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Revising State and Federal Approaches to Fire Policy Coordination

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Abstract

For nine decades, the central tenet of American wildfire policy was to protect natural resources and human communities from damages caused by wildfires. After 34 firefighters lost their lives on the front lines during a 1994 wildland fire in California, state and federal approaches to fire policy were irrevocably altered. Plagued by funding woes, climate change and increased development the US fire season grew longer, with already taxed firefighting personnel and equipment in perilously short supply. A collection of federal, state and community agencies are attempting to stem the tide, although require both social agreement and political action by state and federal government. Long term economic and environmental implications of continued outbreaks are profound, and requires both a dedicated set of on-call firefighters, as well as equipment extensive enough to meet the workload demanded not only by a major wildland fire, albeit that of two or three simultaneously.

The growth of the fire season throughout the continental United States is an issue that routinely impacts the basic needs and livelihoods of hundreds of thousands. From an environmental perspective, wildland fires have routinely worsened in the past twenty years due to a pattern of encroaching development, changing weather patterns and failed forest policy. As a consequence wildland fires have intensified, become increasingly resistant to fire management tactics, and are burning more acreage than at any point in recorded history. Collectively, these issues have culminated in a profound effect on both the environment and the United States Forest Service's once unassailable policy of fire suppression.

For nine decades, the central tenet of American wildfire policy was to protect natural resources and human communities from damages caused by wildfires, primarily losses of timber and homes (Busenberg, 2004, 146)¹. After a 1910 Montana fire that burned over five million acres and killed 78 firefighters, the federal government decided to focus on fire suppression instead of prevention through the Forest Fires Emergency Act. Resulting in the 10 A.M. rule, all fires were intended not to exceed ten acres and to be extinguished before 10 A.M. (Busenberg, 2004, 147)². As a practice which gave "low, ground fires, the opportunity to climb up into the forest canopy," fire suppression inadvertently caused wildland fires to strengthen as a consequence of excess

vegetation that had been traditionally disposed of through controlled burns (Pinchot, 2002, 2)³. The policy that emerged pushed a perspective of “forest fires as the moral equivalent of war to be fought in a paramilitary manner,” with battle lines being drawn reminiscent of a military operation (Hubbard, 2003, 1)⁴. Given a blank check, fire suppression “not only rewarded the Forest Service for putting out fires, it rewarded the Forest Service for spending a lot of money putting out fires,” effectively creating both budgetary and employment incentives to tackle the fire in as aggressive manner as possible (O’Toole, 2007, 217)⁵.

Fire suppression was to be incrementally phased out in 1978 with the abandonment of the Forest Fires Emergency Act given congressional concern regarding unsustainable costs. As timber yields decreased, priorities shifted, escalating after a series of catastrophic fires in the late 1980’s (including the famed Yellowstone fire which burned 36 percent of the park and spread throughout three states). Despite the damage from the Yellowstone blaze, Congress supplemented the Forest Service’s funding yet again through the creation of a contingency fund, completely undercutting the prior decision from 1978 (O’Toole, 2006, 219)⁶. Since 1993, this fund has been drawn upon every year despite pointed criticism from the General Accounting Office and decreasing federal revenue (O’Toole, 2006, 219)⁷.

The 1994 fire season proved to be a catalyst within both the federal government and the Forest Service after 34 firefighters lost their lives on the front lines, dealing a third and fatal blow to the Forest Service’s policy of fire suppression. Following a lengthy investigation, the Forest Service determined that a sudden shift in wind (a primary ignition source) had altered the course of the fire, driving flames outside of the protected burn zone (Wuerthner, 2006, 56)⁸. The next major set of wildland fires occurred in 2000, spreading from the outskirts of Los Alamos National Laboratory in New Mexico to the foothills of the Bitterroot Mountain Range in Montana. Between these two geographic polar opposites, more than seven million acres burned at a cumulative cost of \$1.3 billion dollars (Pinchot, 2002, 6)⁹. Unduly impacted by the La Nina weather system, a sizable majority of the West was classified as in drought-like conditions. 29,000 firefighters were involved throughout the course of the fire season, leading to a scarcity of fire personnel, equipment and resources at both the burn zones and within a firefighter’s home community. Six years later, the 2006 fire season would cost \$1.6 billion dollars, with 2012 already poised to surpass this amount, further straining the contingency fund, and inviting yet another reexamination of fire management policies (Kenworthy, 2006)¹⁰.

Historically, fires were deemed an entity by the Forest Service, and not as part of a larger systemic framework influenced by other actors and localized policies (Kennedy, 2006, 80)¹¹. Timothy Ingalsbee, the executive director of Firefighters United for Safety, Ethics and Ecology explains that part of the reason behind this singular focus is that “wildland firefighting strikes a resonant cord in the American people as ... [the firefighting] continually reenacts the uniquely American experience of conquering the Western frontier and all the wild forces of nature” (Ingalsbee, 2006, 223)¹². Although poetic, wildland firefighting has become distinct from municipality based fire services as well as other natural disaster recovery services (i.e., FEMA, etc...). In the wake of the 1994 fires, the United States Department of Agriculture and Department of Interior jointly “acknowledged the role of fire in healthy forests and in reducing the risk of large-scale wildfire” (Pinchot, 2002, 7)¹³. Consequently, the goal of federal wildland fire policy shifted to include “hazardous fuels reduction, ecosystem restoration, and community

assistance” in addition to traditional fire protection, a practice which continues today, despite only modest improvement (Steelman and Burke, 2007, 67)¹⁴.

As with other environmental issues, human activity has played a significant role both through a deliberate action (i.e. starting a fire either intentionally or unintentionally), or as part of a pattern of growth and development that brought homes, businesses, and agriculture into rural canyons and other terrain traditionally prone to wildland fires. In their article, *Conflict and Cooperation in Natural Resource Management*, Mark Lubell and Brian Segee have termed the progression of infrastructure into previously deserted canyons (similar to residential and commercial growth within coastal areas), a “wildland-urban interface [that] has created daunting challenges for firefighters and land managers alike” given this pattern of growth (Lubell and Segee, 2010, 181)¹⁵.

Combating wildland fires exceeds mere collaboration on community, budgetary, and personnel issues, particularly given the overall environmental impact of a wildland fire and specter of climate change. Roger Kennedy, a former director of the National Park Service, alludes to a “fiery Katrina” with the damage that erupted in New Orleans potentially occurring in a major Western city (Kennedy, 2006, 15)¹⁶. Given the political disagreement regarding if climate change is a looming environmental threat, an effort to forestall a repeat of a Hurricane Katrina-sized event has led to a variety of political disputes over the direction of future forest policy. The primary object of this disagreement revolved around President George W. Bush’s push to enact the Healthy Forests Initiatives in 2003, a policy essentially involving the thinning of forests and the Forest Service’s later partial implementation (with only one-third the number of mandated projects being completed and/or fulfilled). Then United States Senator Larry Craig (R-Idaho) excoriated the Forest Service in 2007, calling for more active management. Craig stated that the Forest Service should manage forests, not fires (Craig, 2007)¹⁷. Alternatively, Craig’s successor, Senator (and former Idaho Governor) Jim Risch also lambasted the Forest Service despite philosophical differences with Craig, albeit from the viewpoint that fires would be reduced if the initiatives had been adhered to in a timely manner (Craig, 2007)¹⁸.

Their cause for concern stems from fire intensity and behavior being driven by three primary factors: weather, terrain, and fuel (Wuerthner, 2006, 54)¹⁹. Even more troubling, fire seasons are occurring earlier, particularly in areas of the world where wildland fires have historically been scarce (i.e., Brazil and Russia). Instead of a summer season encompassing three months, the new fire season often stretches from as early as March until as late as October in some areas of the West (Pyne, 2012)²⁰. Weather is the most significant culprit behind this longevity, with warmer weather making the fuel-sustaining fires even drier and more explosive. During the recent wildland fires in Colorado earlier this summer, the temperature in Denver tied a historical record of 105 degrees two days in a row. Too much rain (or too little) often affects the ferocity of the fire, with the altitude of terrain impacting the available fuel (Porter, 2008, 219)²¹. Drought-like conditions create excess fuel by rendering trees and soil brittle, depriving land of the ability to efficiently absorb water. Alternatively, too much rain creates excessive vegetation also providing unneeded fuel.

The gravitation towards forests as an ecosystem challenged the traditional overseer role imposed by the federal government in relation to forest policy and fire management. Historically, the

rationale behind this transition involves traditionally low levels of state and local institutional capacity. As municipal and state efforts matured and took upon greater responsibility for forests within their respective jurisdictions, federal involvement invariably lessened. These changes were driven, in part, due to “the gradual realization by scientists and policymakers alike that there are limits to what can be accomplished by federal fire-control agencies,” effectively placing the burden on a shared partnership between states and the federal government (Davis, 2001, 102)²². Demographic driven growth has also drawn additional attention, manpower and funding from the federal government, maximizing state clout. The impetus behind the demographic shift in the Western United States involves government subsidies. Increasingly allocated within flood plains and fire zones, subsidies threaten turning a “disaster into catastrophe,” if a wildland fire were to strike within denser and/or more populated localities (Kennedy, 2006, 16)²³. Subsidizing residential and/or commercial property within these zones is a politically sensitive issue, similar in nature to that routinely faced by property owners in coastal areas. With wildland fires (and hurricanes) repeatedly reoccurring over the same geographic territory, subsidization ceases to become a financial question and one of safety and security.

Some firefighters have often felt like stepchildren within both the Forest Service and the greater federal bureaucracy, with implementation occurring in a “piecemeal fashion and activities planned on an agency-by-agency and unit-by-unit basis” (Pinchot, 2002, 5)²⁴. Peter Brierty, fire marshal for San Bernardino County, California (one of the largest counties in the United States in terms of acreage), was often “forced to beg for equipment and gear other fire departments took for granted” as of late 2002, more than a full year after the events of September 11th (Porter, 2008, 29)²⁵. Currently, the Forest Service is reliant on a patchwork of personnel from differing state agencies, a national pool of equipment, and an outsourcing of needed air equipment. Compared to most federal agencies, the Forest Service contracts and/or outsources a variety of responsibilities at the expense of a national fire department.

Former firefighter Stephen Pyne compares firefighting to plumbing, explaining “like a faulty plumbing system, each fix only transfers the pressure to the next weak point” (Pyne, 2012)²⁶. Despite an estimated annual two billion dollars spent on wildland fires throughout the United States, noticeable gaps remain (Kennedy, 2006, 81)²⁷. As recently as June, National Guard airplanes sat on military runways while--bereft of needed air tankers--nearby towns burned across the state line. Investment in wildland fire specific equipment needs to increase, particularly given the creeping expansion of the fire season. New airplanes are routinely utilized in areas of Europe and other regions that routinely experience wildland fires, scooping up water from nearby lakes and adjacent rivers at 100 miles per hour without stopping (Associated Press, 2012)²⁸. The Forest Service, in contrast, is forced to use airplanes from 1954 that have an admittedly poor safety record. These planes must sit on an isolated tarmac to be slowly refueled by water trucks. As of this writing, two air tankers have crashed within recent weeks, resulting in the deaths of five Forest Service personnel and causing eight (or half) of the current fleet to be pulled out for inspection and/or service (Associated Press, 2012)²⁹. President Barack Obama has ordered seven additional air tankers at a cost of \$24 million dollars, although the initial allotment will not be available until mid-August at the earliest (Associated Press, 2012)³⁰.

The gap in funding also impacts agency coordination. A government study, the National Cohesive Strategy for Wildland Fire Management, has composed a plan that involved three

primary areas of concern: faulty past fire management through the emphasis on fire suppression, increased development in rural areas, and an absence of coordination between relevant federal, state and local government agencies (Pyne, 2004, 178)³¹. Although the Forest Service is the primary agency in charge of fire policy and forest management, another federal organization, the National Interagency Fire Center (NIFC) in Idaho, acts as a clearinghouse between the Forest Service and an alphabet soup of federal agencies (in part given financial constraints). To give a greater sense of the bureaucracy involved, these agencies include: the Bureau of Indian Affairs, the Bureau of Land Management, the Fish and Wildlife Service, the National Park Service, the National Weather Service, the Office of Aircraft Services and the National Association of State Foresters among others (Pinchot, 2002, 16)³².

Within this context, “federal agencies share firefighting supplies, equipment, and personnel to facilitate efficient and cost-effective firefighting or disaster management” representing one method of federal and regional inter-agency collaboration (Pinchot, 2002, 16)³³. Subgroups of the Center consist of the Wildland Fire Steering Group and the National Wildlife Coordinating Group, each comprised of 8-10 person teams that solicit input from states as well as individuals (the latter through a public comment period). NIFC’s closest counterpart at either a state and/or local level is the Great Plains Interstate Fire Compact (GPIFC), composed of South Dakota, North Dakota, Wyoming, Kansas and Colorado (Pinchot, 2002, 17)³⁴. As with the federal agencies listed earlier, officials from each jurisdiction meet to share information, and lend assets ranging from heavy equipment to incident management teams.

Community groups often form the third leg of the federal-state-county troika. Although lacking the traditional authority and financial wherewithal of federal and state officials, community groups include property owners. Given the responsibility to clear brush surrounding their properties (one of the most significant fuel load sources) and create defensible space, property owners are a form of proactive policymaking and the target audience of multi-jurisdictional organizations such as both the NIFC and the GPIFC (Davis, 2001, 108)³⁵.

Pyne concludes his argument, stating “effective fire management involves deciding how we live in and around our own lands, and that’s the rub. Why should wildland fire be different than other concerns that require social agreement and political action?” (Pyne, 2012)³⁶. Government agencies are “the heart of policy implementation” (Lubell and Segee, 2010, 174)³⁷. Any sustained accomplishment that reduces the impact of wildland fires (whether in regards to land, property or financial expense) will “require long-term coordinated efforts by federal and state governments, with robust partnerships between land-management agencies and the public in collaborative planning and stewardship” reiterating a three pronged approach between federal, state and community participants (Stephens and Ruth, 2005, 540)³⁸.

Disasters the proportion of 1994, 2007 or this summer in Colorado are defining moments (Lubell, 2012)³⁹. Shifts in population demographics have placed an increasing amount of people, property and livelihoods squarely in the path of future outbreaks. Such an attitude puts the burden on the property owners to create defensible space, protecting their single largest investment, livelihood, and often source of identity. To what extent can policymakers at all levels of government continue to have an impact through collaborative management, avoiding the fate which befell New Orleans post-Katrina?

Notwithstanding the immediate financial cost, the long term economic and environmental implications of continued atypical outbreaks are profound. Within this new environment, the Forest Service requires both a dedicated set of on-call firefighters, as well as equipment extensive enough to meet the workload demanded not only by a major wildland fire, albeit that of two or three simultaneously. Fire suppression and Forest Service tactics continue to evolve through focusing on environmental and ecosystem related changes, although wildland fires continue to burn at historic proportions despite the alteration in policy. Until coordination is achieved and a national fire department is funded, fire management as a policy will continue to fail, leading to increased costs, continued environmental degradation, and further loss of life.

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