

**Committee on Natural Resources  
Subcommittee on Federal Lands  
Legislative Hearing  
1324 Longworth House Office Building  
March 20, 2024  
10:15 AM**

- **H.R. 5015 (Rep. Leger Fernandez)**, “*Seedlings for Sustainable Habitat Restoration Act of 2023*”;
- **H.R. 5499 (Rep. Miller-Meeks)**, “*Congressional Oversight of the Antiquities Act*”;
- **H.R. 6085 (Rep. Hageman)**, To prohibit the implementation of the Draft Resource Management Plan and Environmental Impact Statement for the Rock Springs RMP Revision, Wyoming;
- **H.R. 6209 (Rep. Titus)**, “*Sloan Canyon Conservation and Lateral Pipeline Act*”;
- **H.R. 6547 (Rep. Boebert)**, “*Colorado Energy Prosperity Act*”; and
- **H.R. 7006 (Rep. Curtis)**, To prohibit natural asset companies from entering into any agreement with respect to land in the State of Utah or natural assets on or in such land.

**Questions from Chairman Westerman** for Mr. Chris French, Deputy Chief for the National Forest System, U.S. Forest Service:

1. Are you aware of any national monuments the President is planning to designate before the end of his term? If so, can you please list what monuments are under consideration, and in which states?

**RESPONSE:** Because the Antiquities Act gives this authority to the President alone and considerations for potential proclamations are at the President’s discretion, this question is best directed to the White House.

2. Has USFS been asked to provide any technical assistance, including creating maps or to hold public listening sessions, on any potential national monument designations by the White House?

**RESPONSE:** Because the Antiquities Act gives the authority to the President alone and considerations for potential proclamations are at the President’s discretion, this question is best directed to the White House.

3. When a new monument is designated and USFS is directed to manage it, what funding is provided to carry out the management?

**RESPONSE:** Units operate within the budgetary constraints of the appropriations enacted by Congress. Following a monument designation, we often see increased recreation use on the unit as well as corresponding benefits to rural economies. For instance, at Chimney Rock National Monument in Colorado, visitation increased by 40 percent in the ten years since its designation yielding an estimated \$170,000 per year in

annual contribution to the local economy. Due to budgetary constraints, we have taken an innovative approach at Chimney Rock with operations through a nonprofit partner to support our work and provide visitor services.

4. When the President designated the Camp Hale-Continental Divide National Monument in Colorado and directed the USFS to manage it, were any funds provided to USFS to carry out this responsibility?

**RESPONSE:** As of May 2024, there have been no specific appropriations enacted for the purpose of the management of the Camp Hale-Continental Divide National Monument.

5. In your responses to Member questions, you stated that, to your knowledge, USFS had no contact with the U.S. Securities and Exchange Commission (SEC) in connection with the SEC's proposal to allow natural asset companies (NACs) to be listed on the New York Stock Exchange. Given the substantial effects that NACs could have on USFS land, was this lack of coordination with the SEC appropriate?

**RESPONSE:** Having not been involved in the development of the SEC proposal referenced here, I am unclear on the scope or potential impacts of the proposed rule. This question would be better addressed to the SEC. The USDA Forest Service stands ready to provide assistance and advice whenever consulted during administrative rulemaking processes.

6. As we are approaching the upcoming wildfire season, we are hearing reports that USFS is having challenges filling seasonal vacancies for wildland firefighters in California.
  - a. Please provide an update on the current staffing levels for the 2024 wildfire season in California and other states.

**Response:** The USDA Forest Service 2024 wildfire staffing plan is for 11,300 wildland firefighters nationwide, with seasonal employees onboarded in advance of peak fire activity in their home region. As of May 28, Forest Service Region 5 (which includes California) is employing 3,324 firefighters of an anticipated 3,610 at peak staffing in July. Our wildfire response effectiveness is greatly influenced by the involvement of ready reserve personnel, particularly during times of intense wildfire activity. In a significant fire year, a ready reserve staff of more than 13,000 Forest Service employees who are not in primary firefighting positions provide critical support to fire response system in roles such as supplementing initial attack firefighting resources, logistical support, cache and dispatch support, contracting, and purchasing, as resource advisors, and as part of incident management teams. Ready reserve staff also make a significant contribution to the program by lending their expertise and support in managing fuels, which includes carrying out prescribed fires.

- b. What are the total number of available wildland firefighter positions in each USFS region, both permanent and seasonal?

**Response:** The following list illustrates available permanent and seasonal wildland firefighter positions in each region:

|   |       |
|---|-------|
| Region 1  | 1,444 |
| Region 2  | 744   |
| Region 3  | 1,290 |
| Region 4  | 1,271 |
| Region 5  | 3,610 |
| Region 6  | 1,934 |
| Region 8  | 562   |
| Region 9  | 320   |
| Region 10   | 36    |
| Washington Office, National Interagency Fire Center | 89    |

- c. How many of these positions have been filled, and how many remain to be filled?

**Response:** As of As of May 28, 10,485 positions are filled. The remaining 815 positions outlined in the list above remain to be filled as of May 28, 2024. The Agency is on track to hit its annual peak staffing target of 11,300 which occurs in mid-July. Fire hiring is conducted in sequential rounds of hiring and is timed to bring on firefighters in different geographic areas at different times of the year to ensure maximum capacity and coverage for the fire season in that region of the country.

- d. What is the agency's plan to fill these positions by July 1, 2024?

**Response:** As of As of May 28, 10,485 positions are filled. We continue to remain on track to employ 11,300 by the time we reach our peak staffing in mid-July.

- e. What is the agency's plan if remaining vacancies are not filled by July 1, 2024?

**Response:** To bolster resources in active fire areas across the country, the Forest Service: 1) repositions available firefighting resources; 2) accesses more than 10,000 contracted firefighting personnel; and 3) perform emergency hiring events, when appropriate, leveraging Direct Hiring Authority to fill critical positions.

- f. Will National Guard or other military resources be needed to augment USFS resources?

**Response:** Military activations occur during severe wildfire events when requests for federal firefighting resources (including the previously listed augmentations) exceeds availability. The agency does not include military activations in its regular response planning.

7. Last year, a federal judge in Montana directed USFS to obtain a Clean Water Act permit for the discharge of fire retardant from aerial assets. Please provide an update on the status of this Clean Water Act permit process, the current schedule for publication of any relevant NEPA documents, and the plan to engage affected States and other stakeholders on the development of this Clean Water Act permit.

**RESPONSE:** The Administration is committed to providing firefighters with the investments and tools they need to protect communities, our forests, and sources of drinking water while at the same time maintaining the integrity of the Clean Water Act. The agency currently has a Federal Facility Compliance Agreement in place which addresses the discharge of retardant into waters of the United States during aerial fire-fighting operations by the Forest Service. The agreement maintains our compliance with the Clean Water Act while we work collaboratively with EPA to assist in the development of a National Pollutant Discharge Elimination System permit for those lands where EPA is the permitting authority. Forest Service staff have been meeting monthly with EPA and representatives from Department of the Interior agencies (Bureau of Land Management, Bureau of Indian Affairs, National Park Service and the Fish and Wildlife Service) to complete the first step in this process. EPA has set the timeline and is looking at Final general permit development towards the end of 2024 – mid 2025, with the potential for the Final permit issued sometime between mid to end of 2025. EPA will initiate our engagement with States, and we anticipate it will take a State six months to a year to establish a general permit once EPA issues theirs.

In December 2023, the Forest Service published the Nationwide Aerial Application of Fire Retardant on National Forest System Lands Final Supplemental Environmental Impact Statement. The Record of Decision was signed February 6, 2024, allowing aerially applied fire retardants, included now or in the future on the Forest Service Qualified Products List, to be used on National Forest System lands. The decision includes requirements that protect natural and cultural resources.