



NATIONAL ASSOCIATION OF STATE FORESTERS

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March 31, 2025

The Honorable Lee Zeldin
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Zeldin,

The National Association of State Foresters (NASF) would like to take this opportunity to congratulate you on your confirmation as Administrator of the Environmental Protection Agency (EPA), and thank you for your quick attention on some of the most critical regulatory roadblocks to unlocking sustainable forest management and responding to the nationwide threat posed by catastrophic wildfires.

Established in 1920, the National Association of State Foresters is a non-profit organization composed of the directors of forestry agencies in the 50 states, five U.S. territories, three nations in compacts of free association with the U.S., and the District of Columbia. Our members manage and protect state and private forests, which encompass nearly two-thirds of all forests nationwide. By providing technical assistance to private landowners, and directly managing 76 million acres of state-owned forestland, state foresters conserve, protect, and enhance more than two-thirds of America's forests. In addition, state foresters and their agencies work to improve the health, resilience, and productivity of federal lands through partnerships, while also supporting forest products industry development in all corners of our nation, which is so critical for meeting the management needs of our forests and – by extension – our communities.

As you continue to set the agenda for the coming months, we would like to take this opportunity to highlight the Exceptional Events Rule, Renewable Fuels Standard, and “waters of the United States” (WOTUS) as three critical forest policy issues on which we look forward to working together with your agency.

First, NASF has been a strong proponent for the Exceptional Events Rule (EER) for Prescribed Fire since its inception in 2007, and we are incredibly grateful for your attention to further unlocking this important forest management tool. The EER has become particularly critical following the lowering of the PM2.5 National Ambient Air Quality Standard (NAAQS) from 12 mg/m³ to 9 mg/m³ last spring. While in the final rulemaking for this decision the EPA continued to recognize and support the applicability for Exceptional Event demonstrations for prescribed fire, we have had significant concerns about the agency's ability to respond to and effectively process the number of Exceptional Event demonstrations that are expected to occur going forward on an annual basis.

A significant increase in prescribed fire and fuels treatments is needed to reduce wildfire threats and aid in ecosystem maintenance, restoration, and resilience across the country. The U.S. Department of Agriculture's Forest Service estimates a billion acres of land across America are at risk of catastrophic wildfires. Prescribed fire is a tool relied upon by natural resource professionals to reduce hazardous levels of vegetation that provide fuel for wildfires and promote fire adapted ecosystems by simulating natural wildfire disturbance through carefully

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planned and managed ignitions. Again, we greatly appreciate your commitment to reviewing and streamlining this critical policy tool. Undertaking this effort in partnership with state foresters and state air quality agencies is critical to ensuring the successful increased use of the prescribed fire exceptional events process at each of the EPA's regional offices.

Second, NASF and other forestry sector stakeholders have been working diligently with the EPA for over a decade to unlock the Renewable Fuels Standard (RFS) for woody biomass, in line with clear statutory direction from Congress. Unfortunately, little progress has been made in this time to deliver clear implementation guidance and regulatory action, undermining active forest management efforts across the country. At a time when markets are more necessary than ever to meet the full breadth of active management needs, capturing the economic value of sustainably managed forests, both public and private, through the RFS remains a vital avenue to the long-term health and existence of these forests and adjacent communities. We look forward to working with your agency on:

1. Revising and creating guidance for qualified renewable biomass from areas at risk of wildfire; and,
2. Providing clear field implementation guidance for other pathways for qualified renewable biomass including broader definitions for important terms like "slash" and "pre-commercial thinnings".

For any industry, including those that would use woody biomass to generate RFS Renewable Identification Numbers (RINs), having policy that creates market certainty and enables and spurs growth is key. Addressing these two avenues will effectively deregulate growth barriers to this industry sector that has vast potential to create healthier forests, support local economies, and reduce wildfire risk throughout the country.

Finally, through all its iterations, NASF has been a supporter for both regulatory clarity and reduced overreach in the definition and implementation of WOTUS under the Clean Water Act. Over half of the nation's drinking water supply comes from forested landscapes. Forests are the most effective land use type in protecting water quality and are key to protecting groundwater reserves. Each state has published a set of "Forestry Best Management Practices" (BMPs) for the protection of water quality and quantity. When aggregated, the extremely high rates of BMP implementation across the country – over 91 percent – demonstrate that regulatory intrusion into forest management for water quality concerns is largely unnecessary. We appreciate the efforts you have announced to ensure a definition that is clearer as well as ensuring the regulatory process takes cooperation with and input from state and local partners seriously.

Once again, we thank you for the work you have already begun, and we stand ready as experienced partners to work with your agency on these priorities for our nation's forests.

Sincerely,



Patty Cormier
President, National Association of State Foresters
Maine State Forester