

Congressman Doug LaMalfa

**Testimony – H.R. 1586 the Forest Protection and Wildland Firefighter Safety
Act of 2023**

Natural Resources Subcommittee of Federal Lands Hearing

March 23, 2023, 2pm

Good afternoon. Chairman Tiffany and Ranking Member Neguse, thank you for holding this important hearing and allowing me the opportunity to testify on behalf of my legislation, the *Forest Protection and Wildland Firefighter Safety Act of 2023*.

Across the West, we continue to face a wildfire crisis. In the past five years alone, we've seen some of the most destructive wildfires on record, especially in California. In my district, we have seen catastrophic damage from the 2018 Camp Fire in Paradise, the deadliest fire in California's history. In 2021 we saw the million-acre Dixie Fire, the largest single source wildfire in California history.

Since 2000, we have averaged more than 70,000 wildfires per year and an average of 7 million acres burned annually. This acreage is more than double the average number during the 1990s. Since 2018, we've had four fire seasons that have exceeded seven million acres, including 2020 when 10.1 million acres burned. In part to nearly a decade of forest mismanagement, our fires are getting bigger, hotter, and more aggressive than ever before.

As a Member on the House Committee on Natural Resources, Committee on Transportation and Infrastructure, and as the Chairman of the Agriculture Subcommittee on Forestry, I know these issues firsthand. Like you, we are reviewing current forestry policies, evaluating how we can increase the pace and scale of proper forest management so that we can conserve forest health while removing overgrowth that increases risk of devastating wildfires. Overhauling our current regulatory framework will not happen overnight. Removing brittle, decaying trees and dry overgrowth on tens of millions of acres of forested land will take years. Until then; until our forests are in a healthy state and a small, naturally occurring blaze does not pose a risk of turning into another million-acre catastrophic blaze, it is essential that all wildland firefighting agencies continue to be able to utilize every tool they can to protect forested land and nearby residents from wildfires.

Unfortunately, environmentalists have confused protecting forested lands with preventing intervention of any kind, even if it means life or death. In the case of the Forest Service Employees for Environmental Ethics v. the United States Forest Service – the impetus for my bill – the plaintiff has asked for an injunction on the use of fire retardant until the Forest Service receives a National Pollutant Discharge Elimination System permit, which will take years to obtain. If the injunction is granted and fire retardant is not available for use this fire season, the

Forest Service, all States, Tribal agencies, and counties will have to sit by should another devastating fire come, and we who live in the West know that this is inevitable. This can't wait. The 2023 Fire Season is already here. In my state of California there has already been 264 wildfires and 64 acres burned.

Already there are zones on forested lands where the use of fire retardant is restricted. According to the Forest Service, "It is estimated that less than one-half of 1 percent of fire retardant drops may reach the 300-foot or larger buffer. Impacts due to the exceptions, or from misapplication of fire retardant into water, would be rare."

How the plaintiff can claim to want to protect the environment when they will actively allow another fire to harm residents and wildlife, destroy forested land and property, pollute rivers with debris, and choke vulnerable people up to hundreds of miles away is a mystery to me. To every single Member of Congress in this room, it is your constituents who will be put in danger if there is an injunction of fire retardant.

Thank you to the United Aerial Firefighters Association, Federal Forest Resource Coalition, Forest Landowners Association, California Farm Bureau, and 42 other organizations who submitted letters of support for this common sense, bipartisan, essential legislation.

Chairman Tiffany, I would like to ask for Unanimous Consent to enter these letters into the record.

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I am looking forward to working with the Committee and other stakeholders on today's panel to protect the health and safety of rural residents and wildlife on our Federal lands.