

# **Testimony for the Record**

## **Senate Committee on Energy and Natural Resources Subcommittee on Public Lands and Forests**

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Mr. Chairman and Members of the Subcommittee: On behalf of the National Association State of Foresters (NASF), I am pleased to offer the following statement for the hearing record. NASF is a non-profit organization that represents the directors of the fifty state forestry agencies, eight U.S. territories, and the District of Columbia. State Foresters manage and protect state and private forests across the U.S.

Aerial firefighting resources are essential to the fire protection programs of most states and territories represented by NASF. Over two-thirds of the forests in the United States are in state and private ownerships. State Foresters are not only responsible for protecting these vast forests, but in most states we are also responsible for wildfire protection on all rural lands and, in some states, considerable federal land as well.

Fire protection in America is neither uniquely a western states' event nor is it confined predominately to federal lands. More than 80,000 wildfires occur annually across our nation. Well over 60% of those occur in non-western states and over 75% occur on non-federal lands. The key point, however, is that no single entity, including federal, state, or local government, has the capacity to handle all responses to wildfires within their jurisdictional area of responsibility. All fire protection programs are thus, by necessity, strategically integrated to most effectively and economically serve all rural lands of the nation. Aerial firefighting resources are utilized in exactly the same way; in other words, we are all in this together. Therefore, at this time it is critical that we all work together, federal and state, in developing an interagency, long-term strategy for our nation's aerial firefighting resources. We need a strategy that will provide a diverse fleet of helicopters and fixed-wing aircraft that will meet the needs of our wildfire suppression mission, and do so in a safe and airworthy and sustainable manner over the long-term.

In this context, you asked me to address three specific topics this afternoon. First, you asked me to address the effectiveness of using additional single-engine air tankers (SEATs) and heavy lift (Type 1) helicopters to compensate for the loss of approximately 50% of the nation's large, multi-engine air tanker fleet. In 2004 and 2005 the combination of additional SEATs and Type 1 helicopters along with the remaining 17 heavy air tankers allowed federal and state wildland fire agencies to achieve an initial attack success rate similar to that of previous years. However, I must caution that statement by reminding you that in both 2004

and 2005 we experienced relatively moderate fire seasons when viewed at a national level. We have yet to test this new mix of aviation resources in a long, severe fire season. In other words, we don't really know if we can continue to be effective with only 16-17 large, multi-engine air tankers, regardless of how many SEATs and Type 1 helicopters we have available. The capabilities of each of these aircraft types are not entirely interchangeable. Each has specific strengths and weaknesses. Therefore, it is essential that we develop a long-term strategy that includes a sufficient number and variety of safe and effective firefighting aircraft in order to protect this nation's forests and communities.

This leads me to your second question regarding progress on a long-term strategy. The Fire Directors of the Forest Service, the Bureau of Land Management, the US Fish & Wildlife Service, the National Park Service, the Bureau of Indian Affairs, and the National Association of State Foresters, acting together as the National Fire & Aviation Executive Board, have recently chartered a group of agency aviation experts to develop this desperately needed, long-term aviation strategy for the interagency fire program. This strategy, tentatively scheduled for completion by the end of this fiscal year, will continue work the Forest Service has already initiated by evaluating all realistic alternatives and making recommendations on: (1) the mix or diversity of aircraft that are needed; (2) the specific make and model of aircraft that meet the identified specifications; (3) the quantity of each needed; and (4) the appropriate business model for acquisition and management.

Although this strategy will address all types of aircraft and all aviation missions in support of fire suppression, it will focus heavily on the large air tanker program. As the Subcommittee is well aware, in response to three tragic air tanker crashes (one in 1994 and two in 2002), the Forest Service and the Bureau of Land Management (BLM) chartered a Blue Ribbon Panel to evaluate aviation safety issues. In its 2002 report the Panel, which I co-chaired, called into question the airworthiness of the fixed-wing heavy air tanker fleet. Subsequently on April 23, 2004, the National Transportation Safety Board (NTSB) released the report of its investigation and sent its findings and recommendations in a letter to the Secretaries of Agriculture and the Interior. Because the two Departments did not have the personnel, expertise, or funding to comply with the NTSB recommendations, they terminated the contracts for the entire fleet of 33 large air tankers in May of 2004. Since then, through a program of independent analysis and increased inspections, the Forest Service has been able to gradually return some of the less ancient former military aircraft to service. At the current time, 16 large air tankers are approved and available for contract – all of which are aging, former military aircraft.

Lastly, you asked me to comment on the Forest Service's recent acquisition of three former U.S. Navy P-3 Orion aircraft for conversion as air tankers and my thoughts regarding certification of air worthiness. In regard to the P-3 acquisition, even though the long-term strategy has not yet been completed, we need to make operational decisions in the short-term in order to continue to provide the best aerial response to wildfire that we can. In this context, the P-3 may serve us well as a bridge aircraft to the next generation of large, multi-engine air tankers. However, until the strategy has been completed, we won't know whether or not the P-3 aircraft will have a role over the long term. This is yet another reason why it is critical that we complete the long-term strategy as quickly as possible.

In regard to certifying airworthiness, it is time, in fact far past time, for a better answer. NASF strongly believes that our nation needs a safe, modern, and effective aerial firefighting program. As was clearly stated in the 2002 Blue Ribbon Panel report on “Federal Aerial Firefighting”, the current program of relying on aging, former military and surplus commercial aircraft is not sustainable. Continued reliance on older aircraft adapted for firefighting use will merely perpetuate the problem over the long term. Ideally, this would mean funding and support for aircraft that are designed and engineered specifically for delivering fire retardant products. However, we do understand that we are currently in a time where fiscal constraint is necessary, and it is therefore only prudent to thoroughly examine all available sources of aircraft to ensure a cost-effective strategy. But, we must not arbitrarily rule out purpose-built aircraft as too expensive. We believe that the free enterprise system in this country is capable and poised to provide such aircraft if appropriate contractual assurances are provided.

Further, we believe that the missing link in this entire issue is the role of the Federal Aviation Administration. Whether limited by law or merely a perceived lack of responsibility or funding, the FAA, as the world’s premier aviation agency, must provide the leadership essential to assuring complete airworthiness of public use aircraft, including air tankers, to the same standards that have brought such resounding success to the overall airline industry around the world. The federal land management agencies cannot, and should not, attempt to duplicate the expertise of the FAA when it comes to assuring sustained airworthiness of firefighting aircraft that are such a vital part of protecting our nation. Therefore, we further encourage Congress to specifically charge the FAA with the responsibility for certifying the airworthiness of public use aircraft, including air tankers.

In closing, I want to reiterate that it is absolutely essential that we use an interagency process to develop this national aviation strategy; one that includes the Forest Service, the Department of the Interior Bureaus, and the National Association of State Foresters. To accomplish this, NASF pledges our support to work together with the federal agencies in developing an interagency long-term strategy for our nation’s aerial firefighting resources; a strategy that will cost-effectively provide a diverse fleet of helicopters and fixed-wing aircraft that will meet the needs of our wildfire suppression mission in a safe and airworthy and sustainable manner over the long term. Therefore, we urge the Subcommittee to support sufficient funding for the federal wildland fire programs to ensure our collective ability, state and federal, to quickly and safely respond to wildfires across our country, and to provide for the safety of our communities, our firefighters, and the pilots and crew of our aircraft.

We appreciate the opportunity to offer our testimony and look forward to the opportunity to work with Congress and the Administration to address this critical issue.

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