

## Questions for the Record by Democratic Members

### Questions from Representative Haaland

1. In December, I wrote to you about the cost-effective use of air tankers and the calculation related to the “best value” determination for Call When Needed activations. I was disappointed that your response simply listed the factors that are considered but did not answer my request for documentation that shows the math of how the Forest Service calculates or determines “best value” for its CWN activations. I also felt that the way you reported activations was misleading – you reported that Very Large Air Tankers received 25 percent of the CWN activations, but that does not accurately represent the number of days each aircraft was activated under CWN contracts. Of the 229 days when aircraft were activated under CWN contracts in 2019, VLATs had 20 days on with two planes available, which amounts to 9% of the use and paid CWN activations and just 4.5% for each plane. Shortly after I received your response, articles were published in Fire Aviation and Wildfire Today which highlighted the differences in total cost and cost per gallon delivered by a variety of models of air tankers. It is clear these calculations are not difficult to perform, yet USFS seems unwilling to provide us this information so we can understand how decisions are being made. The Forest Service has been working for years on the Aerial Firefighting Use and Effectiveness Study, which is supposed to quantify the effectiveness of the various types of aircraft when they are used on wildfires.

- a) When will you be releasing the Aerial Firefighting Use and Effectiveness Study?

**Answer:** The Aerial Firefighting Use and Effectiveness Study will be released by June 2020, pending any delays related to COVID-19 response.

- b) Can this committee expect that this report will provide better justification of how the Forest Service spends funds on firefighting aircraft?

**Answer:** Yes, the AFUE study developed means to measure the effectiveness of aerial firefighting actions informed by risk management principles, specifically the need to think in terms of possibilities and probabilities recognizing the complex and uncertain operational fire environment. AFUE assessed multiple aircraft and delivery platforms, and probability of a specific drop achieving the field-determined objective were identified. Direct field observation through AFUE provides a richer understanding of mission objectives, interaction percentages, and probabilities of success for the range of platforms and conditions under which aviation operates. These data provide a critical framework for future work to improve the effectiveness and efficiency of aviation in supporting

wildfire incident objectives. The results of the study will be used to inform *future* investments in obtaining aircraft that meet the agency's needs for aviation assets.

- c) Will it provide data and the formulas the Forest Service uses in the decision-making process?

**Answer:** The AFUE study will have data collected and analyzed, but does not include formulas that could be used in decision-making. The study includes key findings based on the data collection. An intent of the AFUE study was to help build the evidence base around aerial firefighting effectiveness actions to help fire managers monitor performance and assess the probability of success of the drop. The Aerial Firefighting Use and Effectiveness Study summarizes effectiveness actions of fixed wing and rotor wing aircraft which will support decision-making for future investments in the agency's aerial firefighting fleet.

As indicated in our December 2019, response to your letter, the Forest Service corrective action related to the GAO protest stated the Government will also consider other price aspects, including price per gallon of retardant delivered, but cost per gallon of delivered retardant is not the only factor for an activation. As specified in the revised National Call When Needed (CWN) Next Generation Airtanker Services 2.1 solicitation, the best value factors that will be considered include:

- Type of aircraft ordered for the incident;
- Aircraft capability and/or performance;
- Aircraft location;
- Availability to meet the date and time requested; and
- Cost at the time of activation.

The cost parameters of operating the aircraft are fuel costs, daily availability rate, hourly flight rate, and cost per gallon of retardant delivered. The relative importance of these factors will vary depending upon the requirements of each fire incident. The Government's urgency in acquiring services may be a factor and override any other criteria identified above. The Government will issue a task order to initially order the airtanker. The Government does not guarantee the placement of any orders for service and the Contractor is not obligated to accept any orders. However, once the Contractor accepts an order, the Contractor is obligated to perform in accordance with the terms and conditions and at the fixed prices in the contract.

- d) If it will not, when can this committee expect to receive information about how the Forest Service weighs factors in making decisions on CWN activations?

**Answer:** Call-when-needed contracts provide a means for fire managers to access additional aircraft during periods of high fire activity when exclusive use contracted aircraft are fully committed. Deciding which aircraft are activated via call-when-needed contract agreements is based on the ability of the aircraft to meet incident management objectives and the following cost parameters:

- fuel costs,
- daily availability rate,
- hourly flight rate, and
- cost per gallon of retardant delivered.

2. On February 18, Politico reported on two letters sent from USDA Deputy Secretary Censky to the Office of Management and Budget regarding a Senate draft bill, the “American Security Drone Act of 2019.” This bill would prohibit all federal agencies from procuring or using any drones that are manufactured in China or that contain components that are manufactured in China. In the letter dated September 30, 2019, the Deputy Secretary states that, “The proposed bill would severely impact the establishment, development, and implementation of the USDA UAS program to carry out our mission-critical work”.

- a) How does the Forest Service utilize drone technology, specifically around preventing and suppressing wildfires?

**Answer:** Unmanned Aerial Systems (UAS) are a key component of a modern aviation fleet that can support both land management and fire response operations. UAS have been used for aerial ignition operations, natural resource management and data collection, archeology surveys, bridge inspections, and reconnaissance and data collection for wildland fire. Expanded future uses may include: law enforcement support for drug interdiction missions; timber survey and management; forest and range health surveys; and wildlife surveys. As the technology develops, the agency will continue to evaluate and deploy UAS where they can accomplish the Forest Service mission and objectives in a safe and efficient manner.

The draft Senate bill would affect the agency’s ability to implement the portions of the Dingell Act related to unmanned aircraft systems. The Forest Service would have to find UAS that can meet the Act’s requirements. Very few UAS or UAS technology is manufactured in the US. The agency is currently aggressively seeking U.S. manufacturers, but that technology will be more expensive and may

take significant time to procure. The Forest Service was leveraging Department of the Interior (DOI) resources to build a UAS Program (equipment, personnel, policy, and experience), but DOI has since stopped all UAS operations and program growth due to the Drone Security Act. This has slowed the Forest Service's ability to expand its program.

- b) If the Forest Service does not have access to drone technology in the future, how will this impact the agency's ability to conduct its missions both from an operations standpoint as well as a budgetary one?

**Answer:** Without access to UAS, data collection and operations that could be conducted by UAS will be accomplished by manned aviation assets. This includes aerial ignition operations as well as resource management projects such as archeology surveys, timber surveys, and bridge engineering surveys. The use of UAS reduces risk to flight crews and are a cost effective alternative to traditional manned aircraft. Without access to UAS, Forest Service missions using manned aircraft will continue to expose employees and contractors on those aircraft to risk and will increase the cost of completing the mission.

- c) After the Deputy Secretary repeatedly shared his concerns about this legislation with OMB, what has the response been back to the Department?

**Answer:** We continue to work with OMB to address our concerns; to date, the administration has not formally released a position on the American Security Drone Act of 2019.

- d) What steps or data management processes has the Forest Service put in place to ensure the protection of the agency's data while using drone technology?

**Answer:** The Forest Service has taken measures to ensure necessary security protocols have been established, tested, vetted, and implemented for UAS platforms. UAS currently being used have been tested and evaluated for cybersecurity issues by the National Aeronautics and Space Administration, Department of Homeland Security's Cybersecurity and Infrastructure Agency, and the Idaho National Laboratory. These agencies determined there were no areas of concern regarding cyber security. The UAS platforms are isolated from any information technology network so there is no way data or information can access a network. The agency continues to cooperate with interagency cybersecurity subject matter experts, including the Department of Homeland

Security, to ensure that our aviation assets are operating in full compliance with federal law and policy.

### **Questions from Representative Gallego**

1. Chief Christiansen, I'm sure you are aware of the controversy created by the U.S. Forest Service's proposal to exempt the Tongass National Forest from protections under the 2001 Roadless Rule. At risk is millions of acres of currently protected land, including some of the last remaining oldgrowth forests in the Tongass. A fundamental question since the start of this process has been the need and justification for this rulemaking. Considering the many imminent National Forest System issues related to forest health and wildfire management, it is hard for me to see the Alaska Roadless Exemption as anything other than a political errand pulling staff time and taxpayer resources away from other Forest Service priorities. To assist the Committee's understanding of the proposed Alaska state-specific roadless rule, please provide the following information and documentation:

- a) The number of projects in roadless areas in Alaska have been approved since this rulemaking began.

**Answer:** The 2001 Roadless Rule generally prohibits road construction, road reconstruction, and timber harvesting within inventoried roadless areas with some exceptions. The Alaska Regional Forester is required to review certain excepted activities such as mineral exploration or development projects, hydro-electric projects, intertie projects, and road construction/reconstruction. The Alaska Roadless Rulemaking process began in June 2018, and since that process began, the Alaska Regional Forester has reviewed and approved four proposals consistent with the 2001 Roadless Rule's exceptions to prohibited activity. The agency does not track projects in roadless areas which do not require Regional Forester review, such as habitat or stream restoration projects, trail projects, and administrative use.

- b) The number of comments the Forest Service received on the environmental impact statement and proposed Alaska state-specific roadless rule, and a timeline for the USFS analysis and responses to these comments.

**Answer:** There were approximately 267,000 public comment letters, 117,000 signatures submitted on petitions, and 7,000 unique comments received during a 60-day public comment period from October 18 – December 17, 2019. We are in the process of updating the proposed rule, alternatives to the proposed rule, and

associated impact analyses based on public comments. The Forest Service anticipates publishing a Final EIS in the summer of 2020. A final rule is expected to be published 30 days following the publication of the Final EIS.

- c) A detailed accounting of staffing and the allocation of federal funds in Region 10 for FY20 and FY19, including number of vacant positions, any grants or agreements obligating federal funds, and costs associated with the Alaska roadless rulemaking.

**Answer:** For fiscal year 2019 through fiscal year 2020 to date, the Forest Service has funded the Alaska Roadless Rulemaking as follows:

- \$2,091,910 obligated to contracts
- \$2,133,997 expended on staff salary, travel, and training
- \$46,716 expended on miscellaneous costs including materials, supplies, communications, etc.

There are 12 positions for which salaries and other staff costs are funded by the Alaska Roadless Rulemaking project. Currently there are no vacant positions.

- d) For the Tongass National Forest, any data, inventory, analysis or accounting related to ecosystem carbon storage; the Forest Service Road system; timber program costs, sales and receipts; volume and availability of old-growth; the second growth transition; monitoring and evaluation of aquatic and terrestrial wildlife habitat; visitor use statistics; and pending or approved special use permits.

**Answer:** Provided below are sources for data, inventory, analysis, or accounting related to the requested topics. Generally, the Alaska Roadless Rulemaking and Tongass Land and Resource Management Plan serve as the source. As needed, additional information sources have been provided for some of the topics.

#### **Ecosystem carbon storage**

- 2019 Alaska Roadless Rule Draft Environmental Impact Statement – Carbon Sequestration. Pages 3-123 – 3-125  
[https://www.fs.usda.gov/nfs/11558/www/nepa/109834\\_FSPLT3\\_4876629.pdf](https://www.fs.usda.gov/nfs/11558/www/nepa/109834_FSPLT3_4876629.pdf)
- 2016 Tongass Land Management Plan Final Environmental Impact Statement – Environment and Effects, Climate. Pages 3-11 – 3-16.  
[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd507736.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd507736.pdf)

#### **Forest Service road system**

- 2019 Alaska Roadless Rule Draft Environmental Impact Statement - Road Density. Pages 2-24, 15C-20, and C-23.  
[https://www.fs.usda.gov/nfs/11558/www/nepa/109834\\_FSPLT3\\_4876629.pdf](https://www.fs.usda.gov/nfs/11558/www/nepa/109834_FSPLT3_4876629.pdf)
- 2016 Tongass Land Management Plan Final Environmental Impact Statement – Environment and Effects, Transportation. Pages 3-307 – 3-314.  
[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd507736.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd507736.pdf)

### **Timber program costs, sales and receipts**

- Fiscal year 2019 cut and sold report. Tongass National Forest cut and sold report begins on page 4 of the Region 10 report. The fiscal year 2019 report does not include approximately 25 million board feet of timber offered but withdrawn due to litigation. [https://www.fs.fed.us/forestmanagement/documents/sold-harvest/reports/2019/2019\\_Q1-Q4\\_CandS\\_R10.pdf](https://www.fs.fed.us/forestmanagement/documents/sold-harvest/reports/2019/2019_Q1-Q4_CandS_R10.pdf)
- The direct support for the Tongass National Forest timber sale program in fiscal year 2019 was \$6,300,000. The USDA Forest Service Alaska Region calculates direct support figures based on average historical direct costs to plan, prepare, offer, award, and administer timber sales on the Tongass National Forest. The analysis of direct support for the timber sale program excludes costs for the Regional Office and Supervisor’s Office program management, operations support, pre-NEPA activities, facilities maintenance, travel, training, fleet not related to producing timber outputs, and generic supply costs.

### **Volume and availability of old growth**

- 2019 Alaska Roadless Rule Draft Environmental Impact Statement – Effects on the Old-Growth Forest Ecosystem and projected harvest by alternative. Page 3-60 – 3-69.  
[https://www.fs.usda.gov/nfs/11558/www/nepa/109834\\_FSPLT3\\_4876629.pdf](https://www.fs.usda.gov/nfs/11558/www/nepa/109834_FSPLT3_4876629.pdf)
- Other than expanding the suitable timber land base, none of the Alaska Roadless Rule Draft Environmental Impact Statement (DEIS) action alternatives propose to change the Tongass Land and Resource Management Plan, including the projected harvest level.
- 2016 Tongass Land Management Plan Final Environmental Impact Statement – Environment and Effects, Timber. Pages 3-327 – 3-350.  
[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd507736.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd507736.pdf)

### **Second growth transition**

- 2019 Alaska Roadless Rule Draft Environmental Impact Statement – Timber Resources. Pages 2-20 – 2-21.  
[https://www.fs.usda.gov/nfs/11558/www/nepa/109834\\_FSPLT3\\_4876629.pdf](https://www.fs.usda.gov/nfs/11558/www/nepa/109834_FSPLT3_4876629.pdf)
- 2016 Tongass Land Management Plan Final Environmental Impact Statement – Comparison of Alternatives, Young-Growth Transition. Pages 2-39 – 2-40.  
[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd507736.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd507736.pdf)
- The State of Alaska and the Forest Service have completed an inventory of approximately 42,000 acres of young growth on Tongass National Forest lands. Preliminary analysis results were presented at a Young Growth Symposium in

October 2019. A final report of the inventory analysis will be completed in Summer 2020. Once a final report is received, the Forest Service will need to undertake a significant amount of work to make the analysis site-specific and relevant to Forest Service forest management project level planning and decisions.

### **Monitoring and evaluation of aquatic and terrestrial wildlife habitat**

- Tongass National Forest Monitoring and Evaluation Program.  
<https://www.fs.usda.gov/detail/tongass/landmanagement/planning/?cid=stelprdb5368225>
- Tongass National Forest 2016-17 Biennial Monitoring Evaluation Report.  
[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd689567.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd689567.pdf)

### **Visitor use statistics**

- The most recent National Visitor Use Monitoring visitation estimate for the Tongass National Forest is 1,836,000 visits. Data estimates are based on field samples collected on the Forest from 2010 – 2014.  
<https://apps.fs.usda.gov/nvum/results/A10205-A10405-A10105-A10305.aspx/FY2014>
- 2019 Alaska Roadless Rule Draft Environmental Impact Statement – Recreation on the Tongass National Forest. Page 3-37 – 3-41.  
[https://www.fs.usda.gov/nfs/11558/www/nepa/109834\\_FSPLT3\\_4876629.pdf](https://www.fs.usda.gov/nfs/11558/www/nepa/109834_FSPLT3_4876629.pdf)
- 2016 Tongass Land Management Plan Final Environmental Impact Statement – Recreation and Tourism, Existing Levels and Trends. Pages 2-364 – 3-374.  
[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd507736.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd507736.pdf)

### **Pending or approved special use permits**

- Currently there are 610 special use authorizations and 81 special use applications in process.
- Of the total special use authorizations, outfitting and guiding services represent the largest number of authorized special uses (199, 32%) and special use applications in-process 34, 42%).
- Due to various factors, including permit renewals, special use authorization data changes throughout the year.

### **Questions from Representative Neguse**

1. Based on the data for Stewardship Contracting provided in the budget submission, it looks like acres awarded as well as the number of agreements and contracts are at almost 10-year lows, yet volume awarded in terms of board feet are at an all-time high.
  - a) Can you explain these trends in Stewardship Contracting? How might they be driven by the agency's reliance on timber-centric metrics?



**Answer:** Forest Service timber volume sold under stewardship contracts and agreements has been increasing over the past few years similar to the total increase in timber volume sold. Volume of timber sold through stewardship contracts and agreements has been stable in the 25-30% range of overall timber sold by the agency. As the agency works to increase the timber target, we will rely on all authorities to meet our goals. As we accelerate active management, the number of acres associated with each timber sale, stewardship contract or stewardship agreement should increase as we coordinate efforts with hazardous fuels treatments and restoration activities.

While timber volume sold under the stewardship contracting program is consistently in the 25-30% range of agency total timber volume sold nationally, there is more annual volatility of these outputs at the regional level as there are ebbs and flows as project needs change due to local issues, such as infestations or weather events. An example of this is from the Southern Region (Region 8) where southern pine beetle infestations increased and stewardship contracting was the best tool for salvaging the timber.

The acres treated each year is a reflection of the actual harvesting that was achieved over the year, so there is a lack of consistent correlation between the acres treated and the timber volume sold. There are often fluctuations in timber volume per acre, and recently more commercial volume is being sold through stewardship contracting. Eventually, the number of acres treated should increase in this as the work associated with the timber sales is completed.

In the last three years, volume sold through stewardship contracting in Region 8 was 23% in 2017, 18% in 2018, and 30% in 2019. Trends in these outputs approximate the national average of 25-30% annually as shown in the table below.

National Stewardship Contracts					
Year	Million Board Feet (MMBF) of Timber Sold	Cubic Feet (CCF) of Timber Sold	Change	Total Volume of Timber Sold in Million Board Feet (MMBF)	% of Total
2017	855	1,635,436	-	3,019	28%
2018	793	1,508,510	92%	3,187	25%
2019	859	1,629,839	108%	3,272	26%
Region 8 Stewardship Contracts					
2017	117	234,551	-	520	23%
2018	103	192,577	82%	579	18%
2019	183	333,968	173%	615	30%