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March 20<sup>th</sup>, 2023

The Honorable Doug LaMalfa  
United States House of Representatives  
408 Cannon H.O.B  
Washington, D.C. 20515

American Agri-Women supports the bipartisan bill, H.R. 1586 – the Forest Protection and Wildland Firefighter Safety Act of 2023.

H.R. 1586 creates a Clean Water Act exemption for federal, state, local, and tribal firefighting agencies to use fire retardants to fight wildfires. As you know, fire retardant is essential to contain or slow the spread of wildfires. However, currently, the Forest Service and other agencies are operating under the assumption that a National Pollutant Discharge Elimination System (NPDES) permit is not required for the use of fire retardant because the regulations specifically state that fire control is a "non-point source silvicultural activity" and communications from EPA dating back to 1993 indicated a permit is not required.

Wildland fires have devastated our Western States. They have destroyed forests, towns, croplands, wildlife, and most tragically, human lives. If not for the aerial use of fire retardants, these fires would have been even more deadly and destructive. This bill is needed because an environmentalist group is suing the Forest Service under the Clean Water Act to require an NPDES permit to use fire retardant. They have requested an injunction on using fire retardant until the Forest Service receives this permit, which could take years. If the injunction is granted and fire retardant is unavailable in the 2023 fire year, firefighters and individuals living in forested communities would be in greater danger. Millions of acres of forested land and billions of dollars of infrastructure would be at risk.

We must be able to fight wildfires with everything we have. Limiting firefighting agencies' ability to do so contradicts forest conservation.

Respectfully,

Heather Hampton-Knodle  
American Agri-Women President

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