



Statement of the California Farm Bureau

**BEFORE THE
HOUSE COMMITTEE ON NATURAL RESOURCES**

**OVERSIGHT FIELD HEARING; TESTIMONY ON
“CONSERVATION IN A CROWN JEWEL: A DISCUSSION
ABOUT WILDFIRES AND FOREST MANAGEMENT”**

AUGUST 11, 2023

**Presented By:
Johnnie White
Board Member
California Farm Bureau**



INTRODUCTION

Thank you Chairman Westerman, Ranking Member Grijalva, and members of the Committee. My name is Johnnie White and I am a sixth generation Napa County farmer residing in St. Helena, California as well as a partner at Pina Vineyard Management, farming over one thousand acres of premium Napa Valley vineyards. My wife Kendall and I also own a small cattle and forage operation providing grazing for wildfire fuel reduction and direct to consumer beef sales. I am also a twenty-year veteran of the St. Helena Fire Department serving with the rank of captain. Additionally, I am also the past President of the Napa County Farm Bureau and currently serve on the Board of Directors for the California Farm Bureau, California's largest farm organization, comprised of 53 county Farm Bureaus currently representing nearly 30,000 members. I appreciate the opportunity to testify today before the Committee on behalf of the California Farm Bureau and our members across the state of California who unfortunately know the impacts of wildfire too well.

In recent years, with the St. Helena Fire Department, I have fought the 2017 Tubbs Fire and the 2020 Glass Fire and LNU Lightning Complex fires. Fighting the LNU Lightning Complex fires will always stand out to me as it was immediately clear there were not sufficient resources to adequately fight the fire given the quantity of fires simultaneously burning throughout the state. Because of this, the LNU Lightning Complex fire was fought for several days by farmers and ranchers using farming equipment with very little to no fire suppression resources. Our farming operation mobilized eight bulldozers and two water trucks to fight this fire. Because we were located on the most rural and least populated side of the fire, we spent three days fighting the fire on our own before CAL FIRE reached our side of the fire. CAL FIRE subsequently hired us, and our equipment, under an emergency contract and we spent the next week working for CAL FIRE ultimately constructing the fire break that stopped the forward progression of this fire. Unfortunately, the smoke from this fire caused 25% of our winegrapes to be rejected and left unharvested.

WILDFIRE IMPACTS ON CALIFORNIA AGRICULTURE

Wildfires have caused numerous direct and indirect impacts on California's \$50 billion agriculture industry. In addition to being a significant public safety threat, many farms, ranches, wineries, employee housing, equipment, livestock, and commodities have been directly damaged or completely destroyed. For those only partially impacted, they are faced with the reality of rebuilding what remains of their operation. Because many farmers and ranchers live on their farming operation, some have also lost their home simultaneous to losing their farm and income.

Wildfire Smoke & Ash

California agriculture has faced many challenges related to wildfire smoke and ash. For example, the 2020 LNU Lightning Complex Fires that burned over 360,000 acres, covered



much of Northern California's wine region in a weeks-long blanket of smoke and ash. The Glass Fire, which burned over 65,000 acres in Napa and Sonoma counties immediately following, resulted in such severe smoke taint that many wineries looking to produce a 2020 vintage were unable to harvest their crop. Monterey County, and many of California's central coast counties, as well as the winegrape growing regions of the Central and Sacramento Valley, also experienced weeks of smoke and ash coverage.

Wildfire smoke and ash has also affected availability, and at times exacerbated shortage, of Personal Protective Equipment (PPE) needed by farmers and agricultural employees. According to California Division of Occupational Safety and Health (Cal/OSHA) workplace regulations, employers are required to protect outdoor workers with N95 masks or respirators when the Air Quality Index is 151 or greater. Particularly during the COVID-19 pandemic, our producers were faced with significant challenges related to providing our employees with Personal Protective Equipment (PPE). Prior to the 2020 wildfires, California Farm Bureau and other groups worked with the California Department of Food and Agriculture to acquire about 1.5 million respirators that were released to county agricultural commissioners from state supplies. But, as the wildfires began, people who needed the respirators couldn't get them. This prevented even the most usual agricultural activities such as harvest, plantings, and cultivation from occurring at a time when domestic food production was exceedingly critical.

Insurance Availability and Affordability

Wildfire has also created many residual impacts for California farmers and ranchers in the areas of insurance, energy certainty, and livestock safety and evacuation. In addition to homeowners' inability to renew policies or affordably insure their homes due to wildfire risk, California farmers and ranchers have experienced the same challenges. In one instance, a member reported their premium had increased from \$8,000 to \$36,000. Meanwhile, many southern California counties, as well as Napa, Sonoma, El Dorado, Calaveras, Placer, Nevada, Shasta, Trinity, Mendocino, San Benito, Santa Cruz, and San Luis Obispo counties, have seen policies terminated entirely due to wildfire risk.

Until California State Senate Bill 11 was signed into law in 2021, California farmers and ranchers did not have access to California's insurer of last resort, the California Fair Access to Insurance Requirements (FAIR) Plan, which provided basic property insurance only to homes and commercial properties at highest risk. This left commercial agricultural infrastructure, wineries, farm equipment, and other components uninsured. SB 11 authorized these operations to access the California FAIR Plan for basic property coverage and provided a necessary property insurance backstop for agricultural infrastructure. Currently, California Farm Bureau is sponsoring California State Senate Bill 505 that would allow for commercial insurance policies under the FAIR Plan to move back to the admitted commercial market,



therefore providing opportunities for agricultural producers to move back to the competitive market with affordable commercial policies protecting farming and ranching operations.

In recent months, there have been announcements by individual insurance companies stating that they would stop selling insurance coverage in California due to the rapid growth of catastrophe exposure. While only a few individual companies have made public announcements, we are aware of 22 companies no longer writing in California. Because farmers and ranchers need insurance options to safeguard their ability to continue producing the food that America needs, California Farm Bureau has assembled a committee comprised of farmers and ranchers, insurance-oriented associations, and individual insurance companies and brokers to identify and advance policies that could bring insurers back into the marketplace. We are hopeful that this group, working collaboratively with the California Department of Insurance, will find ways to bring critical insurance tools back to our state.

Public Safety Power Shutoffs

With utility infrastructure in California found to have caused some of the most catastrophic damage in California history, the California Legislature and California Public Utilities Commission have required California's investor-owned utilities to better safeguard their infrastructure to prevent those catastrophes. One tool that has been implemented is the use of public safety power shutoffs (PSPS). These shutoffs simply de-energize electrical grids when certain climatic risks, such as wind and low humidity, could potentially result in a wildfire should the infrastructure fail or an object come into contact with the infrastructure sparking fire. While PSPS implementation can serve as a valuable public safety tool, farms and ranches can be greatly impacted by these wildfire mitigation efforts as lack of energy availability creates added uncertainties for agricultural operations.

Agricultural Protocols During Wildfire Incidents

Historically, hired vendors working with CALFIRE or the United States Forest Service on an active wildfire incident, including water tender operators, heavy equipment and dozer operators, crew bus drivers, vehicle drivers, mechanics, fallers, swamper, and chain saw operators, have been required to complete the Fireline Safety Awareness course, a one-day, 8-hour course of instruction. Wanting the same opportunity as incident vendors, agriculture organizations supported state legislation, Assembly Bill 1103, which established a statewide framework for county "Livestock Pass" programs to safely provide livestock producers access to their ranches during wildfires and other emergencies. While prior to the legislation some counties had already developed emergency ranch access programs, other counties lacked the resources to develop and implement their own programs. AB 1103 required CAL FIRE to establish a statewide training program for Livestock Pass holders, codified a requirement that law enforcement and emergency responders grant ranch access to Livestock Pass holders, and established certain minimum standards for administration of the programs, facilitating and streamlining adoption of county Livestock Pass programs throughout the state.



While Farm Bureau strongly supports the Livestock Pass program, it is critical that crop producers also have the ability to safely and responsibly cross into evacuation zones to safeguard crops and farm infrastructure during a wildfire incident. While some counties are currently working with agricultural producers on “ag pass” initiatives, California Farm Bureau is supportive of making such programs accessible to producers of all commodities.

Ad Hoc Disaster Assistance

Recent wildfire and other emergency events have resulted in farmers and ranchers losing crops, livestock, farm infrastructure, and access to livestock feed. While Congress routinely provides relief for farmers impacted by natural disasters, there is not a permanent program. This has resulted in our organization continuously working on reauthorization of programs for disasters in new calendar years. Additionally, implementation of reauthorized disaster programs has resulted in delays and confusion for farmers. Because of this, a key priority for the California Farm Bureau within the 2023 Farm Bill is the expansion of risk management tools as currently less than a quarter of the 400 commodities produced in California are covered by a direct crop insurance program. Because any expansion of increased insurance tools will take time to implement, we also support the continued use of disaster relief programs and funding to assist producers and have been working on initiatives that would improve the Emergency Relief Program, the Emergency Conservation Program, as well as adjusted gross income barriers that our producers face in accessing agricultural disaster assistance.

WILDFIRE IMPACTS ON NATURAL RESOURCES

In addition to the numerous economic impacts wildfires produce, there is also significant impact on our natural resources including air quality, forested watersheds that serve as headwaters for critical water supplies, as well as wildlife habitat.

Air Quality

Wildfire impacts to air quality are perhaps the most observable environmental impact to the greatest number of people given the impact on personal well-being and the ability for wildfire smoke to travel great distances. Most recently, the eastern United States was blanketed by wildfire smoke that traveled all the way from Canada. In 2022, a UCLA-led study concluded that the 2020 California wildfires put twice as much greenhouse gas emissions into the Earth’s atmosphere as the total reduction in such pollutants in California between 2003-2019.

To prevent severe impacts to air quality from wildfire, we must work to reduce hazardous fuels. One of the most vital components of reducing fuels in overgrown forest lands is prescribed fire, a tool that has been used for generations to promote culturally important vegetation and reduce forest density. Prescribed fire is a crucial component in forest resilience efforts, as properly managed burns can provide numerous ecosystem benefits including reducing excess brush, shrubs and small-diameter trees, encouraging new growth



of native vegetation, and maintaining plant and animal species whose habitats depend on natural, episodic fire. Additionally, when used as part of a larger fuels reduction treatment plan, regular, planned use of prescribed fire has also been shown to prevent the kinds of catastrophic wildfires that can set back particulate matter (PM) emissions reductions goals. However, in the past century, due to altered fire suppression practices and a hesitance to mechanically thin forest stands, our forested landscapes are now subjects to excessive fuel accumulation.

Due to California's tremendous fuels treatment needs, California Farm Bureau previously expressed concern with the U.S. Environmental Protection Agency's (EPA) Reconsideration of the National Ambient Air Quality Standards (NAAQS) for Particulate Matter as proposed. The proposal seeks to reduce the primary annual average PM2.5 NAAQS from 12 micrograms per cubic meter of air (ug/m³) to between 8-10 ug/m³. This proposed change would significantly limit the number of windows available in California for land managers to conduct essential prescribed burns to prevent future catastrophic wildfires at a time when state and federal land managers, including the Forest Service, are acknowledging the dire need to increase prescribed fire on the landscape.

While we understand that EPA considers prescribed burns covered under the Exceptional Events Rule, the 2016 regulatory process that codified the conditions under which prescribed fires could qualify as exceptional events is not sufficient enough to enable a robust prescribed fire program. Exceptional Events filings are also resource-intensive and often denied by local air boards. Without explicit regulatory allowances for prescribed fire to cause NAAQS exceedances, we fear that the proposal could reduce potential burn windows by as much as 80 percent. For this reason, we have written EPA urging them to develop regulations that enable greater use of prescribed fire in tandem with the NAAQS in order to prevent future emissions from high severity wildfires. Should EPA finalize the proposed rule as written, we urge Congress to consider legislation that creates an exception to EPA's requirements.

Forested Watersheds

Wildfires greatly impact forested watersheds that serve as headwaters to already constrained water resources in California. Headwaters, where rivers, streams, and lakes begin, provide flow to surface and groundwater supplies across the state. Like most western states, two-thirds of California's surface water supply originates in these mountainous and typically forested regions. The majority are located on public lands, including national forests, and span from the Cascade Range through the Sierra Nevada Range, down to the San Bernadino mountains and coastal ranges.

The challenges to restore and improve headwaters remain great as decades of fire suppression and lack of management coupled with drier, hotter conditions, have resulted in



the recent tree mortality epidemic and has created unhealthy, highly flammable forests. Additionally, our currently overstocked forests are resulting in greater competition for water and increased evapotranspiration, reducing snowpack and water and increasing strain on water supplies during times of drought.

Because of the importance of these issues, California Farm Bureau was a founding partner of the California Forest Watershed Alliance (CAFWA), a nonpartisan, urban-rural coalition representing water interests, local governments, the conservation community, agriculture, and the forestry sector, created to promote the restoration and improvement of California's forested watersheds. CAFWA aims to promote healthier, more resilient forests, for the benefit of all Californians by working together to seek new ways to promote proactive, science-based, and ecologically sound forest management practices that will reduce the risk of destructive megafires. Our goal is to protect our forests, our natural resources, and our local economies by accelerating the pace and scale of forest restoration.

Wildlife Habitat

Catastrophic wildfire across the West is also negatively impacting a variety of species and their habitats. In California, we have unfortunately witnessed catastrophic fire not only kill species but also wipe out species' habitat range. Because fires are also impacting threatened or endangered species, wildlife agencies have also recommended the listing of species or the moving of species from threatened to endangered status as a result. Because of the strict nature of endangered species laws, this also impacts the industries and rural communities impacted by such listings and/or critical habitat designations.

INCREASING FOREST MANAGEMENT CAPACITY

With the presence of eighteen National Forests in California, nearly half of the 100 million acres in our state are managed by the federal government. Given the extensive number of wildfire-related impacts California farmers and ranchers are facing, California Farm Bureau has a vested interest in the quality, and quantity, of forest management activities. Recognizing the need for robust financial resources, California Farm Bureau strongly supported the \$1.4 billion included in the Infrastructure Investment and Jobs Act (IIJA), providing the Forest Service with implementation resources for the Wildfire Crisis Strategy, a 10-year strategy for confronting the western wildfire crisis. Two California landscapes, the North Yuba and the Stanislaus, were included within the ten initial landscapes. California Farm Bureau also supported the additional \$1.8 billion in funding provided in Inflation Reduction Act (IRA) for hazardous fuels funding in the wildland-urban interface. Within the additional eleven landscapes for treatment that were identified, three California landscapes were included in the second round of investments. These include the Southern California Fireshed Risk Reduction Strategy, the Trinity Forest Health and Fire-Resilient Rural Communities project, and the Plumas Community Protection project.



While recent funding provided by Congress in the IJA and IRA to address fire risk should be celebrated, we remain concerned about the expediency, or pace and scale, in which treatments on federally owned lands are being performed given the quantity of treatment work that needs to be done and the fire threat our state is facing. We also remain concerned about whether the necessary financial resources will continue to be allocated so that current forest health investments are maintained in the longer-term.

To address management backlog and achieve landscape scale management, we must do more to enhance capacity and modernize technical expertise. To accomplish this, we must find a way to speed up the collaborative process and empower multiple jurisdictions and partners. Partnerships that assist the Forest Service with permitting and National Environmental Policy Act (NEPA) processes, as well as on-the-ground work, should be expanded. Private industry, including foresters and ranchers within our own membership, are highly skilled, trained, and operate equipment that can assist with vegetative removal as well as fire suppression activities. Livestock grazing is also an effective management tool for hazardous fuel reduction, improvement of range condition, and invasive species control. In many cases, these individuals are also personally knowledgeable about the local communities and landscapes, bringing additional contributions to a project. We strongly believe that by leveraging such partnerships, more treatments would be able to be performed on federal land, around rural communities, and along shared property lines resulting in a more wildfire resilient environment.

Additionally, both the federal government and the State of California have expressed interest in seeking ways to boost investment in new facilities where capital investments serve as a driver for forest treatments. However, given the significant presence of federally owned land, the challenge with this approach is that stewardship agreements do not include an obligation that guarantees forest material to private industry. Without some level of certainty surrounding supply agreements with the Forest Service, it will continue to be very difficult to spur new infrastructure investment because existing infrastructure is set up based on the landscapes in which they serve. In California, industry infrastructure and markets for low to no-value wood products is a significant challenge in need of solutions. We must work to collectively find ways to complete the NEPA processes for forest management and low to no-value wood products, affordably transport these materials out of the forest, and incentivize companies that can work on biomass or develop new, marketable products out of these forest materials.

2023 FARM BILL

California Farm Bureau strongly believes the 2023 Farm Bill presents an opportunity to build upon the successes of the 2014 and 2018 Farm Bills in a way that better equips federal agencies to manage forests, incentivize more public-private partnerships, grow new markets for forest products, and support rural communities. The 2023 Farm Bill should also encourage



the Forest Service to utilize all of its authorities, including new authorities provided in the Infrastructure Investment and Jobs Act (IIJA). As work on the 2023 Farm Bill continues, we urge Congress to consider the following:

Good Neighbor Authority

Consider amendments to the Good Neighbor Authority that will leverage more partnerships that increase landscape-scale restoration projects.

- Allow States, Counties, and federally recognized Tribes to retain revenues generated through Good Neighbor projects for reinvestment in conservation and management activities.
- Allow for restoration activities to take place on non-Federal lands pursuant to conditions specified in Good Neighbor agreements. Direct the Forest Service to update existing Good Neighbor Master Agreements and Project Agreements to use revenue from existing projects for this work.
- Allow for both new road construction and reconstruction under Good Neighbor Authority contracts on a limited basis for the purposes of water quality, vegetation removal, and safe and efficient use.

Market Investments

The work being done on both federal and private lands to reduce catastrophic wildfire risk creates a large amount of low-value woody material. Unfortunately, there are not adequate markets and infrastructure currently available to remove this material from the forest and put into the marketplace. Depending on truck availability and infrastructure locations, transporting this material can also be very expensive.

- Expand current programs, such as the Wood Innovations Programs and Community Wood Grant Program, to encourage more market development for woody, low-value material.
- Consider cost share mechanisms to assist with transport of low-value woody materials to processing facilities.

Enhance Fuel Break Cross-Boundary Collaboration

Connected fuel breaks provide multiple benefits, including naturally reducing the wildland fire behavior, providing safer opportunities for firefighters, and providing tactical advantages for aerial deployment of fire retardant. Fuel breaks near roads can also improve egress for those evacuating from wildfire and ingress for first responders. Although there has been significant federal investment in such work, it is essential that similar work conducted on private lands is coordinated and connected so that the benefits of these actions is maximized for forest health and public safety.



- Authorize and fund wildfire reduction actions to assist private landowners in connecting, completing, and maintaining fuel breaks on their land with priority given to projects that link with fuel breaks on other lands in high-priority areas.
- Authorize and fund the Forest Service to enter into agreement with private sector entities to construct and maintain connected fuel breaks on federal lands in coordination with State and private landowners.
- Provide authorities, including cost share instruments, that enable USDA to partner with adjacent landowners to reduce wildfire risk.
- Seek ways to connect fuel breaks on federal lands with similar activities on state and private lands.

Remove Barriers to Increasing Pace and Scale of Forest Management

The 2018 Farm Bill added a new “rural” requirement to the Forest Service’s Landscape Scale Restoration Program, greatly restricting the ability to conduct hazardous fuels reduction projects in areas with populations greater than 50,000, including areas within the Wildland Urban Interface.

- Amend the Landscape Scale Restoration Program to remove the rural requirement established in the 2018 Farm Bill.

The National Association of State Foresters reports that the USDA Forest Service has designated approximately 74 million acres nationwide as insect and disease treatment areas yet only a fraction of those acres has been treated.

- Amend the existing Forest Service Categorical Exclusion to increase the number of acres which can be treated for fuels reduction and pest treatment from 3,000 to 15,000+ acres or larger.

Each National Forest is governed and guided by a legally binding Forest Plan. Plans are developed through a collaborative process with many opportunities for public involvement and specifically designate which acres within a national forest are suitable for timber production. In addition, when a management action is proposed, the Forest Service must also initiate a separate National Environmental Policy Act process. Currently, there is lack of legal clarity about whether individual Forest Plans are an ongoing action under federal law.

- Clarify that Forest Plans are not ongoing actions under federal law and that consultation under Endangered Species Act Section 7 is not required at the forest plan level. Additionally, clarify that projects on acres deemed suitable for timber production in individual forest plans, be subjected to reduced analytical requirements.



Ranchers who graze livestock on federally managed lands serve as a primary caretaker of those lands in many ways. Grazing permittees should be empowered as partners in conservation and leveraged as a landscape management tool to help address buildup of wildfire fuels.

- Recognize grazing as a wildfire management tool in fuels management programs, the Collaborative Forest Landscape Restoration Program, and other collaborative stewardship programs.

Despite dozens of additional authorities intended to increase the pace and scale of restoration, there are still millions of NEPA-ready acres waiting for implementation. While significant increases in funding should increase implementation, challenges with the Forest Service utilizing existing authorities to their fullest extent still remain. There should be a path of recourse for stakeholders, or Congress, to compel options such as management, long-term stewardship contracts, Good Neighbor Authority, and others.

- Create an avenue where stakeholders and Congress can elevate and/or approve specific actions on NEPA-ready projects, especially on lands identified as priority watersheds, high risk fireheds, or identified in a wildfire crisis implementation plan.

Increase Flexibility And Efficiency Of Contracting And Procurement

Inflexibility in Forest Service contracting, procurement processes, and rules continue to be an impediment to forest restoration at the pace and scale needed to address the problem. Shorter-term contracts or longer contracts that are interruptible, request for proposals (RFPs) that have minimum bids, or other conditions that don't reflect current realities or the cost of doing business, issues with liability for participating agencies, and prohibitions on allowing knowledgeable stakeholders having interaction during RFP development are among the issues that are commonly slowing progress.

- Direct the Forest Service to revise contracting and procurement policy, guidance, and implementation of existing authorities.

Prioritize Reforestation And Post-Fire Rehabilitation Of Federal Lands

Millions of acres of forestland have been lost to wildfire. According to American Forests, a substantial portion of the over 4 million acres of potential reforestation needs on national forests stems from 2020-2021 wildfires when more than 2.5 million acres burned at high severity, adding to the 1.54 million acres of previously identified needs. While the recent passage of the REPLANT Act is expected to provide significant resources, more will need to be done. The current rate of loss is outpacing the nation's public and private nursery capacity and seedling supply.

- Prioritize reforestation of federal lands and increase investment for public and private nurseries for the purposes of reforestation.



In addition to investing in wildfire prevention, post-fire reforestation and recovery investments are also critically important for the health of our national forests and rural communities. While wildfire causes the majority of reforestation needs on national forest lands, extreme weather conditions including drought and insect and disease infestations also drive reforestation needs.

- Direct agencies to utilize all tools for post-fire rehabilitation, including livestock grazing, and provide funding for prompt post-disturbance forest recovery and restoration activities to prevent the spread of invasive species and protect water quality. Authorize agencies to utilize post-fire recovery funds for rebuilding of operational infrastructure, including federal and non-federal facilities, and direct agencies to allow streamlined access, approval, and clearing and removal of wildfire damaged trees impacting the recovery of infrastructure function.

CONCLUSION

With the presence of eighteen National Forests in California and significant land ownership from other federal and state entities, California's private landowners are unable to solely increase the pace and scale of forest management. The reality is we are playing catch-up with a situation that has been worsening for decades exacerbated by drought, disease, and even climate change. Collectively and collaboratively, we must remain committed to finding solutions to change fire behavior and achieve fire resilient landscapes for the sake of our natural resources and rural economies. Thank you for the opportunity to provide testimony on these critical issues. I am pleased to respond to questions.