R. 4235, H.R. 4353, H.R. 4717, H.R. 5582, H.R. 5665, AND DISCUSSION DRAFT OF H.R. \_\_\_\_, “BIOCHAR ACT”

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA), Forest Service, regarding various Federal land management bills. USDA defers to the U.S. Department of the Interior (DOI) as to the effects of these bills on any DOI bureaus and the Federal lands under their jurisdiction.

**H.R. 5665, “Promoting Accessibility on Federal Lands Act of 2023”**

The Forest Service is committed to equitable access for the complete range of recreation opportunities for all Americans, in alignment with Executive Order 13950, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.” This work includes integrating accessibility into the complete range of recreation opportunities it offers while protecting natural resources and settings so that all people, including people who have disabilities have the opportunity to enjoy the great outdoors. Those with permanent disabilities are eligible for a free, lifetime pass to National Public Recreational Lands, which covers entrance fees to more than 2,000 sites, including national forests and grasslands. The Forest Service provides an Interactive Visitor Map which is a searchable resource for accessible sites throughout the National Forest System, including more than 4,500 miles of trails on national forests that comply with the Forest Service Trail Accessibility Guidelines. With guidance from its National Accessibility Program, the Forest Service implements national recreation accessibility law, policy standards, and procedures, including implementation of the Architectural Barriers Act, Section 504 of the Rehabilitation Act, 7 CFR 15, and other related laws and regulations. Through Recreation.gov, visitors can more easily identify locations and amenities that meet their accessibility needs. Our team actively engages with disability advocacy groups to understand the needs of the disability community and get their feedback. We are putting what we have learned to work through better online reservation site design, contact center improvements, and more accessibility information available about recreation opportunities on Federal lands.

H.R. 5665, “Promoting Accessibility on Federal Lands Act of 2023,” requires a comprehensive assessment by USDA (with respect to national forests and grasslands) and DOI (with respect to DOI-administered public lands) of certain Federal trails, campsites, boat docks, and outdoor recreation facilities to determine the accessibility of such facilities for individuals with disabilities. The bill makes this assessment subject to appropriations, specifying that it must be carried out not later than 180 days after the date on which appropriations are first made available to carry out this provision. Existing assessments of trails, campsites, boat docks, and outdoor recreation facilities may be utilized to meet the bill’s requirement. Additionally, USDA and DOI must make the completed assessment publicly available on their respective websites.

USDA strongly supports the intent of H.R. 5665 and would like to work with the bill sponsor and the Subcommittee on technical improvements to the bill. USDA recommends providing definitions for the term “comprehensive assessment” to further clarify the scope of the deliverable as well as for “recreation facilities” to clarify the scope of the assessment. USDA has concerns with the 180-day requirement in which to complete an assessment of this magnitude given that we manage more than 193 million acres of national forests and grasslands. We would like to work with the bill sponsor and Subcommittee on a reasonable completion target once the scope and scale of the assessment are better defined.

**H.R. 5582, “White Oak Resilience Act”**

The White Oak Resilience Act would establish activities to provide for white oak restoration.

Section 2 of this bill would establish the White Oak Restoration Initiative Coalition, a voluntary collaborative group of public, State, private and non-governmental organizations to coordinate white oak restoration in accordance with the White Oak Initiative Coalition Charter adopted by the White Oak Initiative Board of Directors. Restoration activities would include: making program and policy recommendations with respect to policy changes at the Federal and State levels to remove impediments to activities designed to improve the health, resiliency, and natural regeneration of white oak; adopting or modifying Federal and State policies to increase the pace and scale of white oak regeneration and resiliency of white oak;

enhancing communication, coordination, and collaboration between forest landowners to improve the health, resiliency, and natural regeneration of white oak; addressing research gaps to improve the best available science on white oak; outreach to forest landowners with white oak or white oak regeneration potential; and improving the quality and quantity of white oak tree nurseries.

In addition, the Federal Advisory Committee Act would not apply to this Coalition, and the Secretary of Agriculture may make funds available to the White Oak Restoration Initiative Coalition to carry out this section from the account established pursuant to section 1241(f) of the Food Security Act of 1985 (16 U.S.C. 3841(f)).

The USDA supports the establishment of this coalition. American white oak is a cornerstone species occupying more than 104 million acres of public and private forestland across much of the eastern and central United States. White oak significantly impacts our Nation economically, culturally, and environmentally. White oak provides critical habitat and food sources to numerous wildlife and is essential for industries making forest products such as furniture, flooring, cabinetry, and barrels for wine and spirits.

USDA has been heavily involved in white oak restoration work with many partners over the years. With most upland oak acreage in private ownership spanning across 20 States, one of the unique attributes of white oak restoration is the active cross boundary collaboration and participation. This collaboration not only exists with partner agencies, but with Tribal representatives, industry, and private landowners as well. Currently, 34+ entities financially contribute to the long-term sustainability of America's white oak consisting of dependent industries, trade associations, conservation organizations, agencies, universities, and nonprofits.

This coalition would add to the tremendous collaborative work already in place. Of note, USDA is not specifically mentioned as a part of this coalition. We would welcome the opportunity to participate as a member of this coalition, and we look forward to working with the Subcommittee on this legislation.

Section 3 requires the establishment of five pilot projects in national forests to restore white oak, with at least three to be carried out on national forests reserved or withdrawn from the public domain. These pilot projects can be carried out through cooperative agreements. USDA supports the concept of pilot projects, but we would like to clarify the intent of requiring three pilots on "national forests reserved or withdrawn from the public domain," since National Forest System lands are public lands.

Section 4 requires DOI to carry out an assessment of their land; USDA defers to DOI on this section.

Section 5 amends the National Forest Foundation Act (16 U.S.C. 583j-7) adding the White Oak Restoration Fund, allowing for funding to be used on white oak restoration activities, beginning one year after date of enactment. Section 6 amends the Workforce Innovation and Opportunity Act (29 U.S.C. 3197(d)) to include white oak reforestation activities, authorizing Job Corps Civilian Conservation Center students to assist in reforestation projects. USDA supports work-based learning assignments for Civilian Conservation Center students as a component of trade training. Under current authorities, Job Corps students participate in the full range of forest conservation work within the limits of appropriations and capacity.

Section 7 requires the Forest Service to develop and implement a national strategy to increase the capacity of Federal, State, Tribal, and private tree nurseries to address the nationwide shortage of tree seedlings. The Forest Service recently developed a National Reforestation Strategy that includes modernization of Forest Service nurseries to increase production of genetically and climatically appropriate tree seedlings for reforestation. The Forest Service is developing national and regional 10-year implementation plans that include the next steps the agency will take to successfully increase the pace and scale of reforestation, address existing needs including nursery resources, and anticipate future disturbance events. State, Tribal, and private tree nurseries are also included in this effort. We support the intent to increase the capacity of tree nurseries to grow white oak seedlings, but we want to work with the Subcommittee to ensure the bill language complements existing efforts.

Section 8 authorizes USDA to enter a memorandum of understanding with a covered land grant college, in consultation with States, nonprofit organizations, institutions of higher education, and other scientific bodies, to conduct research on various aspects of white oak resiliency. We would recommend broadening the list of potential partners for this research, including federally recognized Tribes. There is a range of research on white oaks that would be of interest to the Forest Service and others, including research related to white oak regeneration and resilience under climate change and how to retain and increase abundance of white oaks on

all lands. There are several research topics that would be important to this effort, and we look forward to working with the Subcommittee and bill sponsors on technical assistance to accomplish the goals of this section.

Section 9 requires the Natural Resources Conservation Service (NRCS) to establish a formal initiative on white oak. The Forest Service has some of these authorities outlined in the bill through the Forest Stewardship Program and would welcome the opportunity to support NRCS in developing this program.

Section 10 provides for additional authorities to be used in conjunction with this bill, including good neighbor agreements under section 8206 of the 2014 Farm Bill (16 U.S.C. 2113a) and stewardship contracting projects under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c). We support broad use of these authorities and look forward to using these authorities in any efforts to increase white oak restoration.

USDA supports the intent of this bill and looks forward to working with the Subcommittee and bill sponsors on technical assistance to accomplish the goals of the bill.

**H.R. 4235, “Wildfire Technology Demonstration, Evaluation, Modernization, and Optimization Act” or the “Wildfire Technology DEMO Act”**

The Wildfire Technology DEMO Act would establish a wildfire technology Testbed Pilot Program. This Act requires USDA and DOI to establish a Pilot Program for new and innovative wildfire prevention, detection, communication, and mitigation technologies within 60 days after the date of the enactment. The Departments must incorporate the pilot program into an existing interagency coordinating group on wildfires; identify key technology priority areas with respect to the deployment of wildfire prevention, detection, communication, and mitigation technologies; and partner each covered entity either with the Federal agencies identified as a covered agency to coordinate real-time and on-the-ground testing of technology during wildland fire mitigation activities and training. The bill requires both agencies give priority to certain emerging technologies and requires a report detailing the Pilot Program no later than one year after date of enactment. The authorization for the Pilot Program expires four years after the date of establishment.

Much of what is directed in this bill is already a component of the program of work across multiple agencies, including within various Forest Service programs and through interagency partnerships. For example, the National Oceanic and Atmospheric Administration has the Interagency Council for Advancing Meteorological Services group, chartered to advance meteorological services including establishing a fire weather test bed which received funding through the Infrastructure Investment and Jobs Act. The Dingell Act, Wildland Fire Mitigation and Management Commission Report, and the President’s Council of Advisors on Science and Technology report, along with the Forest Service’s Wildfire Crisis Strategy, all share portions of what is in the proposed legislation. Providing a governing group and leadership direction to coordinate these activities would assist in the prioritization and implementation of new technologies.

USDA would like to work with the bill sponsor on some technical adjustments in the bill, such as including the Department of Defense in the list of covered agencies and replacing the “existing interagency coordinating group on wildfires” with the named existing group, the National Wildfire Coordinating Group. USDA notes that since this bill does not provide an appropriation of funding for these additional activities, the agency would need to identify funding from existing programs to support these activities. Finally, USDA has concerns with the 60-day timeframe required to establish this Pilot Program. For a joint program with DOI, this timeframe is too short. We would appreciate the opportunity to work with the bill sponsor and Subcommittee to address these concerns.

USDA supports the intent of this bill and looks forward to working with the Subcommittee and bill sponsors on technical assistance to accomplish the goals of the bill.

**H.R. \_\_\_\_\_ (Discussion Draft), Biochar Innovations and Opportunities for Conservation, Health, and Advancements in Research Act” or the “BIOCHAR Act”**

The BIOCHAR Act would establish demonstration projects to support the development and commercialization of biochar and a competitive grant program to carry out research and development activities with respect to biochar.

The bill directs the Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Energy to fund biochar demonstration projects through partnerships with State, Tribal, or local governments; land-grant colleges or universities; or private, nonprofit, or cooperative entities; and to establish at least one biochar

demonstration project in each Forest Service and Bureau of Land Management (BLM) region. The bill prioritizes projects that maximize carbon sequestration and creation of new jobs, demonstrate the benefits of biochar in creating new innovative uses and viable markets, restore forest health and resilience, and are in local markets with great need for biochar production.

The Forest Service is currently working with many partners to support research, development, and commercialization of biochar. This bill would formalize these partnerships through demonstration projects, strengthening engagement and expanding the authorities for Forest Service Research and Development, State, Private, and Tribal Forestry, and the National Forest System. To the maximum extent practicable, the bill requires demonstration projects to derive at least 50 percent of feedstock from activities conducted on National Forest System land or public lands. As we prioritize demonstration project selection, we believe it would be important to identify projects that have the greatest potential to turn the demonstration into long term sustainable market growth. We request discretion in the percentage of feedstock that comes from Federal lands. While we support a demonstration project that uses biomass removed to support wildfire risk reduction, this level may limit our ability for high impact projects where there may not be adequate processing or production capacity, or where transportation costs to haul biomass or hazardous fuels to areas with adequate processing or production capacity may be cost-prohibitive.

Existing State, Private, and Tribal Forestry programs such as Wood Innovations or Community Wood grants may be used to fund the development of new biochar facilities, but they cannot be used for research. Competitive joint venture agreements with the Forest Products Laboratory and research stations and Forest Service partners can be used for research associated with the development of new markets.

USDA supports this bill as an effort to contribute to the commercialization of a forest product with a great potential role in forest conservation and ecosystem restoration while contributing to local economies and markets and decreasing the risk of wildland fires to rural communities. USDA would like to work with the Subcommittee and sponsors of this bill to ensure Forest Service coordination among programs that are engaged in biomass research, technology development, and market expansion and address technical concerns. USDA notes that since this bill does not provide an appropriation of funding for these additional activities, the agency would have to make trade-offs with existing programs using current appropriations. USDA would like to work with the bill sponsor and Subcommittee to address the concerns noted here.

#### **H.R. 4353, Civilian Conservation Center Enhancement Act of 2023**

H.R. 4353 would amend Public Law 91-378 to authorize activities relating to “Civilian Conservation Centers,” as that term would be defined in the bill. “Civilian Conservation Centers” would be defined to include residential workforce development or training facilities for underserved youth that are operated by USDA. This bill would direct USDA and DOI in coordination with the U.S. Department of Labor (DOL) to offer specialized training programs focused on forestry and rangeland management, wildland firefighting, and other topics relating to Agency missions or the public interest. The bill would authorize USDA, in coordination with DOL, to conduct experimental, research, or demonstration pilot programs at Civilian Conservation Centers to provide career and technical education curricula and course offerings to advance the missions of DOI and USDA. In addition, the bill would provide direct hire authority for Civilian Conservation Center graduates and authority to hire and pay Civilian Conservation Center students for their work. Finally, the bill would require USDA and DOI to establish a pilot program to employ covered students to improve and expand the housing stock owned by the Federal Government for the purpose of housing wildland firefighters and other Federal employees.

While the provisions in this bill would support the Administration’s overall priorities in wildland fire management and workforce development, further policy and technical reviews are needed. As written, the bill would significantly expand Forest Service’s capacity to train work crews and interns through partnerships, as well as existing authority under the Workforce Innovation and Opportunity Act (29 U.S.C. 3191-3212) to train students at Job Corps Civilian Conservation Centers through workforce development and hiring. The bill would permit the new Civilian Conservation Centers to become bases of operations for training underserved youth in firefighting, home construction, and conservation trades. Authority to hire and pay existing Job Corps Civilian Conservation Center students are priorities of USDA, and the bill would significantly enhance USDA’s youth workforce development efforts. In addition, the pilot programs for addressing training and housing for firefighters outlined in the bill would address key needs in achieving the Forest Service’s 10-year strategy to confront the wildfire crisis.

The applicability of the bill to Job Corps Civilian Conservation Centers authorized under the Workforce Innovation and Opportunity Act is complex and would require coordination with DOL. This bill would apply to “Civilian Conservation Centers,” but that term is used in the Workforce Innovation and Opportunity Act at 29 U.S.C. 3197(d)(1) to apply to Civilian Conservation Centers operated by the Forest Service and funded by DOL under the Job Corps Program pursuant to an agreement between DOL and USDA. No Job Corps Civilian Conservation Centers are operated by any Federal agency other than the Forest Service. The proposed definition in Section 301 of this bill encompasses existing Job Corps Civilian Conservation Centers and potentially other USDA or DOI programs. The expansion to other programs would increase opportunities for marginalized youth beyond Job Corps Civilian Conservation Centers but would require inter-departmental cooperation regarding jurisdiction and student eligibility.

Section 301 defines “covered student” and “covered graduate” in ways that would encompass existing students enrolled by DOL at Job Corps Civilian Conservation Centers. However, the term “underserved youth” is not defined in the bill and could also encompass youth not meeting eligibility criteria for the Job Corps Program. In addition, Section 301 defines “Secretaries” for the purposes of this bill to include the Secretaries of the Interior and Agriculture, but not the Secretary of Labor. We would like to work with the Subcommittee and bill sponsors to clarify the scope of this section and its relationship to the Workforce Innovation and Opportunity Act.

Section 302(b) of the bill would apply specifically to existing Job Corps Civilian Conservation Centers operated under the Workforce Innovation and Opportunity Act. This bill would direct the Secretaries of the Interior and Agriculture to prioritize conservation and firefighting training at existing Job Corps Civilian Conservation Centers. However, DOI does not operate any Job Corps Civilian Conservation Centers. The Forest Service already prioritizes conservation and firefighting training at Job Corps Civilian Conservation Centers, to the extent feasible under DOL Job Corps policy and funding. We would like to work with the Subcommittee and bill sponsors to clarify the scope of this section and its relationship to the Workforce Innovation and Opportunity Act.

Section 304 would authorize recruitment goals and investments for covered graduates. These programs could significantly increase the Forest Service’s ability to train and recruit disadvantaged youth for wildland firefighting work. Section 304(b) would allow covered graduates to be appointed as Federal employees under special hiring rules. Section 304(d) would provide authority to “employ or otherwise contract with” covered students (who have not yet graduated) and compensate them for necessary hours of work at “regular rates of pay.” This authority would address a significant current barrier to engaging existing Job Corps Civilian Conservation Center students in conservation work. We welcome the opportunity to work with Congress to clarify the Federal employment status of the covered students who would become employed under this new authority. Section 304(e) would direct the Secretary of Agriculture to encourage the use of covered students to fulfill obligations under contracts, grants, and agreements in nearby national forests. We need to discuss with the bill sponsors the implications of employing versus contracting with covered students from safety and liability standpoints. Section 305 would authorize a pilot program to employ covered students in improving and expanding Federal Government housing for wildland firefighters, which would address another significant Forest Service challenge in expanding wildland fire response and hazardous fuels reduction. USDA recommends expanding section 305(b)(1) to cover improvement and expansion of housing for volunteers, partners’ crews, and interns while working on Forest Service projects.

USDA strongly supports the intent of the Civilian Conservation Center Enhancement Act of 2022 and looks forward to working with the Subcommittee and bill sponsors on technical changes to the bill to further support important workforce capacity needs.

#### **H.R. 4717, “Locally Led Restoration Act of 2023”**

H.R. 4717 amends the Healthy Forest Restoration Act to allow private persons or other public or private entities to propose stewardship contracting projects under the Stewardship End Result Contracting program so long as removing vegetation is one of the project’s land management goals and at least 10percent of the of the vegetation proposed to be removed is salvage. The agency would have discretion to move forward with or deny a proposal, but a response would be required within 120 days of receiving a proposal.

This bill also requires a report to Congress after five years on the number of project proposals under this section, the number of contracts and agreements entered under this section, and the number of acres on which forest thinning and

non-commercial hazardous fuels reduction were carried out pursuant to such contracts and agreements.

The Forest Service supports broader use of the stewardship contracting authority, and we welcome the chance to work with Congress to expand our tool set for forest health treatments. While we support broader, science-based usage of our existing suite of forest health authorities, we do have concerns with many of the specifics of this legislation.

The Stewardship End Result Contracting program was designed to foster broad local stakeholder input and collaboration. We are concerned about how the bill, as currently written, may result in challenges in meeting requirements of that authority.

Though this bill does not appear to directly conflict with current contracting law, we also have concerns about ensuring the full and open competition for National Forest System timber that is required by the National Forest Management Act and the requirements for service contract competition in the case of Integrated Resource Service Contracts.

As written, the bill has potential to add significant amounts of Forest Service Stewardship End Result Contracting work. At minimum, it requires the agency to annually prepare and publicly notice an opportunity to submit proposals for stewardship contracting projects, and to respond to each such proposal within 120 days. In the case of denials, the bill language suggests that the agency provide detailed responses, including specific factors that led to the denial as well as potential courses of action for overcoming those factors. Providing that level of specific feedback would require technical review by program experts. Requiring agencies to not only publicly request such proposals but also review and respond to proposals within 120 days could foreseeably overwhelm agency acquisition and program resources. This potential adverse impact appears to directly contradict the long-standing purposes of the Healthy Forests Restoration Act of 2003 and its amendments.

As the Agency continues to increase the scale of project work to better address the wildfire crisis, we have concerns that this bill may result in numerous small-scale requests that could detract from a landscape approach. USDA also notes that our standard business practice is for local units to collaborate directly with local industry and other partners for current and future management plans. Thus, calling for project proposals may have limited additive benefit.

H.R. 4717 also adjusts the threshold above which the Secretary of Agriculture shall advertise timber sales. The threshold currently is \$10,000, but under this bill would be adjusted to \$55,000 in the first year and then adjusted annually based on the Consumer Price Index. For low value material without good markets, raising the threshold enables the agency to do more direct sales and have more tools to complete forest health and fire risk reduction treatments.

In summary, we thank the bill sponsor and the Subcommittee for continued support and interest of the stewardship contracting authority and for proposing to increase the minimum threshold for advertising timber sales. We look forward to working with the Subcommittee to address our concerns, to best meet our shared goals to expand use of the stewardship contracting authority and increase the pace and scale of forest health treatments.

### **Conclusion**

That concludes my testimony. Thank you for the opportunity to testify. I am happy to answer any questions the Subcommittee may have for me.

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Mr. TIFFANY. Thank you, Ms. Hall-Rivera, for your testimony, and now we will turn to Members' questions.

First of all, Representative Westerman, if you want to start questioning, you have 5 minutes.

Mr. WESTERMAN. Thank you, Chairman Tiffany. And again, thank you to the witnesses.

Deputy Chief Hall-Rivera, USDA has undertaken the Longleaf Restoration Initiative back, I believe, in 2010. It has been very successful, 3 million acres up to 5 million acres. Can you maybe explain how the white oak initiative might be patterned after that,

and what kind of successes you think we could see with white oaks?

And also the fact that with longleaf, it required a lot of planting, but with white oak the seed stock is there, we just need to be able to regenerate the young saplings.

Ms. HALL-RIVERA. Yes, thank you for that question, Mr. Westerman. And I think you probably know we are getting ready to celebrate with all of our partners the longleaf restoration partnership here coming up tomorrow, actually, at USDA.

And you are right, there are a lot of parallels, I think, not the least of which is that it takes a number of partners working together across landscapes to have a success in restoring a species to its range and expanding it like we want to do with white oak and have been able to do with longleaf and, in fact, I think are going to be celebrating the planting of the billionth longleaf seedling here tomorrow, so that is a really great model for us to pattern our continued work with partners in terms of white oak restoration.

I think another parallel that is pretty important is a lot of the critical work we have to do is on private lands, and that means we need to bring private landowners to the table, get them engaged, and help them see the value of having these species on their land, and that takes work not only from the Forest Service and partners, but our sister agency, the Natural Resource Conservation Service, as well. And I know they are front and center in the bill.

So, thank you for that question.

Mr. WESTERMAN. I believe a lot of that longleaf restoration was done on private land, as well, so it is nice to have a good model like that.

We have consistently heard in this Committee that one of the primary problems with good forest management is dealing with the low-value material, the pace and scale of getting into the forests and doing the management work. Can you describe how a product like biochar could help with the pace and scale, and how it could be used widely across the country?

Ms. HALL-RIVERA. Yes, you are absolutely right, sir, that one of our biggest challenges is what do we do with the low-value material that comes off of our forest now, especially our heavily-stocked forests that many of you mentioned in your opening statements.

Biochar is one of those innovative forest products that helps us find markets for material that normally we would pile and/or pile and burn. So, it has a lot of really novel uses. You mentioned a number of them in your statement, as well as for us we are also looking at partnerships in abandoned mine lands remediation. It even has some uses in, say, packaging. So, it really has a lot of potential to offer, like I said, innovative markets that would give us a place for the material to go, it would create jobs, and it would create revenue for entrepreneurial businesses.

Mr. WESTERMAN. And Director Rupert, I saw you shaking your head a little bit as she was talking.

I actually have some biochar samples up here, and it is amazing. You mentioned mine reclamation. There are certain grades of this that can be used in very high-value products. Some of it you can

make carbon black out of it to substitute into petroleum-based plastics.

But on the mine reclamation, Director Rupert, have you seen any research, or do you think there is opportunity in mine reclamation to use biochar there?

Mr. RUPERT. Yes, thank you, Mr. Westerman, for the question. Yes, and I was shaking my head as Jaelith was really describing tools in the toolbox, and the opportunity that biochar represents, again, sort of that innovation.

I think soil supplement, looking at abandoned mine lands, and the kind of issues and challenges that are present there, innovation like biochar and soil supplement, I think, has great potential. I am probably not the best person to talk to in terms of really laying out that sort of scientific foundation, but certainly from that broad ecological perspective, there is real opportunity there.

Mr. WESTERMAN. And we have a tremendous research mechanism in our country through our land grant universities for agriculture. So, one of the things in the BIOCHAR Act is to get our land grant universities with the cooperative extension services involved so that they can work with farmers and figure out the right application rates so that, once the products are made, the farmers can know how much to apply to their soil in their particular region.

My time is up, I yield back.

Mr. TIFFANY. Thank you, Chairman Westerman.

Representative Neguse, you have 5 minutes for questioning.

Mr. NEGUSE. Thank you, Mr. Chairman. Thank you to all the witnesses.

Ms. Hall-Rivera, it is great to see you again today, and thank you for joining us in the Federal Lands Subcommittee.

As you may know, I have long been a champion of expanding and reinvigorating the Civilian Conservation Corps through a 21st-century CCC. When I was chair of the Subcommittee last Congress, we hosted a hearing on the topic. I introduced a variety of different bills calling for those investments, and I was very heartened to see the Biden administration's recent announcement launching the American Climate Corps using investments that we had secured in the last Congress as part of the Inflation Reduction Act which were modeled in part on the legislation that I introduced and referenced earlier.

I wonder if you might just be able to expound a bit on how the Forest Service is currently expanding the use of the Corps programs, including the Indian Youth Service Corps and the newly-established Forest Corps and American Climate Corps, to address wildfire risk and ecosystem needs, especially in areas of high risk.

Ms. HALL-RIVERA. Yes, absolutely. Thank you for that question, Mr. Neguse.

And let me first say about the legislation before you, to date, for us to have direct hire authority from our Job Corps centers would be a really great addition and change for us. We can bring these young people directly into the agency after they have trained not only in trades, but in work like restoration and wildfire.

In terms of your question, sir, we have begun to invest from the Inflation Reduction Act in the recently reinvigorated Civilian

Climate Corps that the President recently released an EO on. And we are looking forward to being able to expand our partnership with such organizations as Student Conservation Association and Public Land Corps.

We absolutely need to be able to bring more young people into the work that we do in the woods in restoration and in firefighting, and it can be a challenge to attract people into that workforce now. So, something like the Civilian Climate Corps and the Civilian Conservation Corps that really touches people where they are concerned—many young people are concerned with issues around the environment and climate change, and that helps us make those connections and meet them where they are, and then bring them into the workforce. So, it is a really important tool, and we look forward to continuing to expand those partnerships.

Mr. NEGUSE. Well, we thank you again for your testimony, and I think it underscores the importance of making sure that we get this bill across the finish line, given the ways in which it can ultimately help you and your agency address these workforce challenges that serve this shared purpose that I think we all agree on.

One, I guess, last issue that I wanted to note for the Committee. In addition to championing the Civilian Conservation Corps, the Civilian Climate Corps, I have also introduced a bill to reauthorize the Collaborative Forest Landscape Restoration Program, which is a critical initiative that promotes shared stewardship and advances critical cross-boundary restoration objectives. This is a program that has been supported on a bipartisan basis. It has been deployed effectively in Colorado, of course, as you know, in a variety of other states, perhaps Wisconsin, perhaps Arkansas. So, I would just underscore my hope that we could consider this bill in due course within this Subcommittee, perhaps at a future hearing.

With that, I will yield back the balance of my time and again thank the witnesses for testifying.

Mr. TIFFANY. The Ranking Member yields. Now I would like to recognize Mr. Lamborn for 5 minutes.

Mr. LAMBORN. Thank you, Mr. Chairman.

Ms. Hall-Rivera, I have a couple questions for you. Can you explain the difference between timber contracting and stewardship contracting?

Ms. HALL-RIVERA. Yes, thank you for that question, sir.

Timber contracting is essentially just a basic transaction between a vendor and the Forest Service. It is generally looking at commercially viable timber. And, of course, the folks that bid on those timber contracts are looking to make a profit. That is part of their business, harvesting timber.

Stewardship contracting is a tool in the toolbox. It has a few different purposes, and it is based on this model of what we call goods for services. So, folks who bid on the contracts get goods, timber, right, that is worth something for them and for the products that they can create. But they also, as part of that same contract, provide services. And generally, those are around restoration-type services, hazardous fuels treatment. They may be related to, say, water quality or wildlife projects, as well. So, it is a broader tool, and it helps us.

Both of them are important. Stewardship contracting, we have really increased the use of that over the last few years and has really enabled us to develop deeper collaborations and partnerships, as well.

Mr. LAMBORN. OK, very good. Why do timber companies opt to leave hand piles in the forest? And do these piles create fire risk?

Ms. HALL-RIVERA. Well, under a timber contract, a company is going to do what we write in the contract, sir. At times we ask them to remove those piles as part of the contract, and they do that. And, of course, they bid that into their price.

At times, depending on the land and resource management plan or the goals that the silviculturist may have for that sale, we may ask the contractors to leave the piles, and they generally pay into a brush disposal fund that then we use to dispose of the piles maybe when it is more seasonally appropriate, let's say. We do that mainly to reduce fire risk. But burning piles, as you are probably aware, can pose its own risk, not to mention the fact that, like we just talked about with Mr. Westerman, we can probably make better use of that material if we can convert it into more of a productive forest product.

Mr. LAMBORN. OK. And in a typical forest, how is the salvage material spread throughout the healthy portions of the forest? And what relationship does that have with the technique of clear-cutting?

Ms. HALL-RIVERA. If we have a disturbance event, it kind of depends on what that is. Say if it is a windthrow or a hurricane, you will see salvaged material kind of laying down in piles as a result of the wind. A fire, of course, you will see it more dispersed throughout the forest, depending on the severity of the fire.

So, in a natural disturbance, you will see what we would refer to as salvaged material arranged differently depending on the slope, the aspect, and the type of disturbance. In terms of a timber sale, which maybe is what you are asking about, sir, again you may see salvage left on the ground in a pile, limbs, tops, things like that, depending again on how the contract was written.

I am not completely sure I understand your question regarding the relationship to clear-cutting, though.

Mr. LAMBORN. What I am trying to get at is, how can you thin a forest without clear-cutting?

Ms. HALL-RIVERA. OK. Yes, thank you for clarifying that for me.

I think you would find that a majority of the treatments that take place in the forest around thinning, especially if it has to do with hazardous fuels reduction, really are not clear cuts at all. And what we are doing especially in western forests, is taking overstocked, dense forests and reducing them back to where you would see a more natural range of variability.

So, the operator is generally going to be taking out smaller diameter trees, again, those trees that we need to find markets for, and they are leaving a lot of other large trees behind that can then flourish because they are not competing with those small trees. So, it is generally not what you would see in a clear cut, where you would remove all the standing biomass.

Mr. LAMBORN. Are there factors holding back contractors from being involved in more contracts?

Ms. HALL-RIVERA. Well, I would say that a big challenge that we have both in the Forest Service and in our contracting community is capacity, just getting people interested in this work, getting them out to do this work in the woods. We have a lot of people leaving that workforce and retiring from that workforce, as you are probably pretty aware in your state.

I would say some of the other challenges, again, is a lot of the material that is coming off our forest to reduce fire risk is not particularly marketable and doesn't really have a use for industry now. That is why we need those critical partnerships, together with industry and researchers, to help us develop these innovative markets for this small-diameter material.

Mr. LAMBORN. OK, thank you, and I am hopeful my legislation is one piece of the puzzle to help accomplish that.

Mr. Chairman, I yield back.

Mr. TIFFANY. The gentleman yields. I would now like to recognize Mr. Fulcher from Idaho for 5 minutes.

Mr. FULCHER. Thank you, Mr. Chairman. And to the panel, thank you for being here.

Just listening to the comments from Mr. Rupert and Ms. Hall-Rivera, I think we probably are going to have some very significant differences of opinion when it comes to climate and impact on that, on environmental management, because my experience living in a state where we have about two-thirds of the land mass that is federally controlled, it all comes down to management, and the climate doesn't make any distinction whatsoever when it comes to federally controlled land or privately-controlled land. But the results of how that is managed absolutely, positively does.

So, I will just leave that as a statement, but I do have a question or two for you all.

In a place where we have Interior and Agriculture that are back to back—and we have a lot of that in our state—there are often difficulties with communication, and how that gets managed, and how the various departments communicate with one another. I would like to get input from both of you, but Mr. Rupert, I will start with you.

How do you cooperate with your colleague next to you on your left, more importantly, on the ground, when there are issues between Interior and Agriculture? How do you communicate, how do you cooperate, how do you make this successful?

Mr. RUPERT. Thank you for the question.

Well, certainly at a national program level, quite frankly, and in particular on wildland fire issues, I think of Interior and USDA Forest Services, quite frankly, being joined at the hip. We use the same standards and spend a tremendous amount of time coordinating on issues.

As you get to the ground where management decisions are being made and actual management is occurring, especially in the wildland fire space, I would point to coordination that has occurred under, like, the national cohesive strategy, the Cohesive Wildland Fire Management Strategy that really identifies that. To address the fire risk that we are currently experiencing, we have to have a cross-programmatic, multi-jurisdictional approach, because fire does not respect land jurisdictions.

You look at the work in September, the Wildfire Mitigation and Management Commission, which was established under the Bipartisan Infrastructure Law, released its report and recommendations. That was a congressionally-established commission, 50-member commission that developed an excess of 300-page report—

Mr. FULCHER. Mr. Rupert, I only have limited time. I would like to give Ms. Hall-Rivera an opportunity to address that, too. Sorry to interrupt.

Ms. Hall-Rivera?

Ms. HALL-RIVERA. Thank you for the question, sir. And I would echo what Mr. Rupert said about being joined at the hip when it comes to wildland fire coordination between Forest Service and DOI.

I think the point you are making, though, is that when you get out on the ground sometimes we maybe aren't communicating as much as we should be. And what we really don't want is Americans experiencing us differently, right? Have them go to a Forest Service office and have one experience, go to a DOI office and have another experience. We don't want that. We want people to sort of have one shared experience when they are dealing with their natural resource managers in the Federal Government. So, I think we do have some work to do there.

We have a lot of places in the country where we plan together across our landscapes: land management planning, forest planning. We share map products, we share technology. But I think we can always do better about that. Sometimes we make decisions that are right for that particular landscape, but we don't necessarily look across the hill and make that connection with our Interior colleagues. So, it is something that we are always striving to do better with.

Mr. FULCHER. Thank you for that. And I have one more question. I would like to get to Mr. Oshiba before my time is out.

Mr. Oshiba, when I think about the Air Force and training ranges and environmental concerns, that is not a natural synchronized set of topics. Can you briefly touch on what is important to you for a training range when it comes to environmental service?

Mr. OSHIBA. Thank you for the question.

From an environmental perspective on the range, it is extremely important for us to continue to be good stewards of the environment. Being good stewards allows us access to do our training that is necessary. So, preservation of the environment is as important to us as the training that occurs above it.

Mr. FULCHER. Thank you, Mr. Chairman, I yield back.

Mr. TIFFANY. The gentleman yields, and I would like to turn to Representative Hoyle for your questioning for 5 minutes.

Ms. HOYLE. Thank you, Mr. Chair. I am really glad to be here as we discuss bills on forest management, wildfire, and related workforce issues. These topics couldn't be more important to my district, 83 percent of which is forest land with a patchwork set of ownership and forest management strategies that is unique to Oregon, as my colleague, Mr. Bentz, could tell you.

And I am proud to co-lead two of the bills that we are discussing today.

First, I would like to thank Chair Westerman for the opportunity to work with him on his BIOCHAR Act. We need to invest in new markets to help get low-value biomass out of the woods and reduce wildfire risk. Biochar could be an important tool to do that, and I look forward to working with Chair Westerman and my colleagues to get towards that goal, to get it done, and signed into law.

I am also a co-lead of the Civilian Conservation Center Enhancement Act, a bill sponsored by Representative Salinas, also of Oregon. We have a lot going on in Oregon. I hear all the time from people back home who tell me they desperately need more trained people in the woods. We should absolutely use the existing Job Corps Civilian Conservation Centers to support workforce development and forest management and wildland firefighting like this bill would do. And if we could have continuity so we employ people throughout the year, that would be even better.

I am especially glad this bill makes it easier for the Forest Service to hire CCC graduates by reducing bureaucracy. We shouldn't lose qualified job candidates to months and months of red tape, which is what is happening now. I strongly support the CCC Enhancement Act and the BIOCHAR Act, and I urge my colleagues to support them, as well.

Thank you for your time. I yield my time.

Mr. TIFFANY. The gentlelady yields. Next, I would like to recognize Representative Stauber for questioning.

Mr. STAUBER. Thank you very much, Mr. Chair.

Deputy Chief Hall-Rivera, in your view, what is the state of our Federal lands for disabled veterans?

Ms. HALL-RIVERA. Thank you for that question, sir. And I don't know that I am qualified to speak on that specifically, but what I can tell you is that we want our public lands to be accessible to all Americans. They are a birthright for every American and, of course, our veterans help us protect that birthright with their service.

There are still many places on National Forest System lands where we can improve our accessibility, be it widening trails, making them paved so that they are wheelchair accessible, ensuring that our bathrooms are ADA-compliant are just a few examples of the work I know that we do need to do out there so that our disabled veterans can enjoy the experience on public lands that is inclusive.

Mr. STAUBER. So, by and large, are the recreational areas within Forest Service jurisdiction fully capable of supporting disabled veterans and Americans?

Ms. HALL-RIVERA. I don't believe they are fully capable of that, sir. And we can certainly get back to you and your office with some more details on that. But there is more work to do, no doubt.

Mr. STAUBER. Yes, and I really appreciate your comment that they have to be accessible to all Americans, those with disabilities, as well. Our public lands are meant to serve all the American people, including those with disabilities, as you just said.

Mr. Chairman, as you know, the district I represent in northeastern Minnesota includes great tracts of Federal lands such as the Superior and Chippewa National Forests. In northeast

Minnesota and across rural America we see the incredible value that these public spaces provide for our communities.

Through a public-private partnership in northeast Minnesota, Veterans on the Lake in Ely, Minnesota provides the opportunity for our veterans and their families, including those who are disabled, to enjoy and recreate in the Superior National Forest in northeast Minnesota. Thanks to the work of this organization, hundreds of veterans and their families are able to boat, fish, swim, ski, and snowmobile. Veterans on the Lake ensures that all individuals, no matter their physical abilities, are able to participate in these activities.

I want to thank my colleague from New Mexico, Representative Stansbury, for introducing—perfect timing, by the way, Representative—for introducing and promoting the Accessibility on Federal Lands Act of 2023. It is important that we look to expand these opportunities throughout the country and ensure our public lands are serving all Americans.

I support this legislation and, Mr. Chair, I yield back.

Mr. TIFFANY. The gentleman yields. I would like to recognize the gentleman from Oregon, Mr. Bentz, for 5 minutes.

Mr. BENTZ. Thank you, Mr. Chair.

I am curious which one, or maybe all three of you, may have been involved in the report on the Wildland Fire Mitigation and Management Commission. Are you all familiar with that?

Ms. HALL-RIVERA. Yes, sir. I was on the Commission as a representative for USDA.

Mr. BENTZ. That is excellent. I met with one of the Oregonians, John O’Keefe, and briefly talked with him about it, it is kind of a thick report, so I have not read through it, but I am curious if his take on it is the same as yours, and that was that beneficial fire was going to be the answer primarily to our current circumstance.

Of course, through the western United States, about 90 million acres of forest of one kind or another, 90 million acres. So, am I correct, was his take that it was going to be beneficial fire that is going to be the answer?

Ms. HALL-RIVERA. Well, sir, I would certainly say that beneficial fire is a critical tool in the toolbox, as is grazing, that I am sure Mr. O’Keefe talked to you about, as well, given his role on the Commission.

Certainly, we know that our forests are fire-adapted. They need fire, but they need it in the right place and at the right time. And one of those really critical tools is prescribed fire. And the Commission report does have numerous recommendations related to prescribed fire, as well as cultural burning and Indigenous traditional ecological knowledge around fire.

Mr. BENTZ. It always seems that the breakdown in these kinds of conversations is a proper sense of scale. That is why I mentioned the 90 million acres. And also to suggest that beneficial fire or fire in general is going to be targeted seems to be wishful thinking in much of our forests. Too late for that without some sort of mechanical thinning, which brings us nicely to H.R. 4717.

But the problem in these get-back-in-the-woods bills always is how you are going to pay for it. And that takes me to a question to you. And you mentioned it earlier. We are going to be taking out

the small stuff because we want to leave the large. That is kind of contraindicated when it comes to actually paying for anything. Did your Commission discuss this unfortunate approach to how we are going to pay for that 90 million acres of work we need to do?

Ms. HALL-RIVERA. Yes, we did spend time in the Commission, of course, talking about the enormous expense that we are facing in terms of the wildfire crisis in this country. And there are some recommendations that do look at that, again, around innovative forest markets. In particular, there are, I believe, a handful of recommendations in the Commission report related to that.

And I just want to go back and put a finer point on what you said about mechanical treatment. In much of our western forests, we absolutely need mechanical treatment before we can apply beneficial fire through prescribed fire, in particular. So, we need to conduct both of those treatments in many places, and I think that comes out in the Commission report, as well.

Mr. BENTZ. Yes, and thank you so much for bringing that point up and sharing the recognition of that unfortunate fact, because that brings us right back to not having enough people to go do all the work and, again, that impending sense of doom each year as these forests grow, what, 15 percent compounded. So, pretty challenging.

Can you tell us today that you actually think that we can do any of this on a scale that will actually help?

And I recall several years ago in this same room that we were debating, I think, your forest plan, which hoped to do 20 million acres over 10 years. Perhaps right at this point you could tell us where we are on that admirable goal.

Ms. HALL-RIVERA. Yes, I really appreciate your series of questions there, Congressman.

It is an enormous scale. The scale of the challenge that we are facing in this country when it comes to wildfire is enormous, and it is pretty daunting. I can tell you, as a person who has worked in it for 15-plus years, I do think we can get there, but it is going to take an all-of-the-above approach. It is not just about Federal agencies. It is about those robust partnerships with communities, community organizations, tribes. And now, as we saw in the Commission, a lot of additional folks coming to the table who care about this problem: the insurance industry, for example, homeowners associations, just the wide scope and scale of people who have to invest in this challenge to help us get out on the other side of it.

So, it is absolutely going to take a lot of resources in the Forest Service. Our Wildfire Crisis Strategy did name the need to treat 20 million acres on our lands over a decade. We were resourced for a portion of that, which we greatly appreciate, through IRA and BIL. And in 2023, we treated about 4.3 million acres of hazardous fuels, which is an all-time high for us. But we need to continue to have a focus on that, together with our partners.

Mr. BENTZ. Thank you for your candor. I yield back.

Mr. TIFFANY. The gentleman yields. I would like to recognize the gentlelady from Alaska for 5 minutes of questioning.

Mrs. PELTOLA. Thank you, Chairman Tiffany. Good afternoon. I represent Alaska, and my questions are really kind of focused on

some of the cost differential for firefighting in Alaska and things like that. And I think I want to ask Ms. Hall-Rivera.

If you could answer, I think to date we have 369 fires are being tracked right now as of 1 p.m. yesterday, like, currently going at this time. And over the last year, 3 million acres of our land, both trees and tundra, have experienced wildfires. And that is actually the size of the state of Connecticut. And I just wondered if you could talk a little bit about some of the challenges in training and some of the challenges in getting commodities there to do the fire-fighting work. Thank you.

Ms. HALL-RIVERA. Sure. Thank you for that question, Congresswoman.

The first thing that I want to say about fighting fire in Alaska is that it is truly an interagency effort. We work very closely with the Department of the Interior and the state of Alaska, who really have the lead for firefighting in the state. But it is an all-hands-on-deck situation when there are fires in Alaska.

One of the things that you are well aware of is that the fire season in Alaska does differ a little bit from that in the Lower 48, and so we are often able to provide resources from the Lower 48 both the Department of the Interior, the Forest Service, as well as states, to be able to bring that capacity to your state that is needed.

I think your point about unique challenges that exist in Alaska in terms of recruiting and retaining firefighters and expenses related to fighting fire, they are important to consider. Of course, we have challenges recruiting and retaining firefighters across this nation right now as we look for a solution to ensure that they have a permanent pay increase. But I think there are unique challenges in Alaska, just looking at the population and how many people we have to draw from, and then bring them into this career field. Again, that is why we really emphasize that interjurisdictional nature and bringing folks from the Lower 48 to support your fire efforts.

Mrs. PELTOLA. Mr. Rupert, do you want to follow up?

Mr. RUPERT. Well, maybe just a point or two about Alaska.

I think, in terms of the actual sort of cost and expense of fires in Alaska, I don't necessarily have numbers at my fingertips now to share. But there are differences, particularly, much of Alaska is undeveloped, remote. Wildfire response in Alaska in remote areas is essentially not a suppression response, it is really a monitoring response. That is very different than in the Lower 48. The focus in Alaska in terms of active response is on communities that are on the highway system or Native communities. And much of that work is sort of pre-fire risk reduction work to protect those communities before a fire occurs.

There is increasing work and assessment around wildfire in Alaska, like, to protect permafrost. I mean, we have increasing insight in terms of what the impact of fires might look like in the future. We have seen active impacts in very similar environments and systems in Canada this year with the boreal forest. So, there is some emerging work, particularly at places like Yukon Flats, looking at potential strategies to protect permafrost, at least for the mid-term, so that other broader climate mitigation activities can

hopefully catch up because of the concerns that are related to when permafrost goes and methane is released, and just the broad effect of that.

So, Alaska is different, I think, in terms of fire response, for sure. The interagency partnership that Jaelith hit on, the state of Alaska, Interior, USDA, Native communities, there is a strong Alaska Fire Service organization in place that really is quite progressive, and impactful, and effective.

Mrs. PELTOLA. I had a follow-up question about the Forest Service estimating that by 2050 the cost could go up between 24 to 169 percent. But in the interest of time, Chairman Tiffany, I will follow up with you later. Thank you.

Mr. TIFFANY. The gentlelady yields.

Deputy Chief Hall-Rivera, as you heard in my opening statement, there is a direct correlation between wildfire and the reduction in harvest on our national forest lands. I have raised this with Chief Moore. And recently the Forest Service reported a 20 million board feet decline in timber harvested for Quarter 3 of this year. Do you have an update as far as are you going to hit the targets?

Ms. HALL-RIVERA. Thank you for the question, Congressman.

We are very close to finalizing our end-of-year reporting from the end of the Fiscal Year, so I don't want to misspeak and give you an incorrect number here, but we would be very happy to get back with you and your staff about our final number for our timber harvest this year. I believe we are very close, if not right at the goal, but we can get back with you on that to confirm, for sure.

Mr. TIFFANY. Because the goal was 3.4 billion board feet, right?

Ms. HALL-RIVERA. Yes, correct.

Mr. TIFFANY. Do you think you are going to hit it?

Ms. HALL-RIVERA. I think we are very close, sir. But we will need to get back to you.

Mr. TIFFANY. How do you define close?

Ms. HALL-RIVERA. I think we were, I want to say maybe 3 to 3.2, but we will confirm that for you.

Mr. TIFFANY. Is it possible to exceed?

Ms. HALL-RIVERA. Well, we certainly set ambitious goals for ourselves. In an ideal situation, yes, we would like to exceed those goals when it comes to timber harvest. We were able to exceed our hazardous fuels goal this year, for example.

Mr. TIFFANY. Was the Forest Service allocated additional dollars over the last couple of years with the various mega-spending bills that went through Congress?

Ms. HALL-RIVERA. Yes, sir. Under the IRA and the BIL, we were given significant resources for hazardous fuels treatment, as well as other critical work that we are doing to include timber harvest work in our watersheds, culverts, et cetera. And we are putting those dollars to good work, and very appreciative of them.

Mr. TIFFANY. So, if you are getting additional dollars, why is there any question that you are not going to hit the 3.4 billion board feet? What is the problem?

Ms. HALL-RIVERA. Well, in terms of our timber target, I would say there are a couple of different things at work.

We have talked today about the challenge we have with small diameter wood coming—that is primarily what we are focused on

in the wildfire crisis strategy, is reducing fire risk. And that is usually taking out smaller diameter trees that don't tend to be worth a lot. So, that makes it difficult for us to meet all of our goals.

We know that we partner with the timber industry, and we know that they are having their own struggles when it comes to capacity and labor, as well. You mentioned the number of mills that have closed. That creates a challenge in terms of transportation costs that I am sure that you are pretty familiar with.

We have been using some innovative projects like biomass timber transport projects to see if we can explore some different ways of overcoming some of those transportation challenges. So, a lot of those kinds of things are in our system.

And then we also have our own capacity challenges, as well. And we are continuing to work on remedying that and bringing more people on board who have those skills that we need to harvest timber.

Mr. TIFFANY. Yes, you were talking about, I think you mentioned the enormous scale of managing lands like this. Is it time to turn over more management to the states, like with Good Neighbor Authority which has had some success? Is it time to do that?

It sounds like you have huge challenges in terms of personnel and all the rest. I know in the state of Wisconsin we have had some successes there going back a decade. Is it time to turn over more management to the states? It seems they are more nimble, and they are able to get these things done.

Ms. HALL-RIVERA. We really value our partnership with our states and our state foresters, and Wisconsin is a really great example of Good Neighbor Authority. We use Good Neighbor Authority very frequently. We are continuing to increase the use of that, and it does help us to partner with our states. They do have easier contracting processes in many cases. They might have different innovations than we have.

So, I don't know that I would say turning it over, but certainly increasing partnerships and being more creative in how we use the tools that we have. And all the tools that you all are looking to give us and bills such as before you today are things that we need to continue to look to and invest in and continue to increase our use of.

Mr. TIFFANY. So, you are supportive of expansion of the Good Neighbor Authority?

Ms. HALL-RIVERA. Yes, absolutely. And I would also name the Tribal Forest Protection Act, as well.

Mr. TIFFANY. And for you Members that were not here earlier in the hearing, I mentioned in my opening statement 1,900 mills have closed in the western United States since 2000. In a little over 20 years, 1,900 mills. You wonder why they have a problem. We ran them out. We ran them out of America here over the last 20-plus years. Spotted owl, all these other fake crises, that is what has created this problem here in the United States of America.

Mr. Oshiba, I am going to use a little more time than I should. What is more important, environmental protection or military readiness?

Mr. OSHIBA. Mr. Chairman, I think those two can co-exist together, and they are equal priorities because one certainly supports the other.

I mentioned earlier that our ability to preserve the environment where we train allows us to conduct training, so we believe that those two things can co-exist together.

Mr. TIFFANY. OK. Well, I would like to thank the panel for joining us today. Next, we are going to go to our third panel.

While the Clerk resets our witness table, I will remind the witnesses that, under Committee Rules, they must limit their oral statements to 5 minutes, but their entire statement will appear in the hearing record.

I would also like to remind our witnesses of the timing lights which will turn red at the end of your 5-minute statement, and to please remember to turn on your microphone.

As with the second panel, I will allow all witnesses to testify before Member questioning.

[Pause.]

Mr. TIFFANY. Thank you all for joining us. We are going to get started here. First, I would like to introduce Mr. Pat Sherren, Director of New Product Development and Sales at Meltzer Forest Products. Mr. Sherren, you have 5 minutes for your testimony. Welcome.

**STATEMENT OF PAT SHERREN, DIRECTOR, NEW PRODUCT DEVELOPMENT AND SALES, METZLER FOREST PRODUCTS, REEDSVILLE, PENNSYLVANIA**

Mr. SHERREN. Good afternoon, legislators, staff, and fellow attendees. As has already been said, I am the Director of New Product Development at Metzler Forest Products. I have been asked by the U.S. Biochar Coalition to make a statement representing myself, Metzler, and the Pennsylvania Forest Products Association in support of Chairman Westerman's BIOCHAR Act.

I graduated from West Virginia University in 1986 with a Bachelor of Science degree in forest resource management as an unlikely forester who secured a coveted forestry job at Westvaco's Luke, Maryland paper mill, where I navigated five mergers and buyouts to develop new fiber supply areas, new fiber supply sources to work on special projects critical to the mill's operation, and finally being the last chip buyer before the mill's closure in 2019.

A large part of the new fiber supply areas and sources were developed through my relationship with Alan Metzler. Alan and Jill Metzler started our two-generation family-run business with one cable skidder and one pickup truck in 1987. We are now 90 strong, operating all over the Mid-Atlantic region, providing timber harvesting and forestry services, land clearing and grubbing, custom chipping and grinding, amended soils, mulches, composts, and biochar products.

A quick search on the Google machine may cause you to think biochar will save the world. It may not be the end-all be-all, but it will be part of the solution to improve our lives through enhanced soil health, improved livestock and poultry production, improved stormwater management and water filtration, with

emerging uses in building products, asphalt, concrete, and steel production, and the oil and gas industry.

The UN's Intergovernmental Panel on Climate Change lists biochar as one of only a few shovel-ready and scalable ways to quickly and efficiently sequester carbon. The science and art of good forest management has been developing in the United States for over 100 years. No matter what your environmental and political view of timber harvesting or climate change, we can always do better.

[Slide.]

Mr. SHERREN. Science proves that forest management efficiently captures and sequesters carbon and timely forest management harvest cycles, as shown in the graphic you can see from the National Clean Air and Streams Institute, by regenerating young forests that aggressively capture carbon, letting those forests mature and sequester carbon, harvesting them at their economic and carbon sequester peak, while controlling invasive species and starting again with new young forests.

Good and timely forest management also reduces forest fire fuel. Both of these benefits to society also drive economic development through the production of forest products that touch our lives every day, and particularly in rural areas.

Many thousands, tens of thousands, and maybe the Forest Service and BLM representatives would say millions and tens of millions, of acres of poor forest sites need to be managed to improve forest health and productivity, but there are not enough markets to support that forest management. That means there is a lot of fiber in the U.S. forests that could be converted to many valuable products like biochar.

The Metzler Biochar Adventure has been a \$2 million research and development project that is producing useful product, excess heat to displace 350,000 gallons of propane per year, and our fire wood drying kilns, and a path to enter the carbon credit market early next year through collaboration with a major national carbon project developer and a yet-to-be-determined biochar carbon credit registry.

We have also been a strong supporter of the USDA-funded mass bio project to investigate new markets for our biochar products. It is clear that biochar is part of the solution to many global problems when produced by the trainload, but we have to first start with truckloads. The BIOCHAR Act will be a springboard for scaling biochar carbon projects leading to the normalization of the production and use of biochar that will remove carbon from the atmosphere, create good jobs, improve forest management, and create products that change our lives and make our lives better.

Thank you for the invitation to speak and hearing my thoughts.

[The prepared statement of Mr. Sherren follows:]

PREPARED STATEMENT OF PATRICK SHERREN, REPRESENTING METZLER FOREST  
 PRODUCTS LLC  
 ON DISCUSSION DRAFT OF H.R. \_\_\_\_, BIOCHAR ACT

Good afternoon legislators, staff and fellow attendees. I'm Pat Sherren, the Director of New Product Development at Metzler Forest Products; and I've been asked by the US Biochar Coalition to make a statement representing myself and Metzler.

I graduated from West Virginia University in 1986 with a Bachelor of Science degree in Forest Resource Management as an unlikely forester who secured a coveted forester job at Westvaco's Luke Maryland papermill, where I navigated 5 mergers and buyouts to develop new fiber supply areas, new fiber supply sources, to work on special projects critical to the mill's operation, and finally being the last chip buyer before the mill's closure June 2019. A large part of the new fiber supply areas and sources were developed through my relationship with Alan Metzler.

Alan and Jill Metzler started our 2-generation run family business with one cable skidder and one pickup truck in 1987. We are now 90 strong operating all over the Mid-Atlantic region providing timber harvesting and forestry services, land clearing and grubbing, custom chipping and grinding, soils, mulches, composts and biochar products.

In August 2019, Alan said he and others at Metzler had crazy ideas and no time to chase them down, and asked if I was interested in chasing down those ideas. I said absolutely, and the great biochar adventure started!

A quick search on the Google machine may cause you to think biochar will save the world. It may not be the end all be all, but it will be part of the solution to improve our lives through enhanced soil health, improved livestock and poultry production, improved stormwater management and water filtration; with emerging uses in building products, asphalt, concrete and steel production, and the oil and natural gas industry.

The UN's Intergovernmental Panel on Climate Change lists biochar as one of only a few shovel-ready and scalable ways to quickly and efficiently sequester carbon. The science and art of good forest management has been developing in the US for over 100 years. No matter what your environmental and political view for timber harvesting or climate change, we can always do better.

Science proves that forest management efficiently captures and sequesters carbon in timely forest management harvest cycles; by regenerating young forests that aggressively capture carbon, letting those forests mature and sequester carbon, harvesting them at their economic and carbon sequester peak while controlling invasive species, and starting again with new young forest. Good and timely forest management also reduces forest fire fuel. Both of these benefits to society also drive economic development through the production of forest products that touch our lives every day, particularly in rural areas.

Many thousands and maybe tens of thousands of acres of poor forest sites in the US need to be managed to improve forest health and productivity, but there are not enough markets to support that forest management. That means there is A LOT of fiber in US forests that could be converted to many valuable products like biochar.

The Metzler biochar adventure has been a VERY expensive lab experiment that is producing a useful product, excess process heat to displace 350,000 gallons of propane per year in our firewood drying kilns, and a path to enter the carbon credit market early next year through collaboration with a major national carbon project developer and a yet to be determined biochar carbon credit registry. We've also been a strong supporter of the USDA funded MASBio project to investigate new markets for our biochar products.

It is clear that biochar is part of the solution to many global problems when produced by the train load, but we have to first start with truckloads. The BIOCHAR Act will be a spring board for scaling biochar carbon projects that will lead to the normalization of the production and use of biochar.

Thank you for the invitation to speak and hearing my thoughts!

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Mr. TIFFANY. Thank you, sir. I would now like to recognize Representative Lamborn to introduce our next witness.

Mr. LAMBORN. Thank you, Mr. Chairman, and I am about to have to go to another hearing. But before I do, it is my honor to

introduce Dwayne McFall, a Fremont County Commissioner in Colorado. For 16 years, I had the honor of representing Fremont County here in Congress.

Mr. McFall was first elected to be the Commissioner for District 3 in 2016. Duane has been involved in agriculture all his life, and knows the importance of land conservation. After attending West Texas A&M University in Canyon, Texas, where he earned a BS degree in agriculture business and economics, Dwayne moved to Fremont County in 1992 with his family. He and his wife, Kendra, have a family of five children and five grandchildren. He is a lifetime member of many outdoor and conservation organizations, being a huge supporter of conservation efforts for wildlife and livestock, and is an avid sportsman.

It is my pleasure to welcome Commissioner McFall to our hearing today.

**STATEMENT OF THE HON. DWAYNE McFALL, COMMISSIONER,  
DISTRICT 3, FREMONT COUNTY, COLORADO**

Mr. McFALL. Thank you, Congressman Lamborn. Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the invitation to testify in support of H.R. 4717, the Locally Led Restoration Act. My name is Dwayne McFall. I am a Fremont County, Colorado Commissioner, where I have been a resident for over 30 years. I offer my testimony on behalf of the National Association of Counties today.

We have a population of 48,000, and serve as a gateway to two national forests and wilderness areas. With 46 percent of our county owned by the Federal Government, decisions made in DC impact the well-being of our communities. We need a strong inter-governmental relationship with our Federal partners to thrive.

We have seen an increase in wildfire over the past few decades because of reduced management in our nation's forests. The additional spike in recreational visitors, while good for our economy, leads to a heightened wildfire risk both from illegal and legal campfires. Proactively managing vegetation and hazardous fuels in the forest is critical for lowering the risk. Unfortunately, we have taken a passive approach to managing our national forests, leaving them overcrowded and unhealthy while restraining our ability to grow our local economies.

Healthy forests generally contain 50 to 80 trees per acre. Colorado's overcrowded national forests have between 250 and 300 trees per acre, serving as kindling for the next big mega-fire. Despite the threat, we have not taken the necessary steps to reduce it. In the 1980s, the United States produced around 20 times the board foot of timber we produce today. As we reduce the amount of timber harvested, the number of wildfires and acres burning increased exponentially. We must do better.

In 2016, the Hayden Creek wildfire in western Fremont County burned over 16,000 acres, mostly on U.S. forest land. The large amount of beetle kill served as ready fuel for the wildfire caused by lightning. Today, the landscape is littered with fallen, no-value wood, which pollutes our watershed and threatens livelihoods.

In 2020, Colorado experienced two of the worst fires ever. The Cameron Peak Fire burned over 208,000 acres and the East

Troublesome fire burned over 130,000 acres, destroying or damaging over 800 homes. Like the Hayden Creek Fire, these two were also fueled by beetle kill trees. Proactive removal of this fuel source is no longer an option, it is an absolute necessity.

By improving relationships and intergovernmental patterns outside the organization, we can re-establish healthy forests. In recent years stewardship contracts have been used by the Federal agencies to improve forest health. Stewardship contracts mandate the contractor to complete other tasks such as infrastructure repairs to which timber harvest is secondary.

However, the agencies do not have flexibility to utilize stewardship contracts in the way to truly impact overall Federal forest health. H.R. 4717 would improve the implementation of stewardship contracts to better support restoration projects and create good-paying jobs. We appreciate Congressman Lamborn in sponsoring this bill.

The bill allows third-party contractors to propose their own stewardship contract to the U.S. Forest Service or the Bureau of Land Management, and at least 10 percent of the vegetation is to be removed as salvage, defined as beetle kill, dead or dying trees, wildfire kill. Allowing a third party to propose a stewardship contract would better inform the agencies as to what specific timber is most valuable to the mills.

The provision would not impose new responsibilities or authorizations, as tribes are currently allowed to propose their own stewardship contracts to the Federal Government.

The bill ensures agencies can reject or amend proposed contracts, and will not force them to accept insufficient contracts.

The bill does not change the process for the Federal timber harvest. It only makes the necessary improvements to the stewardship contracting.

Additionally, the bill would raise the \$10,000 cap where agencies are not required to advertise timber sales to \$55,000. The cap was established in 1976, and has never been adjusted for inflation. This will give agencies the ability to expedite timber sales.

For western counties, new stewardship contract authorities can help kick start new forest product industries. And unlike in the northwest, for example, our forest predominantly consists of small diameter pine not suitable for major lumber mills. The bill would help facilitate their removal in a cost effective manner, which will improve the landscape and provide fiber for emerging industries.

Thank you for the invitation to testify, and Counties urge Congress to adopt H.R. 4717 promptly. I look forward to your questions. Thank you.

[The prepared statement of Mr. McFall follows:]

PREPARED STATEMENT OF THE HONORABLE DWAYNE McFALL, COMMISSIONER,  
FREMONT COUNTY, COLORADO

ON H.R. 4717

Chairman Tiffany, Ranking Member Neguse and members of the Subcommittee on Federal Lands, thank you for the invitation to testify at today's hearing in support of H.R. 4717, the Locally Led Restoration Act.

My name is Dwayne McFall, and I am in my second term as a Fremont County, Colorado Commissioner. I was born and raised across the state line in New Mexico, but I have been a resident of Fremont County for over thirty years, where I raised

my family. I am an avid outdoorsman and sportsman with a passion for wildlife and livestock conservation. I offer my testimony today on behalf of the National Association of Counties (NACo).

Fremont County has a population of approximately 48,000 people and serves as a gateway to the San Isabel and Pike National Forests, along with the Sangre de Cristo Wilderness Area. With more than 46 percent of our landscape owned by the federal government, the decisions made by Congress and federal lands agencies directly impact the well-being of residents and visitors, landscape resiliency and our county's economic prospects. We need a strong, cooperative intergovernmental relationship with our federal partners to thrive.

Like many parts of the West, Fremont County has seen an increase in wildfire over the past few decades because of reduced management activities in our national forests. The recent additional spike in recreational visitors to our federal lands by recreators, while generally good for the local economy, leads to heightened wildfire risks from both legal and illegal campfires. Proactively reducing and managing the vegetation and hazardous fuels in the forests is critical for lowering this risk to our communities and environment.

### **Lack of Timber Harvests and the Increased Threat of Wildfire**

Catastrophic wildfires disproportionately threaten western communities and pollute our environment. In 2023, we have been fortunate to see only 2.5 million acres have burned nationwide, compared to the 7 million acres burned on average annually over the past two decades. The forest health and wildfire crisis will only be solved if federal agencies forge strong partnerships with state, local and Tribal governments, as well as private industry.

Unfortunately, agencies and Congress took a passive approach to managing our national forests over the past three decades. This left our forests overcrowded and unhealthy, while restraining our ability to grow our local forest products economies. Healthy forests generally contain 50–80 trees per acre, depending on the type of forest and surrounding environment. Colorado's national forests have between 250–300 trees per acre. Some national forests in other parts of the country contain 600–800 per acre, serving as kindling for the next devastating blaze.

In spite of this obvious, looming threat, agencies and Congress still have not taken all the necessary steps to reduce it. In the 1980s, the United States produced around 20-times the board foot of timber we produce today. As we reduced the amount of timber harvested, the number of wildfires and acres burned increased exponentially, resulting in the calamity the West faces today. We must do better for our environment and communities.

In 2016, the Hayden Creek wildfire in western Fremont County burned over 16,000 acres, mostly on US Forest Service land. Like in many parts of the west, the large amount of beetle kill served as ready fuel for a wildfire caused by lightning. Today the landscape is littered with fallen, no value trees, which pollute the watershed and threaten livelihoods.

More recently, in 2020, Colorado experienced two of the worst fires in our state's history. The Cameron Peak fire burned 208,663 acres, and the East Troublesome fire burned 130,000 acres. These fires damaged or destroyed over 800 homes. Like the Hayden Creek fire, these two were also fueled by beetle kill trees. Proactive removal of these fuel sources is no longer an option—it's an absolute necessity to protect people and the environment.

### **H.R. 4717, Locally Led Restoration Act**

By improving relationships with intergovernmental partners and outside organizations, especially the private sector, we can reestablish healthy and resilient federal forests. In recent years, stewardship contracts have been one of the most effective tools used by federal agencies to improve forest health and local economic prospects. A stewardship contract is one in which the contractor is mandated to complete another task, such as repairing infrastructure on federal lands, that is secondary to timber harvesting.

However, federal lands agencies and private sector partners do not have the needed flexibility under current law to utilize stewardship contracts in a way that will truly impact overall federal forest health. H.R. 4717, the Locally Led Restoration Act, would improve the implementation of stewardship contracts to better support landscape restoration projects and create good paying jobs within our communities. We appreciate Congressman Doug Lamborn for sponsoring this legislation. H.R. 4717 improves the stewardship contract system in several important ways.

First, it allows third party contractors such as an intergovernmental partner, private industry or even a conservation group to propose their own stewardship

contract to the U.S. Forest Service or Bureau of Land Management if **at least 10%** of the vegetation to be removed is salvage. The bill defines salvage as beetle kill, dead or dying trees or wildfire kill. Allowing a third party to propose a stewardship contract will better inform the agencies of what specific timber in most valuable to mills.

This provision would not impose new responsibilities or authorities on federal lands agencies. Under the Tribal Forest Protection Act, tribes are allowed to propose their own stewardship contracts to the federal government. The bill ensures agencies have the authority to reject or amend any proposed stewardship contracts from third parties and will not force them into accepting an insufficient proposal. To be clear, this legislation does not change the established process for timber harvests on federal lands—it only makes necessary improvements to stewardship contracting.

Additionally, the bill raises the \$10,000 cap where agencies are not required to advertise timber sales to \$55,000. This cap was established in 1976 but has never been adjusted for inflation. Raising it to \$55,000 reflects the change in currency value over the past five decades. This will give agencies the ability to approve smaller timber sales expeditiously.

For Colorado counties and others in the West, new stewardship contracting authorities can help kickstart new forest products industries in our communities. Unlike in the Pacific Northwest, for example, our forests predominantly consist of small diameter pine trees that are typically not suitable for major lumber mills. By improving the stewardship contract program, federal agencies can facilitate the removal of small diameter trees in a cost-effective manner, which will improve the landscape and provide the needed fiber for emerging forest products industries, such as the manufacture of wood pellets for energy generation.

### **Conclusion**

Chairman Tiffany and members of the Subcommittee, thank you for the invitation to testify. Counties urge Congress to enact forest health legislation that facilitates economic growth in the rural west. The Locally Led Restoration Act will create a better, more sustainable mechanism to implement stewardship contracts on federal lands to benefit the environment and create jobs in our communities. We urge Congress to adopt H.R. 4717 promptly.

I look forward to your questions.

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QUESTIONS SUBMITTED FOR THE RECORD TO THE HON. DWAYNE MCFALL,  
COMMISSIONER—DISTRICT 3, FREMONT COUNTY, CO

### **Questions Submitted by Representative Lamborn**

*Question 1. Mr. McFall, can you talk about forestry in Colorado and across the West in general? What unique challenges do you face? What problems would you like to see fixed?*

Answer. Forests in Colorado and the West face many challenges. Drought, insect and disease infestation, and lack of proper management over the past three decades have left our wildland-urban interface and watersheds littered with no-value trees, which are fuel for the next mega fire. Thinning of forest to remove fuels will make a healthy forest and watershed. However, our forests in Colorado do not contain the merchantable timber you see in the Pacific Northwest. We need the federal government to partner with the private sector to remove these wildfire fuel sources and create jobs in our communities. H.R. 4717 will help achieve those outcomes.

*Question 2. What makes fulfilling contracts so difficult?*

Answer. Federal lands agencies have decreased the availability of timber for harvests, which makes private industry increasingly skeptical that federal lands will provide a reliable supply of fiber. This leads to fewer mills being constructed near federal lands, which means that timber removed from a federal forest must be hauled a much longer distance, thus reducing profitability for the private sector.

*Question 3. What makes western timber unique from timber that you may find on the west coast?*

Answer. Timber in places like Colorado, New Mexico and Arizona is smaller in diameter compared to the Northwest. It is not suitable for larger mills and therefore requires smaller contractors and different equipment within the mills to process it.

Additionally, much of the fiber from our forests is best utilized for innovative products, like wood pellets to produce energy.

*Question 4. Mills around the country are disappearing and have been in decline since the 90s. What prevents contractors from harvesting enough timber to be financially viable?*

Answer. In addition to the unreliable fiber supply from our federal forests, the ability to acquire a contract and federal agencies' unwillingness to sign a contract for a profitable period of time hinder our ability to grow this sector of our economy. Additionally, for stewardship contracts, there is no room to negotiate—if a contract's terms are not profitable for a company, they may not counter-offer. Private industry knows what works for companies and should have room to work with the federal government in developing contracts.

*Question 5. How will the Locally Led Restoration Act help communities like yours?*

Answer. The Locally Led Restoration Act will give contractors the ability to negotiate a contract, kickstarting new forest products industries while cleaning the dead and falling trees from our watersheds. Improving the landscape and allowing new industries to emerge is not only good for forest health but for the economy in rural areas that have been struggling for many years.

#### **Questions Submitted by Representative Fulcher**

*Question 1. Mr. McFall, highlighted in your written testimony, Congress has taken an approach to managing our forests that has not yielded results in the best interest of our state, local, and tribal entities. As I have stated before in this Committee, 63% of our land in the State of Idaho is federally controlled, and we are far too familiar in knowing just how devastating dry vegetation can be during the fire season. Earlier this year, I sponsored legislation out of this Committee, H.R. 1450, Treating Tribes and Counties as Good Neighbors Act, which requires Tribes and Counties to retain revenue generated from timber sales under the good neighbor agreement.*

*I am curious if you could expand on how such flexibility in H.R. 4717 for inter-agency work is first implemented at the local level. What do those initial steps look like, and what support do local communities need going beyond those initial steps?*

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Mr. TIFFANY. Mr. McFall, thank you very much for your testimony. Now I would like to introduce Mr. Jason Meyer, the Executive Director of the White Oak Initiative.

Mr. Meyer, you have 5 minutes.

#### **STATEMENT OF JASON MEYER, EXECUTIVE DIRECTOR, WHITE OAK INITIATIVE, GRAND RAPIDS, MICHIGAN**

Mr. MEYER. Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to speak with you today on H.R. 5582, the White Oak Resilience Act.

I would also like to thank Chairman Westerman for his work on white oak, and Representative Andy Barr and Representative Ami Bera for their leadership on this critical issue.

My name is Jason Meyer, and I am the Executive Director of the White Oak Initiative. This initiative is a coalition made up of conservation non-profits, forestry associations, universities, state and Federal forestry partners, forest industries, landowners, and the distilled spirits industry. We are all concerned about the future of white oak and upland hardwood forests where they currently exist.

My career in the natural resources has led me to do multiple things, including working for the Forest Service in Idaho, working for a non-profit partner of the Forest Service in Southern California, and running two nature centers focused on educating

urban youth about our natural world, including the resources that we extract and that we must steward well to ensure that they are there for future generations.

For several years, I served as a forester with the California Department of Forestry and Fire Protection, today known as Cal Fire, and I understand and appreciate all that this Committee does to address forest and fire management in the West. While that is a topic that is often discussed before this Subcommittee, today I would like to discuss forest management in the central and eastern United States.

Namely, I am here to speak with you today about the American white oak. The white oak is what we refer to as a keystone species, meaning that its health is an indicator of the entire ecosystem's health. This tree species is truly one of the most important for wildlife, biodiversity, and the economy.

White oak has abundant and nutritious acorns that feed a broad variety of wildlife, from bears to mice, deer to turkey, and it is an important host to literally hundreds of beneficial pollinator insects.

Economically, white oak is used for almost every type of forest product on the market, from high quality flooring, furniture, railroad ties, cabinetry, as well as lumber and a multitude of other uses. The use that has recently gained the most attention, however, is that white oak is the preferred wood to make the barrels in which spirits are aged, including America's native spirit, bourbon.

The Code of Federal Regulations requires bourbon to be aged in a new oak barrel. To be clear, it doesn't have to be a white oak barrel, but white oak not only has a tighter grain, which allows less evaporation as distilled spirits are aged, but it also contains the sugars and other chemicals that give bourbon its unique color and flavor. This is truly a remarkable treat.

There is a looming crisis for the white oak, though, and we are uniquely positioned to be proactive rather than reactive, which works much better for sound upland oak forest stewardship, given how long it takes for management actions to effect change in future forests.

The FIA data, or Forest Inventory Analysis data, clearly shows that while there are plenty of mature white oak trees in our forest today, there are relatively few seedlings and saplings that will make up tomorrow's mature forest. This is not a bright future for white oak.

This is a species that thrives when forests are disturbed. And while there was a great deal of disturbance in the forests of the past in recent years, this is less the case. There has been less active management and less fire on the landscape. Invasive species such as kudzu are overtaking and outcompeting white oak seedlings. But it isn't just these invasive species. White oak is slow growing, and it likes partial sunlight. So, without that disturbance that creates openings in the forest canopy, shade tolerant trees such as maple, beech, and poplar are easily outcompeting white oak seedlings, too.

This FIA data shows that in just 10 to 20 years, we will begin to see a decline in the number of mature white oaks on the landscape, with an even more precipitous decline after that unless we take immediate action today on several fronts.

Starting now, we must help landowners and forest managers, both public and private, actively manage our white oak forest to restore their health by removing competing species, preventing diseases and further spread of invasive species, and creating openings for this tree to flourish.

We must work to develop markets for the smaller diameter trees that must be removed to make space for our oaks, as this is a significant barrier for landowners who must invest capital in management practices that they may never see the financial return on in their lifetimes.

We must continue to support research that will improve the vigor of this species to allow it to better withstand the obstacles that it must overcome to mature, including climate change.

And we must invest in the infrastructure necessary, such as nurseries, to augment the natural regeneration that we are trying to lift up.

And, of course, we must continue to collaborate and work together across boundaries, disciplines, and sometimes competing interests to face this challenge head on.

H.R. 5582 supports these efforts and outcomes as it seeks to directly reverse the decline of white oak regeneration in our forests. The White Oak Initiative worked closely with Representatives Barr and Bera, and with the House Natural Resources and Agriculture Committees to craft the language in the bill. I am happy to report that the bill is bipartisan and budget conscious, as it doesn't authorize any new funding or programs, but instead works within the existing programs at the USDA Forest Service and the Natural Resources Conservation Service.

I would like to urge every member of this Committee to support H.R. 5582. Thank you for the opportunity to testify today, and I look forward to your questions.

[The prepared statement of Mr. Meyer follows:]

PREPARED STATEMENT OF JASON MEYER, EXECUTIVE DIRECTOR, WHITE OAK  
INITIATIVE  
ON H.R. 5582

Chairman Tiffany, Ranking Member Neguse and members of the Subcommittee, thank you for the opportunity to testify today on H.R. 5582, the White Oak Resilience Act. I would also like to thank Chairman Westerman for his work on white oak and Representatives Andy Barr and Ami Bera for their leadership on this important issue.

I am the executive director of the White Oak Initiative and a forester by training. The White Oak Initiative is a diverse coalition of non-profits, trade associations, universities, state and federal forestry partners, forest industry representatives, landowners, and the distilled spirits industry. All of these are concerned about the future of white oak populations and the upland hardwood forests they are found in. We are committed to the long-term sustainability of America's white oak forests as well as the economic, social, and environmental benefits they provide.

American white oak (*Quercus alba*) is a tree species currently occupying more than 104 million acres of public and private forestland across much of the eastern and central United States. American white oak has a strong presence in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, Pennsylvania, North Carolina, Ohio, Tennessee, Virginia, West Virginia and Wisconsin. Not only do white oak forests support extensive plant and animal biodiversity, but white oak is also the most commercially important timber oak, generating billions of dollars annually, boosting rural economies, and supplying necessary material to industries such as furniture, flooring, cabinetry, railroad ties, and wine and spirits.

### **The Challenge**

Today's white oak forests are dominated by older mature oak trees. Younger trees and seedlings are not regenerating at historic levels and without action now, the population of white oak in our forests will decline significantly in the next 20–50 years. This will have a profound negative impact not just on the numerous forest products industries reliant on white oak, but also on wildlife, including game species such as deer, turkey, and ruffed grouse (hunting licenses are an important source of revenue for states). As a keystone species in the ecosystem, the impact goes beyond our favorite game species, though, and will negatively impact over 500 other species of birds, bats, and pollinating insects that depend on this species for their survival. Clearly this is an ecological dilemma as well as a commercial one.

To protect and enhance American white oak populations, we need to work together—thinking, planning, and acting—to prevent a looming crisis. The only way we will be successful at regenerating white oak for the future is to set the stage for what this species needs to survive and thrive—namely disturbance in the forest that creates conditions for sunlight to reach the forest floor. Seventy years ago, when today's mature trees were just seedlings, public and private landowners were actively logging, fire was more prevalent on the landscape, invasive species did not have the foothold that they have today, and forests were not being converted to other land uses at the current rate. As forest management activities slowed, fires began to be suppressed, and invasive species moved in, white oak seedlings became threatened by direct competitors that do much better in shaded forest conditions.

### **In More Detail: The White Oak Assessment & Conservation Plan**

To address this problem, the White Oak Initiative, with support from USFS Region 8 and 9 Landscape Scale Restoration Grants (which includes participation from 17 state agencies, as well as conservation groups and key public and private partners), began developing a range-wide, science-based report detailing the current state of America's white oak forests. This report, "Restoring Sustainability for White Oak and Upland Oak Communities: An Assessment and Conservation Plan," recommends a practical plan of action to avoid upland oak decline.

According to the report, shifts in land management and ecological changes throughout much of the white oak range are resulting in an increase of competing species establishing themselves in white oak forests. These competing species, most notably maples, beech, and poplar, are shading out white oak seedlings, preventing them from surviving to maturity. As a result, older white oak trees are not being replaced by younger white oak trees at a pace that will support long-term sustainability. The report also highlights the importance of other challenges such as invasive insects and diseases, climate change and behavior change.

The report demonstrates that to restore the long-term sustainability of America's white oak forests, and maintain the economic, social, and environmental benefits they provide, we need active cross-boundary collaboration, participation, and support from industry, resource professionals, policymakers, landowners, and others who can align knowledge and resources behind the report's 10 recommended forest management practices before it's too late.

A full copy of the report has been submitted with this testimony and may be found on the White Oak Initiative website at <https://www.whiteoakinitiative.org/assessment-conservation-plan>.

### **H.R. 5582, The White Oak Resilience Act**

Knowing that Federal action would be a key component of the solution, the White Oak Initiative worked closely with the White Oak Caucus in the House of Representatives (Chairs are Rep. Andy Barr, Rep. Ami Bera, Rep. Steve Cohen, and Rep. Scott DesJarlais), the House Natural Resources Committee, and the House Agriculture Committee to draft H.R. 5582 to mitigate the white oak regeneration problem. Given the long-lived life cycle of the white oak, we must actively manage our upland oak forests now to ensure that today's seedlings can outcompete the species that will crowd them out, and to do so means providing the support necessary to remove barriers for landowners, agencies, and conservation groups catalyzing on-the-ground action. Importantly, the bill does not authorize any new funding, new programs, nor should it carry a mandatory score from the Congressional Budget Office. Instead, H.R. 5582 would work within existing USDA Forest Service and Natural Resource Conservation Service programs to address the problem.

In summary, the bill:

- Codifies the White Oak Restoration Initiative Coalition—based on the current White Oak Initiative, this body of state, private and federal partners would work together to regenerate white oak across its range.
- Creates pilot projects for the US Forest Service and the Department of the Interior to reforest and regenerate white oak where appropriate.
- Creates a white oak restoration fund where private funding could be used to fund white oak regeneration on national forests through the National Forest Foundation.
- Allows the Civilian Conservation Corps to plant white oak and other associated hardwoods to re-establish native hardwood forests.
- Solves the tree nursery problem by requiring the Forest Service to develop and implement a national strategy to increase the capacity of Federal, State, Tribal and private tree nurseries. This is not limited to white oak, but instead includes all tree species and would help the Forest Service meet its reforestation backlog goals.
- Allows the Forest Service to enter Memorandums of Understanding with land grant institutions, including Historically Black Colleges, to conduct much-needed research on white oak.
- Prioritizes white oak projects by directing USDA's Natural Resources Conservation Service (NRCS) to create a formal initiative on white oak (similar to the Longleaf Pine Initiative and the Sage Grouse Initiative at USDA).
- Encourages the use of existing authorities that foster collaboration (the Good Neighbor and Stewardship Contracting authorities).

#### **Restoring the Long-Term Sustainability of White Oak is Possible**

Starting today, we must help both public and private landowners and forest managers actively manage our white oak forests to restore their health by removing competing tree species, prevent diseases and further spread of invasive species, and create openings for this sun-loving tree to flourish. We must work to develop markets for the smaller diameter trees that must be removed to make space for our oaks, as this is a significant barrier for landowners who must invest capital in management practices that they may never see the return on in their lifetimes. We must continue to support research that will improve the vigor of this species to allow it to better withstand the obstacles it must overcome to mature, including climate change. We must invest in the infrastructure necessary, such as nurseries, to augment the natural regeneration that we are trying to lift up. And, we must continue to collaborate and work together across boundaries, disciplines, and sometimes competing interests to face this challenge head-on. H.R. 5582 supports these efforts and outcomes.

Ensuring the regeneration of our upland oak forests is possible, but immediate action must be taken. The White Oak Initiative would like to thank the Natural Resources Committee for highlighting this incredibly important problem and we stand ready to assist in any possible way.

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Mr. TIFFANY. Thank you, Mr. Meyer. Next, I would like to introduce Ms. Janessa Goldbeck, the CEO of the Vet Voice Foundation. Ms. Goldbeck, thank you for being here, and you have 5 minutes.

#### **STATEMENT OF JANESSA GOLDBECK, CEO, VET VOICE FOUNDATION, PORTLAND, OREGON**

Ms. GOLDBECK. Thank you. Good afternoon, Mr. Chair, Ranking Member Neguse, members of the Committee and their staff. My name is Janessa Goldbeck. I am a service-connected disabled veteran who served just under 7 years in the United States Marine Corps as a combat engineer officer. I am also the CEO of Vet Voice Foundation, a national, non-partisan advocacy organization that represents more than 1.5 million veterans, military family

members, and supporters. I appreciate being invited to appear before you today.

At Vet Voice Foundation, we work to ensure veterans and military families have their voices heard by decision makers here in Washington and throughout the country. A major area of our focus is on preserving and protecting our nation's public lands, and ensuring all veterans and military families have access to them.

Among all the communities that benefit from public spaces, the military and veterans community maintain a unique relationship with public lands. From the heights of Mount Baldy to the deserts of Joshua Tree, our nation's public lands have long provided the necessary refuge and respite from the demands of military service. These are places of reflection, reunion, and healing for veterans and our families, as long as they are accessible to all.

It is with this point in mind that I appear before you today in support of the bipartisan Promoting Accessibility on Federal Lands Act, led by Congresswoman Melanie Stansbury of New Mexico and Congressman Juan Ciscomani of Arizona.

This common-sense legislation directs the U.S. Secretaries of Agriculture and Interior to conduct a comprehensive assessment of accessibility options for trails, campsites, and facilities on federally managed public lands. Such an assessment will provide a screenshot of where we need to make improvements to ensure all, veterans and non-veterans alike, are able to enjoy our nation's public lands.

Before I joined the Marines, I spent much of my free time outdoors. I think that is a trait shared by many who are drawn to military service. Growing up in Southern California, I served San Diego's coastline, section-hiked the Pacific Crest Trail, and summited Mount Whitney. Throughout my time on active duty, when I wasn't deployed, public lands were a place where I could decompress and reconnect with friends and family. I have incredible memories from the Wheeler Park Wilderness, on the Colorado River, and traversing the Alpine Lakes Wilderness.

But, of course, military service takes a toll on your body and your mind, whether you served in combat or not. According to the U.S. Census Bureau, post-9/11 veterans like myself have a 43 percent chance of having a service-connected disability. While disabilities range from minor to extreme, all veterans stand to benefit from time spent with nature and on our public lands.

No one should miss out or be left behind. These lands should be accessible to all. I know that members of this Committee agree with me, and you have taken steps to ensure that. In fact, during the 117th Congress, the Accelerating Veterans Recovery Outdoors Act as part of the COMPACT Act was passed with large bipartisan support and signed into law by President Trump. This legislation, among other changes, instructs the Department of Veterans Affairs to establish a task force to investigate the benefits of outdoor recreation therapy for veterans.

Moreover, veterans joined with many of you mobilizing and organizing in communities across the nation for years to ensure that the Land and Water Conservation Fund was permanently and fully funded, an effort that was finally achieved with the passage of the Great American Outdoors Act.

In addition to public lands being part of the toolbox veterans turn to in the wake of their service, public lands have also been paramount in preserving our nation's military history. I would be remiss if I didn't take a moment to thank those of you on the Committee who have worked particularly over the past year alongside the Biden administration to safeguard military heritage sites like Camp Hale, Castner Range, and the ongoing efforts to see the proposed Chuckwalla National Monument made a reality.

In closing, veterans and military families have long been central in efforts to expand, create, safeguard, and use our nation's greatest treasures: our public lands and waters. From fellow veteran, President Teddy Roosevelt, who used the Antiquities Act to protect millions of acres during his presidency, to World War II veteran Earl Shaffer, who became the first person to thru-hike the Appalachian Trail following his service in order to walk off the war, today veterans of all eras can be found enjoying and advocating for our public lands in all corners of the country. Wherever you find yourself enjoying public lands, you will find a veteran close by doing the same. But we must ensure these lands and waters are open and accessible to all.

Again, I thank the Subcommittee for inviting me to participate today, and I am hopeful you will support H.R. 5665, the bipartisan Promoting Accessibility on Federal Lands Act. Thank you.

[The prepared statement of Ms. Goldbeck follows:]

PREPARED STATEMENT OF JANESSA GOLDBECK, CEO, VET VOICE FOUNDATION  
ON H.R. 5665

Good afternoon. My name is Janessa Goldbeck. I'm a service-connected disabled veteran who served just under seven years in the United States Marine Corps as a Combat Engineer Officer. I'm also the CEO of the Vet Voice Foundation, a national advocacy organization that represents more than 1.5 million veterans, military family members and supporters. I appreciate being invited to appear before you today.

At Vet Voice Foundation, we work to ensure veterans and military families have their voices heard by decision-makers—here in Washington and throughout the country. A major area of our focus is on preserving and protecting our nation's public lands—and ensuring all veterans and military families have access to them.

Among all the communities that benefit from public spaces, the military and veterans communities maintain a unique relationship with public lands. From the heights of Mount Katahdin to the deserts of Joshua Tree, our nation's public lands have long provided the necessary refuge and respite from the demands of military service. These are places of reflection, reunion, and healing for veterans and our families.

As long as they're accessible to all.

It's with this point in mind that I appear before you today in support of the bipartisan Promoting Accessibility on Federal Lands Act, led by Congresswoman Melanie Stansbury of New Mexico and Congressman Juan Ciscomani of Arizona. This commonsense legislation directs the U.S. Secretaries of Agriculture and Interior to conduct a comprehensive assessment of accessibility options for trails, campsites, and facilities on federally managed public lands. Such an assessment will provide a screenshot of where we need to make improvements to ensure all—veterans and non-veterans alike—are able to enjoy our nation's public lands.

Before I joined the Marines, I spent much of my free time outdoors. I think that's a trait shared by many who are drawn to military service. Growing up in Southern California, I surfed San Diego's coastline, section-hiked the Pacific Crest Trail, and summited Mount Whitney. Throughout my time on active duty, when I wasn't deployed, public lands were a place I could decompress and reconnect with friends and family—I have incredible memories from the Wheeler Park Wilderness, on the Colorado River, and traversing the Alpine Lakes Wilderness.

But of course, military service takes a toll on your body and mind, whether you served in combat or not. According to the U.S. Census Bureau, post-9/11 veterans like me, have a 43% chance of having a service-connected disability. While disabilities range from minor to extreme, all Veterans stand to benefit from time spent with nature and on our public lands. No one should miss out or be left behind—these lands should be accessible to all.

I know many of you agree with me, and you've taken steps to ensure that. In fact, during the 117th Congress, the Accelerating Veterans Recovery Outdoors Act, as part of the COMPACT Act, was passed with large bipartisan support and signed into law by President Trump. This legislation, among other charges, instructs the Department of Veterans Affairs to establish a taskforce to investigate the benefits of outdoor recreation therapy for veterans. Moreover, veterans joined with many of you—mobilizing and organizing in communities across the nation for years to ensure that the Land and Water Conservation Fund was permanently and fully funded, an effort that was finally achieved with passage of the Great American Outdoors Act.

In addition to public lands being part of the toolbox veterans turn to in the wake of their service, public lands have also been paramount in preserving our nation's military history. I would be remiss if I didn't take a moment to thank those of you on the committee who've worked, particularly over the past year, alongside the Biden administration to safeguard military heritage sites like Camp Hale, Castner Range, and the ongoing efforts to see the proposed Chuckwalla National Monument made a reality.

In closing, veterans and military families have long been central figures in efforts to create, expand, safeguard, and use our nation's greatest treasures—our public lands and waters. From fellow veteran President Teddy Roosevelt, who used the Antiquities Act to protect millions of acres during his presidency to World War II veteran Earl Shaffer, who became the first person to thru-hike the Appalachian Trail following his service to “walk off the war” to veterans of today who are found utilizing and enjoying public lands in all corners of the country.

Wherever one finds oneself enjoying public lands one will find a veteran close by doing the same. But we must ensure these lands and waters are open and accessible to all. Again, I thank the Subcommittee for inviting me to participate today and I'm hopeful you'll support H.R. 5665, the bipartisan Promoting Accessibility on Federal Lands Act.

Thank you.

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Mr. TIFFANY. Thank you, Ms. Goldbeck. Next, I will recognize Ms. Linda Goodman, a retired Regional Forester and Forest Service Job Corps National Director at the National Job Corps Association.

Ms. Goodman, welcome. You have 5 minutes.

**STATEMENT OF LINDA GOODMAN, FORMER REGIONAL FORESTER AND FOREST SERVICE JOB CORPS NATIONAL DIRECTOR, NATIONAL JOB CORPS ASSOCIATION, WASHINGTON, DC**

Ms. GOODMAN. Thank you, Chairman Tiffany and members of the Subcommittee, for inviting me to speak about the important work being conducted by the students and staff of the nation's Job Corps Civilian Conservation Centers, and the opportunity to further leverage those Job Corps CCCs through the CCC Enhancement Act.

As a 22-year-old, I took a job as a receptionist in the Forest Service in a small rural town in the state of Washington, where there weren't many job opportunities available. I took a job, but over time I learned that I was working with people who took on a mission. They loved the land, enjoyed their work, and their passion was infectious, helping me to develop the same sense of purpose: a dedication to the land and our mission to conserve and protect it.

Over the course of my 34-year career in the Forest Service, including stints as a Regional Forester and Forest Service Chief of Staff, my time directing the work of the Job Corps CCCs was among the most challenging and the most rewarding—challenging because students who enroll in Job Corps often come from the most disadvantaged backgrounds, many homeless or aging out of foster care, and their stories when they arrive at our doors can be heart-breaking, but rewarding because I saw these young people ultimately change their stories for the better.

Each year, the thousands of disadvantaged young people enrolled in Job Corps CCCs make significant contributions to our Federal lands mission. This year, Job Corps CCC students have provided 425,000 hours of support to the Federal land and rural development projects, including more than 280,000 hours of support to Federal wildland firefighting efforts at a time when maintaining the firefighting workforce is one of the agency's greatest challenges.

Through service learning, Job Corps CCCs teach students skills, but also how to be a reliable member of a team. Wages earned as wildland firefighters enable them to afford the deposit on their first apartment or car and successfully transition into independence. Students frequently cite the prestige and earnings from service as motivation to behave, focus, and earn the opportunity to go out on the land and work.

The Bipartisan CCC Enhancement Act would further leverage Job Corps CCCs to address some of the agency's most pressing priorities by providing the Forest Service with new flexibilities, not new funding, just new opportunities and new options.

First, it would enable the Forest Service to extend job offers to Job Corps CCC graduates that the agency has trained in high-demand skills such as wildland firefighting and emergency dispatch. We invest in training these young people and even temporarily hire them as firefighters, but struggle to hire them because of the lengthy Federal hiring process. This bill would correct that.

It would also allow the Forest Service to utilize existing funding for service learning projects, and to pay Job Corps workers. If during my time as a regional forester I could have bypassed the drawn-out Federal procurement process to bring in skilled Job Corps students to immediately address our highest-priority deferred maintenance projects such as buildings that were literally falling down, Job Corps would have been my go-to.

Among the service learning projects encouraged by the bill is addressing homelessness among the heroes who serve as wildland firefighters by utilizing Job Corps students trained in carpentry, electrical repair, plumbing, or other building trades to rehabilitate the Forest Service's own stock of housing that has fallen into disrepair. One such project is already underway in the Gila National Forest.

Finally, the bill would encourage the Forest Service and land management agencies to develop more career pathways, like the one I traveled, starting from entry level positions. Creating additional pathways into Federal service for Job Corps students and others who may not graduate college will broaden economic opportunity and potential for Federal officials to be more reflective of the constituents they serve, particularly in rural communities.

The mission and work of the Job Corps CCCs is more vital than ever. I invite each of you to visit a Job Corps CCC campus to meet the students and learn about the incredible work they are doing on Federal lands. I know the National Job Corps Association would eagerly facilitate those visits.

I hope you will support the passage of the CCC Enhancement Act, and I look forward to answering any questions you may have. Thank you.

[The prepared statement of Ms. Goodman follows:]

PREPARED STATEMENT OF LINDA GOODMAN, REGIONAL FORESTER AND FOREST SERVICE JOB CORPS NATIONAL DIRECTOR (RET.)

ON H.R. 4353

Thank you, Chairmen Westerman and Tiffany and Ranking Members Grijalva and Neguse, for inviting me to speak about the important work being conducted by the students and staff of the nation's Job Corps Civilian Conservation Centers. More specifically, I am here to speak in support of the Civilian Conservation Center (CCC) Enhancement Act which would allow our nation to better leverage the Job Corps CCCs to advance our federal land management mission.

I came to the Forest Service not by design but by opportunity. As a 22-year-old, I took a job as a receptionist in the Forest Service in a small rural town in the state of Washington where there weren't many job opportunities available. I took a job but, over time, I learned that I was working with people who took on a mission. They loved the land, enjoyed their work, and were deeply invested in the mission of the Forest Service. It was infectious and they helped me to develop that same sense of purpose: dedication to the land and our mission to conserve and protect it.

Eventually my career path within the Forest Service brought me to the Siuslaw National Forest where I served as an Administrative Officer and later Deputy Forest Supervisor. There I had the chance to become involved with the Angell Job Corps Civilian Conservation Center. The students of Angell Job Corps CCCs, all of whom were 16 to 24 and economically disadvantaged, often worked alongside our employees and on behalf of the National Forest maintaining campgrounds, rehabilitating visitor and education facilities, clearing illegal camps, and even serving as wildland firefighters. I saw young people at the start of adulthood and their careers finding purpose in service and working on the land, just as I had many years earlier. When I was offered the chance to lead and help create a national management infrastructure for the Job Corps CCCs, I jumped at the opportunity.

Over the course of my 34-year career in the Forest Service, including stints as a Regional Forester and Chief of Staff for the Forest Service, overseeing and directing the Job Corps Civilian Conservation Centers was among the most challenging and most rewarding work. Challenging because the students who enroll in Job Corps often come from the most disadvantaged backgrounds and their stories when they arrived at our doors could be heartbreaking. But it was the most rewarding work because we helped thousands of these young Americans find purpose and change their stories for the better.

Job Corps' mission has always been aligned with that of the Forest Service and other land management agencies. In fact, Job Corps emerged partly from a desire to continue the work of the Civilian Conservation Corps that, during the Great Depression, put millions of unemployed young men at the cusp of adulthood to work on federal lands. As such, the Forest Service was deeply involved in the conception and design of the program. It was western and rural members of this body that enabled the passage of the Economic Opportunity Act of 1964, which created Job Corps, based on a desire to extend economic opportunity to their own communities through the Job Corps Civilian Conservation Centers (CCCs).

The Job Corps CCCs continue to pay dividends on that investment. Each year, thousands of young men and women enroll in Job Corps CCCs, many of whom were homeless or aging out of foster care, and all of whom were struggling to secure employment and transition into a financially independent adulthood. But Job Corps isn't just a boon for these young Americans. Continuing the mission of the original CCCs, these young people annually contribute hundreds of thousands of hours of service on federal lands. This year, Job Corps CCCs students have so far provided 425,000 hours of support to federal land and rural development projects, including more than 280,000 hours of support to federal wildland firefighting efforts. At the height of the 2023 fire season, 1 of every 8 Job Corps CCC students was out

supporting national fire efforts, including actively fighting fires. These young workers are an invaluable resource at a time when the Forest Service and other federal and state agencies are struggling to hire and retain wildland firefighters.

Job Corps CCC students' contributions to our federal lands mission is significant and calculable. The value of giving young people a sense of purpose and belonging is immeasurable. Young adults continue to report increasing rates of reported anxiety, depression, and loneliness tied to feeling "unmoored, directionless . . . and find[ing] little meaning in either school or work."<sup>1</sup> These challenges are even more acute in rural communities where opportunity is often more limited and social isolation easier.

Job Corps offers socially and economically disconnected young people an opportunity to reengage with education, career development, and a community. Through service-learning on federal lands Job Corps CCC students gain not only skills but perspective on what they have to offer and how to be a reliable member of a team. The money they earn as wildland firefighters sets them up for success in transitioning to independent living by enabling them to save enough to afford the deposit on their first apartment and buy their first car. Job Corps CCC students frequently cite the prestige and wages earned from these service-learning projects as motivation to behave, focus, and earn the opportunity to go out on the lands and work.

The bipartisan CCC Enhancement Act introduced in the House by Representatives Salinas, Edwards, Guthrie, and Hoyle and in the Senate by Senators Merkley, Daines, King, and Rounds aims to leverage the Job Corps CCCs further by creating additional service-learning and career opportunities for Job Corps students. It would simply provide the Forest Service with new flexibilities to address some of the agency's most pressing priorities.

For years, federal land management agencies have struggled to hire and retain wildland firefighters. In response to these needs, the Forest Service expanded the wildland firefighting and related offerings at its Job Corps CCC campuses across the country. As a result, every year the Forest Service is able to temporarily employ skilled Job Corps firefighters using an emergency authority. Unfortunately, once these firefighters graduate Job Corps, the Forest Service struggles to permanently employ them due to the cumbersome federal hiring process. More often than not, these economically disadvantaged Job Corps graduates lack the financial means to endure the lengthy federal hiring process. So they take other work and move on with their lives, denying the Forest Service the opportunity to hire firefighters it has specifically trained. The CCC Enhancement Act would correct this by creating a special hiring authority that enables the Forest Service to immediately extend employment offers to skilled Job Corps CCC graduates. It would assist the Forest Service in meeting Chief Moore's goal to hire hundreds of Job Corps graduates and firefighters in the coming years.<sup>2</sup>

Over the last few years, Congress made historic new federal investments in the Forest Service and land management agencies through the Great American Outdoors Act, the Bipartisan Infrastructure Law, and the Inflation Reduction Act. These investments are intended to address the growing backlog of deferred maintenance, forest restoration, fuels reduction, and wildfire management projects nationwide. By legally authorizing the Forest Service to temporarily employ Job Corps students, the CCC Enhancement Act would enable Job Corps CCCs to be an additional tool, outside the often drawn-out Federal procurement process, that the Forest Service and Regional Foresters could use to rapidly execute these projects.

During my time as Regional Forester, one of our most pressing needs was deferred maintenance of our Forest Service compounds. We had buildings that were literally falling down and in need of immediate repairs. If I could have had the opportunity to bring in Job Corps CCC students with their instructors to work on some of our highest priority projects, at a lower cost and on a faster timeline, I would have counted myself lucky. In fact, the Job Corps CCCs would have become my go-to solution for many deferred maintenance projects and it would have been a win-win-win for students, local constituents, and taxpayers.

With this in mind, another Forest Service priority the bill encourages tackling with Job Corps CCC service-learning is the significant challenge wildland firefighters face in securing housing. As rents and home prices have risen, many heroes in one of our nation's most dangerous jobs have found themselves homeless and living out of their vehicles. The CCC Enhancement Act proposes utilizes Job Corps

<sup>1</sup>Making Caring Common. (2023). *On Edge: Understanding and Preventing Young Adults' Mental Health Challenges*. <https://mcc.gse.harvard.edu/reports/on-edge>

<sup>2</sup>Moore, R. *Hiring Job Corps Graduates—Leader's Intent*. U.S. Forest Service. February 11, 2022.

CCC students trained in carpentry, electrical repair, plumbing, facilities maintenance, or other building trades to rehabilitate the Forest Service's own stock of housing that has fallen into disrepair. These barracks could be used to house wildland firefighters and ensure our first responders have a roof over their heads. This is not just an idea, Job Corps CCCs students are currently refurbishing bunk houses in the Gila National Forest that will be used by wildland firefighters. This bill would amplify those efforts.

Finally, building off the Forest Service's success in building out training programs tailored towards the agency's key workforce needs, the bill encourages the land management agencies to identify and develop new career pathways for Job Corps students into federal land management careers. To my students, my career path was a testament that they could start at an entry-level job and, with hard work, move up through the ranks to become an organizational leader. Creating additional pathways for those who may not graduate college into federal service, particularly in rural communities, will broaden economic opportunity and the potential for federal officials to be more reflective of the constituents they serve.

Importantly, the proposals in the CCC Enhancement Act advance bipartisan federal land management priorities not just in Congress but across administrations. The bill has received endorsements from across the spectrum of federal land management stakeholders including the Wildland Firefighter Foundation, the Grassroots Wildland Firefighters, the Western Fire Chiefs Association, the Forest Resources Association, the National Job Corps Association, the National Federation of Federal Employees, the Corps Network, and the Nature Conservancy.

I know some of you on the committee have visited your Job Corps campuses and may have even participated in a graduation ceremony. Watching a graduation of Job Corps students was a game changer for me. Seeing firsthand disadvantaged young Americans, who arrived at our doors unsure of themselves and their future, embark on their careers with confidence and purpose as well as the skills they'd need to succeed, broadened my perspective on what we could achieve within our mission to protect America's most valuable resources.

The mission and work of the Job Corps CCCs is more vital than ever. I invite each of you to visit a Job Corps CCC campus to meet the students and learn about the incredible work they're doing on federal lands. I know the National Job Corps Association would be eager to facilitate those visits. And I hope you'll support the passage of the CCC Enhancement Act. I look forward to answering any question you may have.

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Mr. TIFFANY. Thank you, Ms. Goodman. Finally, last but not least, the Division Chief for Air and Wildland Division, San Bernardino County Fire Department, Mr. Jim Topoleski.

Sir, you have 5 minutes.

**STATEMENT OF JIM TOPOLESKI, DIVISION CHIEF FOR AIR AND WILDLAND DIVISION, SAN BERNARDINO COUNTY FIRE DEPARTMENT, REDLANDS, CALIFORNIA**

Mr. TOPOLESKI. Thank you, Mr. Tiffany and Committee members. As mentioned, my name is Jim Topoleski.

I have approximately 40 years in the fire service, all at the ground level, eventually promoting all the way through the ranks within the fire service. During this time, I have spent 25 years on Federal and state incident Type 1 management teams as an Operations Section Chief, and have traveled across the country in suppression of fires or disasters as we are responded to.

The basis of my testimony today is my experience, knowledge, and skills related to technology and fire suppression management. I am honored and proud to be here today representing the San Bernardino County Fire Protection District, where we serve a population of approximately 2.1 million over a land mass of almost 20,000 square miles.

We are the largest county in the continental United States. San Bernardino County is a diverse geographical region with large coastal valleys, mountainous terrains, and expansive desert areas. San Bernardino County is home to one of the most populated and recreated national forests, with approximately 75 percent of the county's land mass comprising Federal lands.

San Bernardino County has a history of profound, large-scale, destructive wildland fires and natural disasters that pose significant challenges for our responders. The recent York fire, which occurred this past July in the Mojave National Preserve in eastern reaches of San Bernardino County, was one such fire. The fire consumed 93,000 acres of critical natural habitat, destroyed and damaged several residences, and threatened electrical distribution to Southern California and the Las Vegas regions.

Beyond this, the fire crews were challenged due to lack of communication capacity, where cellular phone data service and connectivity could have been improved.

Another routine encounter that we must overcome is coordination of unified operations between our Federal, state, and local partners that operate on different technology platforms.

Another major challenge is inadequate radio communication systems. The 93,000-acre York Fire was one such incident in not only having cellular and data connectivity issues throughout a large majority of the fire area, but placed our firefighters' safety both in the air and on the ground in jeopardy. Fire personnel had to and continue to establish workarounds to communicate effectively.

This has become a standard practice to work around the ineffectiveness of our radio system shortfalls, and should not be accepted in modern communication technology. This Act will provide the needed test bed program and mechanism to facilitate fire agency interoperability across multiple agency platforms. This interoperability is critical to San Bernardino County; our Wildland Fire Response Force is comprised of the U.S. Forest Service and the Bureau of Land Management.

It would also provide for the safety and welfare of our firefighters identified in the Dingell Act Resource Tracking, commonly known as DART. DART intends to track the location of our resources and display those resources remotely.

For us in San Bernardino County, the absence of technology deployment, maintaining accountability of resources, personnel, and fire locations presents further challenges in keeping fires small. Deploying engaging assets in rugged terrain with accessibility challenges, low light, and smoky conditions is often done on a trial-and-error basis.

Utilizing automatic vehicle location, AVL, tracking and personnel tracking provides for safe and rapid deployment by having a real-time view, which is critical to keeping fires small. More importantly, provides for the safety and accountability of our firefighting personnel.

Finally, it will help provide real-time information to emergency managers, law enforcement, policy-makers, and the public in an easy-to-digest format that can be agnostically viewed across a spectrum of platforms.

Federal, state, and local fire agencies and private partnerships must seek to develop and further refine these critical technologies to reduce the risk to our communities, infrastructure, and environment that our personnel face. It is with this that I would ask you to support H.R. 4235, and if there are any questions I may be able to answer, please ask.

[The prepared statement of Mr. Topoleski follows:]

PREPARED STATEMENT OF MR. JIM TOPOLESKI, DIVISION CHIEF FOR AIR AND  
WILDLAND DIVISION, SAN BERNARDINO COUNTY FIRE DEPARTMENT  
ON H.R. 4235

Good afternoon, my name is Jim Topoleski. I am the Division Chief of the Wildland and Aviation Division for San Bernardino County Fire. I am here today in response to the Committee's invitation to testify in support of H.R. 4235. I have nearly 40 years of experience in the fire service, where I have served in almost every rank, from firefighter/paramedic to executive chief officer. As an Operations Section Chief, I have served on the State of California (CalFire) and Federal Type I Incident Management Teams for twenty-five years. I have responded nationwide to complex and dynamic wildfire incidents that would have benefited from new wildfire technologies and communication capabilities.

I am honored and proud to be here today representing the San Bernardino County Fire Protection District, where we serve a population of nearly 2.1 million over a land mass of almost 20,000 square miles. I want to thank our Congresswoman, Young Kim, for her leadership on this issue. We are the largest county in the continental United States with a land mass larger than New Jersey, Connecticut, Delaware, and Rhode Island put together. San Bernardino County is a diverse geographical region with large coastal valleys, mountainous terrain, and expansive desert areas. San Bernardino County is home to one most populated and recreated national forests and where approximately 75% of the county's land mass is made up of federal lands.

San Bernardino County has a history of profound large-scale destructive wildfires and natural disasters that pose significant challenges for our responders. For example, the York Fire this past July in the Mojave National Preserve and the eastern reaches of San Bernardino County consumed 93,000 acres of critical natural habitat, destroyed, and damaged several residences, and threatened electrical distribution networks to Southern California and Las Vegas. During the response fire crews lacked basic communication capabilities such cellular phone, data service, and even radio communication. This challenge put our firefighters, both in the air and on the ground, in jeopardy. Fire personnel had to establish work arounds to communicate during the response. In the era of modern communication technology this should not be the case. Another challenge was the coordination of unified operations between our federal and state partners that operate on different technology platforms that do not share a common operating picture.

We believe that this Act will provide the needed testbed program and a mechanism to bring about fire agency interoperability across platforms. This interoperability is critical to San Bernardino County, where most of our wildland fire response capacity is comprised of our Forest Service and Bureau of Land Management firefighting partners.

It will also provide for the safety all our firefighters and support "Dingell Act Resource Tracking," commonly known as DART. The intent of DART is to track remotely the location of active resources and display each fire resource on real-time maps. While the technology to accomplish the objective of DART exists, it has yet to be operationally deployed in a widescale manner. Without a common operating picture incident commanders have a difficult time maintaining accountability of resources, which puts our firefighters in danger. The use of automatic vehicle location (AVL) tracking and personal tracking technologies will provide for safe and rapid deployment of our firefighters.

As we learned from the York Fire federal and local government firefighting agencies must have access to emerging technologies to communicate with each other and coordinate resources. We must have a common operating picture to better understand the wildfire environment, conduct risk assessment, and maximize risk reduction. Understanding the fire ground (battlefield) is critical to our ability to deploy resources quickly and allow for more informed and safer decision making. Combined with the use of fire prediction spread modeling and live dynamic fire line

mapping incident commanders will be able to accomplish the objective of keeping fires small. It may also be worth noting that the same technology would have also greatly assisted in the managing of resources and minimizing impacts during this past February snowstorm that crippled the mountain communities in San Bernardino County for several weeks.

Federal, state, and local government fire agencies along with private partnerships must collaboratively develop and refine these critical technologies. In the past, development was often done in a vacuum where interoperability was significantly lacking. Consequently, underdeveloped technology was placed into operation and didn't work as expected. Product developers often design their products based on what they believe is needed rather than what our firefighters require. Thus, the need for public-private partnerships that mitigate the cost and risk through pilot programs that H.R. 4235 makes possible.

It begins with private sector engagement where firefighters can evaluate and provide feedback to private sector companies through "Pilot studies" and "Beta-Testing". My agency, for example, has been involved in envisioning and planning for the next generation of equipment and personnel tracking technology where we also consider product life cycle refinement loops. This limited approach, however, does not maximize our local resources with investments at the state and federal level. We need to develop these technologies and implement them together (at the federal, state, and local levels) to optimize those resources.

We have taken the first step in sharing Automatic Vehicle Location (AVL) tracking systems, and communication equipment with our federal partners. San Bernardino County Fire Protection District at our own cost provided the Angeles and San Bernardino National Forests with access to our mapping and data system that displays AVL information of fire response units to create a common operating picture. This data sharing has been invaluable. For instance, a two weeks ago, during a wildland fire in an adjacent county fire managers were able to track and account for resources in real-time. Because of this, managers were able to select and deploy the closest and most appropriate resources at a critical time when the fire was rapidly approaching homes. While this example illustrates the possibilities we must do more. The ability to display information must be further developed and the federal government must look to form these public-private partnerships to increase effectiveness and reduce costs. Technology integration, UAVs, artificial intelligence will be integral in combatting all types of disasters. Federal government engagement and investment in this type of partnership with the private sector is a smart use of tax-payer dollars.

In closing, San Bernardino County Fire envisions a forward-leaning Federal wildland fire partner that continues to develop and utilize cutting-edge technology. The proposed bill accomplishes this by:

- Establishing programs,
- Identifying and prioritizing emerging technologies,
- Communicating tech needs to the private industry, and
- Evaluating and sharing recommendations.

I encourage the Committee to act favorably on H.R. 4235. Thank you for your time and consideration.

I am available to answer any questions you may have.

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Mr. TIFFANY. Thank you for your testimony.

And I would like to ask unanimous consent for a statement from Representative Barr, the lead author of H.R. 5582, the White Oak Resilience Act, to be added to the record for today's hearing.

Without objection, so ordered.

[The prepared statement of Mr. Barr follows:]

PREPARED STATEMENT OF THE HON. ANDY BARR, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF KENTUCKY

Dear Chairman Tiffany and Ranking Member Neguse, thank you for hosting today's hearing which includes my legislation, H.R. 5582, the White Oak Resilience Act. This bipartisan bill addresses the critical shortages faced by the white oak population, underlining its vital importance to the environment, the economy, and the Commonwealth of Kentucky's signature bourbon industry. The bill's key provisions range from authorizing the Department of Interior (DOI) and the Forest Service to actively participate in white oak restoration projects to harnessing private investment and establishing a white oak restoration fund to support white oak regeneration.

Without intervention today, the American white oak population will begin to decline significantly within the next 10 to 15 years, with more extreme declines over the next several decades. Due to shifts in land management and ecological changes, older white oak trees are not being replaced by younger white oak trees at a pace that will support long-term sustainability.

In order to restore the long-term viability of America's white oak forests, and maintain the economic, social and environmental benefits they provide, we need active, cross-boundary collaboration, participation and support from industry, resource professionals, policymakers and others. The White Oak Resilience Act is a result of that collaborative approach, and I am proud of the efforts we are pushing on this very important issue.

Thank you to our witnesses before the Committee today for their expert testimony and I look forward to continuing to work with the Natural Resources Committee on this legislation.

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Mr. TIFFANY. With that, Representative Peltola, would you like to ask any questions of our witnesses?

Mrs. PELTOLA. Thank you, Chairman Tiffany. I actually was very interested to hear the report of Mr. Meyer on the white oak issue.

And it is very encouraging that you are here offering partnerships, and not necessarily asking for a big-price-tag program. I was wondering if you could talk about some of the pilot programs that are maybe on the horizon if we can keep forward progress, and then how many years do you think it might be before we can see some relief for white oaks?

Mr. MEYER. Yes, thank you for that question. I think I will start with the second one first.

The data trajectory shows that we will have a pinch in the white oak supply in the next 20 to 50 years, and that is simply because you can't grow an 80-year-old tree in that time frame. So, if we start our active management today, we will have that pinch, and then we will come back out of it in the future.

Back to the pilot projects, one of the wonderful things about the White Oak Initiative and all the collaborations that we bring to the table are that we are working in multiple states on different projects. We have some state partners that are doing demonstration areas on their land, where landowners can come and see what oak management looks like so that they know what to expect.

We are working with the Tennessee Forestry Association, for example, on landowner trainings, logger trainings, and forester trainings because, believe it or not, you go to forestry school in one place, and you don't know how to manage oaks in another. So, we are helping with those educational pieces.

We are partnering with the National Fish and Wildlife Foundation on some of those pilot projects, as well, and we are talking

about using those pilot projects as the basis of doing something a little bit bigger, where perhaps the White Oak Initiative has some staff in different states that help coordinate from one state to the next. If folks are doing something really good in Missouri, perhaps we can talk to folks in Kentucky about those management practices, and start to learn from each other, as well.

So, there is a lot of good work going on out there. It is critical that it starts to really pick up speed now so that we can get through that pinch and get back to our healthy white oak forests.

Mr. TIFFANY. The gentlelady yields back. I have so many questions and so little time.

Ms. GOODMAN, I have had a chance a couple of times to go to the Blackwell Job Corps in Forest County in far northern Wisconsin, and some of the—

Ms. GOODMAN. A great center.

Mr. TIFFANY. Yes, it really is, and I really enjoyed going there, and with some of the youth that, some of them troubled, but were getting a skill and were getting a shot at having a good life. So, we really appreciate the work that you did there.

Commissioner McFall, do you have Good Neighbor Authority available to you in Colorado?

Mr. MCFALL. Yes, sir, we do.

Mr. TIFFANY. Is the state using it?

Mr. MCFALL. In places, yes. In our county, no. But in other places in the state, yes, sir.

Mr. TIFFANY. Would you like to see it expanded?

Mr. MCFALL. Yes, sir.

Mr. TIFFANY. How do we get mills to come back? You heard me previously, 1,900 mills across the West closed over the last 23 years. Can some of those mills come back?

Mr. MCFALL. Thank you for that question. I believe they can. They just have to have the ability to make it profitable for them to come back, whether it is a stewardship or any other kind of contract. Stewardship is, obviously, better because they are helping with the infrastructure.

But I think that right now the reason, it is so far to haul timber if they do pull it out of there, there are no mills anywhere close. The value of wood is not so good in these places because it stood dead so long, whether it be beetle kill or by fire kill. So, I think prompt action after a fire makes a difference. Prompt action after beetle kill, Colorado is just terrible with beetle kill forests, and they are just falling over.

So, I think they can come back, but it has to be done correctly and with some incentives for those guys to make it profitable for them to move in there.

Mr. TIFFANY. And would you also say that some certainty would be important, that this isn't going to be just a turnaround in forest management for a couple of years, that it is going to take a sustained change in that forest management, no different than what you see in this chart where we went in the wrong direction?

[Chart.]

Mr. MCFALL. I absolutely do, and I think 10 years is not long enough. It probably has to be more like 20 years. We are 30 or 40 years behind, so it is going to take a while to recoup.

Mr. TIFFANY. Mr. Sherren, I have been introduced to so much technology over the last couple of years. Being a Midwesterner, we don't have the fire problem, occasionally we do, but nothing like the West. But being introduced to what is happening out in the West, it really seems like the technology is there to be able to almost eliminate the need or that wildfires happen. Is that accurate?

Mr. SHERREN. There are certainly a lot of technologies. They are small, but scaling. And with right incentives for markets for biochar, then people will take the risk to build larger and larger facilities to process the feedstock that will come from the forest. So, there is still a long way to go.

Mr. TIFFANY. Mr. Topoleski, same question. It really seems to me like the technology has improved so much in just some of the stuff that I have seen come on the marketplace in the last decade, and including the last couple of years that it seems like we should be able to get control of many more of these fires, first of all, before they become massive wildfires. Do you agree with that?

Mr. TOPOLESKI. It is a yes-and-no answer from me on that. Yes, we should be able to do more in suppression as the technology gets us there, from early detection to initial attack engagement.

In regards to being able to treat the lands, the vast majority of the lands, though I don't represent the USDA or the DOI, those lands are highly inaccessible, and it is still going to require significant staff workforce to pull that material down to an area where it can be either chipped, ground, put into a biochar machine, or pile burned. It does still require a significant staffing equation.

Mr. TIFFANY. Mr. Meyer, you talked about all the various entities that are involved with the White Oak Initiative. It scares the hell out of me when you mention the Federal Government, because they are pre-eminent, they oftentimes call the tune. Why should I not be fearful of that? Why should I vote for this when I have such great fear when the Federal Government gets involved with something like this, that they are actually going to make things better?

Mr. MEYER. Thank you for that question, Chairman.

First of all, I will mention that we have several Forest Service folks who hang out with us around our board meetings, and they are doing nothing but being supportive of us, helping us find our way forward, helping us build those partnerships that are going to help us meet our mission better. But at the end of the day, across much of the white oak range, landownership is in the hands of private landowners.

So, part of this bill is actually getting to the nitty gritty of supporting those landowners and the work that they need to do on their lands. And that is why I think that having this group support of the bill will ensure that white oak continues to thrive well into the future.

Mr. TIFFANY. I appreciate the comment that you made in your testimony when you talked about less active management. You listed a number of things that have happened here that are causing the concern as we look into the future, and less active management of our forests was one of them.

It seems like, Mr. Chairman, that there is a recurring theme that goes through this Committee constantly in regards to less manage-

ment leading to poorer outcomes. Mr. Chairman, would you like 5 minutes for questioning?

Mr. WESTERMAN. I could actually take 10, but I will try to stick to that.

Mr. TIFFANY. Who am I to argue?

Mr. WESTERMAN. So many good, good topics to talk about today. And I will start with Ms. Goodman.

I had a Forest Service Job Corps Center close in my district not too long after I got into Congress. I still have a Forest Service Job Corps center in my district, as well. But I did a deep dive into the reason for the closure, and what I found was that DOL was the one that evaluated the performance of the job centers, and the data that they used seemed to be skewed very unfavorably towards the Forest Service Job Corps. And I would just like to ask you if you think the evaluation of Forest Service Job Corps Centers is done impartially and fairly by the Department of Labor.

Ms. GOODMAN. Thank you for that question, Chairman. I think that it is hard to evaluate the differences between a contract center and a CCC center. I think the CCC centers provide additional support to the national forest and to rural communities that sometimes doesn't happen in the more urban areas where a lot of our contract centers are.

So, I think sometimes it is hard to evaluate equally, so I would like to see a few changes. And they have been working on some of those changes.

Mr. WESTERMAN. Do you think it would be beneficial to get the Forest Service Job Corps out of the Department of Labor?

Ms. GOODMAN. I would have to defer that question.

Mr. WESTERMAN. Well, I think it would be, but we will work on that, save that for another day.

Talk about white oaks a little bit, Mr. Meyer. White oaks are best known for their use in barrels, especially for wine and spirits and bourbon, but they are also a premier hardwood tree species that is vital to ecosystem health in many forests. They have a wide range throughout the United States. Can you talk about the important role that white oaks play outside of the market for barrels, for cooperage?

Mr. MEYER. Thank you, Chairman Westerman, for that question. Your answer to the questions that don't get asked is the trees are the answer. I would say that at least 70 percent of the time white oak is the answer, right?

From a forest products perspective, white oak is widely used, but this is also the tree out in nature that creates the magic with its broad canopies. It helps to clean our air with its deep roots. It helps to clean our water. The wildlife habitat, food, shelter in all of the different stages of its growth provide those ecosystem benefits that only a white oak can provide. Other trees can provide one or two of those things, but the white oak is the shining example of the tree that can do it all.

Mr. WESTERMAN. Right, and we have, in effect, lost the chestnut due to the chestnut blight. And I think when you read history about the benefits that chestnuts provided, the amount of mass crop that came from chestnuts, it is hard for us to even imagine

that today. It would be a real shame to have the same fate happen for white oaks.

With my remaining time, I will move on to biochar. Mr. Sherren, we know there is a lot of promise for biochar. We know biochar has been around for a long time. But the technology, really, is kind of in the early stages of commercialization when you talk about large-scale biochar production.

Mr. Tiffany mentioned when we were in the South Pacific, we were in, was it Micronesia or Palau? Palau. And there was a USDA employee there making biochar in a 55-gallon drum. But we are talking about making it on a much larger scale. Can you share some of the challenges that you see as biochar continues to develop, and how the BIOCHAR Act can address some of those issues?

Mr. SHERREN. Well, when you start to think about the production of biochar, the systems are, in some way, basic and been around a while. And you can scale those, right? It is the issue of somebody being willing to spend the money to put a large system in, because the market for the char is uncertain at this point.

So, I feel like the BIOCHAR Act will help us find markets for biochar and give some certainty there that people will take the risk to spend the money, because we already know the product is great, right? It is just a matter of not being risk-averse to take the chance.

Mr. WESTERMAN. And as somebody who has spent time in forestry and forest products, you understand the need for more markets and the challenges for those markets. I think your testimony talked about wastewater treatment. Can you talk about some of the other potential markets for biochar, how they could be beneficial, and how biochar itself can be beneficial to forest management and forest products companies?

Mr. SHERREN. Yes. Can you say the first part of the question again. I was thinking about the second part.

Mr. WESTERMAN. Yes, how different potential markets for biochar—

Mr. SHERREN. Right, right, developing, right? So, we know, as a soil amendment, that is kind of a huge benefit there.

And stormwater management is absolutely on the rise. People are understanding more the benefit. The Chesapeake Bay Consortium's Science Technology Advisory Committee just spent 2 days in May talking about that, because they have been thinking about it for 3 years, and they need to understand better how to give credit for stormwater management. But then emerging things, crazy things like capping orphan wells.

I also know that the FDA is studying the allowance of the use of biochar as a feed amendment here in the United States that has been going on for decades in Europe and Asia.

So, I think those are some really big opportunities to find markets for biochar.

Mr. WESTERMAN. And even the market for a quantifiable and measurable carbon sequestration product, I think there are big markets for that. There is a lot of money to invest in, but there is not a measurable, large-scale product out there for carbon sequestration.

And then the benefits of a product like biochar to forest health, can you describe that a little bit?

Mr. SHERREN. Say the first part again.

Mr. WESTERMAN. A product like biochar that comes from either mill residuals or from low-value material that needs to be thinned out of the forest, how can that benefit forest products in the long run and the forest health?

Mr. SHERREN. Oh my. So, in the Luke Mill area, we were buying 1.5 million tons of fiber a year. When the mill closed, that market went away. There was no home for low-grade material or forest residuals. That is all just stagnant in the forest right now. So, if there is a market, that material will find it.

Mr. WESTERMAN. We are over time, Mr. Chairman. I appreciate your indulgence and yield back.

Mr. TIFFANY. The gentleman yields back.

The Natural Resources Committee went to the South Pacific this past year to have a hearing in Guam. We have jurisdiction over the islands there. And the Chairman, we were in Guam, we were in Palau, we were in the Marshall Islands. The thing he was most excited about was the biochar demonstration project in Palau.

[Laughter.]

Mr. TIFFANY. Well, I want to thank all of you for your testimony, and we appreciate it very much.

The members of the Subcommittee may have some additional questions for our witnesses today, and we will ask that they respond to these in writing. Under Committee Rule 3, members of the Subcommittee must submit questions to the Subcommittee Clerk by 5 p.m. on Friday, November 17, 2023. The hearing record will be held open for 10 business days for those responses.

If there is no further business, without objection, the Subcommittee on Federal Lands stands adjourned.

[Whereupon, at 4:20 p.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

**Statement for the Record**  
**U.S. Department of the Interior**  
**Bureau of Land Management**  
**H.R. 5665, Promoting Accessibility on Federal Lands Act**

H.R. 5665, the Promoting Accessibility on Federal Lands Act, directs the Secretary of the Interior and the Secretary of Agriculture to carry out a comprehensive assessment of trails, campsites, boat docks, and outdoor recreation facilities on Bureau of Land Management (BLM) and U.S. Forest Service lands to determine their accessibility for individuals with disabilities. The bill requires the Secretaries to conduct the assessment and publish it online within 180 days of the date on which appropriations are first made available for the effort. The bill also allows the Secretaries to use previous assessments as part of the comprehensive process.

**Analysis**

The Biden Administration is committed to achieving a more inclusive, accessible, and equitable country for people with disabilities. The BLM is also dedicated to ensuring that all Americans have an equitable opportunity to access their public lands by providing access to facilities, programs, services, and activities for people with disabilities. As part of its multiple-use mission, the BLM conducts systematic accessibility evaluations of developed recreation sites and creates plans for corrective actions on assessed sites. The BLM also provides accessibility training and education for field staff and managers, so they are prepared to help meet the needs of visitors with disabilities.

Recently, the BLM launched a new accessibility map for facilities across multiple states on its website as part of Disability Awareness Month. This website is the first phase of an effort that the BLM plans to build upon in future stages as part of a larger project aimed at enhancing access and experiences for people with disabilities. In initiating the project, the BLM collaborated with accessibility specialists from other Department of the Interior bureaus, including the National Park Service and the Bureau of Reclamation. The team also distributed a survey to colleagues in the field to evaluate existing data about accessible features and services at BLM facilities and sites.

These efforts and this bill also advance the goals embodied by President Biden's Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All, signed in April, including ensuring that all people—regardless of race, background, income, ability, Tribal affiliation, or zip code—can benefit from the vital safeguards enshrined in our nation's foundational environmental laws, including better access to green space.

The BLM supports the goals of H.R. 5665 and looks forward to working with the Sponsor on some technical aspects of the bill, including the timeframe and resources needed for implementation, and the scope of the sites to be assessed under the measure.

