

File Code: 3000
Date: April 23, 2020

Mr. Greg Josten, President
Mr. Jay Farrell, Executive Director
National Association of State Foresters
444 North Capitol Street, NW, Suite 540
Washington, DC 20001

Dear Greg and Jay:

Thank you for your letter of April 2, requesting extension of State Forest Action Plan deadlines, and suggesting solutions to other operational challenges faced by States as a result of the COVID-19 pandemic. The Forest Service values our relationship with the National Association of State Foresters (NASF) and State forestry agencies, and the critical work we do together to advance our many mutual goals. We have carefully considered your request and offer the following proposed solutions:

1) Extending Forest Action Plan deadlines – The Forest Service agrees that COVID-19 constraints have hampered States’ abilities to meet the June deadline and agree with your proposal to extend this deadline to December 31, 2020. We would appreciate early submission by any States that are able to complete their plans sooner, to facilitate the review process. Regarding the request to “Approve joint guidance memo/checklist (drafts shared with USFS, awaiting approval)”, the Forest Service has reviewed the checklist and offers a few minor edits. (Attached.)

To facilitate submission and review, the Forest Service has established a cloud-based content management system for the receipt of State Forest Action Plan (SFAP) updates. We ask that each State identify the users they wish to gain system access, and email this information to Peter Bedker, Team Leader for Application Development and Support, at peter.j.bedker@usda.gov (provide names, email addresses and phone numbers for each person.) Individuals will receive a collaboration invitation from Box to establish a free Box user account. Please allow a day or two for these requests to be serviced.

2) Expediting LSR Process – Implementation of provisions of the 2018 Farm Bill continue to be a top priority for the U.S. Department of Agriculture, with executive accountability to the Secretary of Agriculture. The Forest Service delayed implementation of Landscape Scale Restoration Program (LSR) provisions in FY 2020 to allow for extended collaboration with NASF in developing program guidance, with the mutual understanding that implementation would take place in FY 2021, either as interim or final guidance. After consultation with State Foresters, the Forest Service finalized program guidance on January 9, 2020, which will soon be published as a Directive after review by the Office of Management and Budget (OMB).

Our suggestion is that NASF and the Forest Service proceed to implement the LSR Program as planned, under interim FY2021 guidance. There is risk involved in postponing implementation



by a full year, as Congressional and Secretarial oversight of 2018 Farm Bill provisions will receive scrutiny. In addition, the Forest Service is required to submit a report to Congress by December 20, 2021, on implementation of this program¹. We believe it is important to make substantive progress in implementation this year for the long-term success of this valuable program.

As we implement the FY2021 National Guidance we see opportunities to address your concerns by offering flexibility during the 2021 grant cycle, including:

- Extending the deadline for submission of projects to the Forest Service Washington Office: The FY2021 National Guidance asks for projects by December 1, 2020; this date could be extended to no later than February 1, 2021.
- Offering flexibility regarding the timing of the 3 regional processes: The regional processes may pursue independent timelines, so long as project lists are submitted to the Forest Service Washington Office by the February 1, 2021 deadline.
- Postponing elements of harmonization and coordination of processes by the 3 regions: Standardizing maximum and minimum proposal amounts, coordinating cross-regional proposals, and developing a common proposal template and scoring guidance could be postponed until FY2022. We believe there is enough consistency among the regional processes to successfully implement the interim FY2021 guidance, even as some elements of harmonization remain a work-in-progress.

3) Prioritizing Wildland Firefighters – We appreciate NASF’s partnership as a member of the National Multi-Agency Coordinating Group, which has delegated authority to three national Area Command Teams to develop Wildland Fire Response Plans specific to each Geographic Area. The Area Command Teams are working directly with Coordinating Group Chairs, all participating federal, state and local agencies and organizations, dispatch/coordination centers, and various local units. Draft plans are being provided to Coordinating Groups for review and final development working with their respective Area Command Team.

Decisions to prioritize wildland firefighters for COVID19 testing would be based on state or local direction and decisions. There currently is not a defined national system to recognize wildland firefighters to be designated for priority recognition. The Centers for Disease Control and Prevention states that “an evaluating medical provider is to use their judgement as to whether to test an individual and, currently, symptomatic first responders are considered a second level priority for testing.”

¹ The 2018 Farm Bill was enacted December 20, 2018. Section 8102 (k) says that no later than 3 years after the date of enactment of this section, the Secretary shall submit to the Committee of Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the status of development, execution, and administration of selected projects; the accounting of program funding expenditures; and specific accomplishments that have resulted from landscape-scale projects.

We are working to increase inventory of personal protective equipment and disinfecting supplies including items such as gloves, masks, hand sanitizer and thermometers, etc. in support of wildland fire incidents. However, our procurement personnel are having issues obtaining supplies common to other entities in this effort.

4) Expediting Administrative and Grants Relief – The Forest Service is using available authorities to provide maximum flexibility to state forestry agency and allied association (NASF, Council of Western State Foresters, Northeast-Midwest State Foresters Alliance, Southern Group of State Foresters) requests for relief. Forest Service guidance for administrative and grants relief is guided by OMB Memorandums M-20-11 (March 9, 2020) and M-20-17 (March 19, 2020). This allows considerable flexibility in providing the accommodations that our grant recipients request and it should be the rare exception that any request for accommodation under the OMB memo would be refused.

Regarding bundling and expediting, there is some opportunity. For example, if an entity has reports that were due March 31 and does not have staff on hand to process and submit those reports, they could submit a single letter asking for relief. On our end, there is nothing formal required other than a positive acknowledgement of the request. They will receive a three-month extension for the reports as allowed by the OMB memo.

For requests to extend awards that are expiring prior to December 31, 2020, we can accept a letter, an email, or an SF-424 request. If a recipient has more than one grant that needs extension, they could send in a single request however, there will be separate modification documents required for each one. A formal modification must still be executed (signed by both parties) so that the extension is properly documented and recorded. Such modifications are reported to usaspending.gov and must be done correctly.

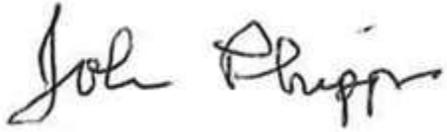
It is important to note that we will not be doing blanket extensions for all of a recipient's grants. We will only be extending the grants that fall within the parameters of the OMB letter – i.e. grants that were active as of March 31, 2020, and scheduled to expire prior to December 31, 2020.

The Forest Service ability to allow for e-signatures on grants/agreements documents will also expedite the execution of modifications.

I hope that these proposed adjustments provide flexibility to States to accomplish our shared goals, as we face the many challenges of the COVID 19 emergency together. Please remain in

close coordination with Steve Koehn, Acting Associate Deputy Chief for State and Private Forestry (steven.koehn@usda.gov) regarding State needs and concerns. We remain thankful for your continued partnership and your essential work to sustain the nation's forests.

Sincerely,

A handwritten signature in black ink that reads "John Phipps". The signature is written in a cursive, slightly slanted style.

JOHN PHIPPS
Deputy Chief, State and Private Forestry

Enclosure