

June 9, 2020

To:

From: David Crow, Laurie-Ann Flanagan, David Beaudreau

Re: Senate Energy and Natural Resources Committee Hearing: "Wildfire Management Amidst COVID-19"

On Tuesday June 9, the Senate Energy and Natural Resources Committee held a hearing to cover "Wildfire Management Amidst COVID-19"

**Members Attended**

Chairman Lisa Murkowski (R-AK)

Ranking Member Joe Manchin (D-WV)

Senator Maria Cantwell (D-WA)

Senator Ron Wyden (D-OR)

Senator Steve Daines (R-MT)

Senator Martin Heinrich (D-NM)

Senator Martha McSally (R-AZ)

Senator Mazie Hirono (D-HI)

Senator John Barrasso (R-WY)

Senator Angus King (D-ME)

Senator John Hoevin (D-ND)

Senator Catherine Cortez Masto (D-N

**Opening Statements**

Chairman Murkowski opens the hearing with a brief business meeting to confirm the appointment of Mark Menezes to the position of Deputy Secretary of Energy, which passes by nearly unanimous verbal vote. She then begins her opening remarks by discussing the ramifications of the restrictions imposed by COVID-19 upon firefighters, especially in light of the summer fire season which will be more severe than last year’s season, during which 4.6 M acres were burnt. She points out that many first responders and the resources used to support them are already spread thin, and that with the expected mobilization of 20,000 firefighters, the committee and relevant agencies represented by the witness panel will need to address the challenges of maintaining CDC best practices to keep those responders safe with respect to the virus while simultaneously increasing their capacity to treat the increased severity of fires in the coming months.

Ranking Member Manshin thanks the firefighters whose lives are put at increased risk, stating that it is the committee’s unanimous position that ensuring their safety through provision of PPE and additional medical support is a paramount priority. He notes that answers to the community’s questions about the use of evacuation zones, workers’ compensation, and medical support are among the first steps that can be taken to dispel the fear present across much of the Western regions at heightened risk this fire season. He briefly highlights points from a bill he and other senators are working on to guarantee testing procedures for firefighters returning from action as well as workers’ compensation for those who do contract COVID-19 during their efforts to combat the coming fires.

**Witnesses**

* Mr. John Phipps, Deputy Chief for State and Private Forestry, USDA Forest Service
  + Mr. Phipps outlines the current status of the USDA Fire Preparation plan to keep firefighters and their communities safe. Affirming the predictions of a severe season to come due to reduced snowpack which is already resulting in fires in the South-East and South-West regions, he inventories some the Forest Service’s resources that will be used to combat these fires including 35 air tankers, 671 helicopters, 300 pieces of heavy equipment, and 10,000 firefighters. He mentions that the Forest Service has been coordinating wildlife and fire response plans for each geographic region in light of the pandemic in order to enhance safety. He notes the preparation that has occurred in conjunction with the CDC, NIOSHA, and relevant medical committees to provide interim standards for screening and quarantining firefighters, as well as the stockpiling of PPE for future wildfire incidents. Lastly, he mentions the cooperation taking place between federal, state, and tribal partners to issue guidance to reduce risk to natural resources and communities.
* Ms. Amanda Kaster, Acting Deputy Assistant Secretary for Land & Minerals, U.S. Department of the Interior
  + Ms. Kaster begins by stating that the DOI is working diligently with the interagency wildlife community to mitigate fires and change the way they look at protecting the firefighters. Stating that they will have to cross state borders to prepare for fire season, she notes that it will be important to ensure both safe and efficient wildfire suppressions, as well as the safety of those firefighters with respect to their increased exposure to respiratory-compromising circumstances. She states that the DOI has completed 1.4 M acres of targeted grazing and prescribed fires as well as 620,000 acres of other treatments amounting to half of the planned treatments for the year.
* Mr. Norm McDonald, Director of Fire and Aviation, Alaska Division of Forestry
  + Mr. McDonald gives an overview of his division’s preparedness to support all types of wildland management and describes the expected differences between a typical year’s incident response compared to the expected response with the added challenges of COVID-19. Noting that the organizational model used by many firefighting response teams relies on large groups in close-quarters environments, he voices his concern for maintaining CDC best practices while maintaining an effective organizational strategy for responding to fires. While some simulations involving COVID response obstacles as well as testing of virtual platforms for organization have been promising, the challenges firefighters will face this season include: reduced resources and responders composing the immediate-response teams who are occupied by COVID response, loss of the high-risk retirees who typically support the team but are now unable to do so, resources being held back to support the “second wave” mission, and testing requirements imposed by travel.
* Mr. George Geissler, State Forester, State of Washington, On behalf of the National Association of State Foresters
  + Mr. Geissler opens his testimony by listing the NASF’s substantial support in terms of manpower, funding, and secondary forms of support towards the fire response efforts nationwide, citing their 79% response contributions to fires of 2019. He notes that while some state agencies had been involved in training folks for wildfire response along with COVID response, many agencies have struggled to hire and train firefighters, losing valuable time to conduct necessary health and preparation training. Through multi-agency cooperation, baseline protocols and practices for wildfire response during the pandemic have been put in place and are expected to improve throughout the year via the after-action reviews provided by firefighters on the ground. As COVID response efforts continue to deplete state budgets, he hopes that the NASF can continue to provide support to the fire response agencies.

**Questions**

Chairman Murkowski asks Mr. McDonald to address some of the issues he has faced in instantiating the protocols with federal partners to protect rural communities which are fearful of firefighters who may be carrying the virus to their villages. He affirms the stringent testing practices set in place by the Alaskan DHSS including self-screening prior to departure, secondary testing upon arrival, quarantining for 24 hours until the results come back negative, only then to continue with the firefighting process. He additionally notes the inconsistency with federal guidance, as some states and institutions require similar degrees of precaution, whereas others only strongly recommend such practices. She asks Mr. Phipps and Ms. Kaster why similar practices can not be replicated outside of Alaska to guarantee the safety of the firefighters and the communities they are aiding. They respond that the interagency community is interested in pursuing a robust testing capacity, but that the decentralized nature of the states’ responses requires a mobile capacity to screen on entry and exit from fire camps.

Ranking Member Manshin mentions specificities of his aforementioned bill to streamline the qualification process to receive workers’ compensation to make sure that firefighters are covered, asking Mr. Phipps and Ms. Kaster if they agree with such a bill. Mr. Phipps indicates the Forest Service’s commitment to anything the committee can do to strengthen the support for firefighters as the Department of Labor’s coverage of firefighters is on a limited case-by-case basis. Ms. Kaster states that the CDC does not recommend testing asymptomatic employees. Manshin reiterates the committee’s stance that testing for all firefighters is a top priority. Chairman Murkowski additionally contributes her understanding that high-risk critical employees fall under a different recommendation, noting that there are no hand-washing facilities in the forest, and that the firefighting environment further compromises immune-systems. Senator Manshin asks mr. McDonald to recap the living conditions that firefighters typically face when responding to wildfire incidents. He details the rustic, close-quarters living, dining, and briefing conditions which are going to be challenged by CDC recommendations.

Senator Wyden pointedly asks what the Forest Service is going to do to ensure the protection folks in the ground in the coming weeks if testing procedures to guarantee safety across states will not be provided. Mr. Phipps paraphrases Ms. Kaster’s remark about the ineffectuality of asymptomatic testing per the CDC, instead suggesting reliance on social distancing, use of PPE, and maintaining hygiene. A question later repeated by Senator Heinrich asking whether or not Secretary Bernhardt gave the order for the Park Services to clear the peaceful protestors in Washington, D.C. by use of irritant gas for the president to take a photo in front of St. John’s Episcopal Church was deferred for comment by Ms. Kaster both times it was raised.

Senator Cantwell asks Mr. Geissler about the use of upgraded technology such as satellite imaging to detect fires. Geissler responds that that technology was formerly used by the National Severe Weather Lab and Oklahoma Forest Services, as well as other states, to detect and notify relevant fire services and that the increase in funding cost to bear the load of nationwide monitoring would not be too significant. Ms. Kaster and Mr. Phipps add that while they are not aware of the use of such technology on a federal level yet, similar programs are being explored via the Dingell Act.

Noting that 6.5 M acres of land are at high or very high wildfire potential, 1.6 M of which are near populated areas, Senator Daines asks the panel what their agencies are doing to make up for lost time in terms of COVID-delayed fuel treatment projects. Mr. Phipps states that the Forest Service is focusing treatments to reduce exposure to the communities and that they are on track to meet timber targets for the year. Ms. Caster adds that the DOI has been performing prescribed burns and will continue to carry out treatments even after the fire season passes. Senator Daines asks Mr. Phipps how the onslaught of timber project-related litigation is making communities vulnerable. Mr. Phipps concedes that the volume of lawsuits slows operations down considerably and that the Forest Service is making efforts to streamline according to the NEPA to advance work.

Senator Heinrich inquires as to why the Department of Health has not yet coordinated with the New Mexico Forest Services –as well as other states’ agencies– to manage the testing process for firefighters despite the fact that coordination efforts have been advertised by the USDAFS. Mr. Phipps admits that comprehensive direction is needed for the coordination plans nationwide, but that he will have an answer by the end of the week. He also indicates that there is a unified PPE procurement strategy from his department for regional and team-levels of acquisition.

Senator McSally asks when logging industries can expect to get back to work in light of the myriad amendments made to the RFP for her state after months of delay. Mr. Phipps states that the Forest Service will be able to award the contract in question by September so that business can resume in the Fall. With respect to increased national and state park attendance, she inquires about what has been done to mitigate human-started fires this season. Mr. Phipps describes this year’s marketing campaign involving Smokey the Bear as well as preemptive campfire bans where necessary.

Senator Hirono asks how excess supplies are able to be distributed through the Interagency Fire Center to states in need. Mr. Phipps says that the NAFS would be interested in facilitating an exchange of supplies and that stockpiles are being gathered for need-based distribution.

Senator King asks Mr. Phipps about the availability of data regarding loose fuel on the ground, the efficacy of controlled burns, and the comparison between fire mitigation conducted by privately versus publicly owned forests. Mr. Phipps notes that settlements into areas previously treated naturally by smaller fires are now overgrown with low-level brush which requires management and that the treatment results witnessed on the East Coast by private-owned businesses are not necessarily applicable to other ecosystems in which wind-driven events are a higher probability

Senator Hoevin asks about the role that Unmanned Aerial Systems (UAS) might fill in combating and preventing forest fires. Mr. Phipps indicates his excitement about new programs under the Dingell Act in partnership with the DOI which will allow for investment in robust use of UAS for mapping hard-to-access fire incident locations. Although helicopters are typically used to suppress these burns, using UAS would be safer due to reduced exposure.

Senator Masto asks Mr. McDonald about recruiting numbers in light of resource mobilization. He responds that state resources are on target to bring firefighters back to work coming out of the quarantine period, but that recruitment numbers have been decreasing for the last decade which causes a concern for the rural areas like the villages in Alaska that are apprehensive about importing exposure to COVID-19. Similarly, Mr. Phipps responds that the Forest Service is on track to meet hiring goals in most regions.

The hearing record will remain open for 15 days after the date of the hearing.