

FINAL

**STATEMENT OF  
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FOREST SERVICE  
UNITED STATES DEPARTMENT OF AGRICULTURE  
OVERSIGHT HEARING  
Concerning  
THE CERRO GRANDE FIRE AND GENERAL FIRE POLICY  
Before the  
COMMITTEE ON ENERGY AND NATURAL RESOURCES  
UNITED STATES SENATE**

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**MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:**

Thank you for the opportunity to be here today to discuss fire management policy on federal lands. I am Michael Rains, Area Director for the Northeastern Area State and Private Forestry, and I recently led the effort to describe policy implications of large fire management in the Forest Service. I am here today with Jose Cruz, Director for Aviation and Fire Management for the Forest Service, and Lyle Laverty, Regional Forester for the Rocky Mountain Region of the Forest Service. Regional Forester Laverty led the effort to draft a Forest Service strategy for dealing with hazardous fuels in the Western United States.

I would like to cover the following topics in my testimony today:

- Current fire situation and forest conditions;
- Current fire management strategies;
- Partnerships in the wildland/urban interface; and
- Wildland fire management policy.

**Current Fire Situation and Forest Conditions**

As you know, we have already experienced a number of wildland fires across the nation this fire season. The catastrophic Cerro Grande Fire near Los Alamos, New Mexico has filled the recent headlines. Fortunately there were no deaths or serious injuries associated with this fire. Florida, Colorado and Arizona have also experienced large fires this year.

As of July 15, 2000, the Forest Service, with our State and Federal partners, has fought over 70 large fires across the nation.

The wildfire situation in New Mexico and Arizona has moderated due to the onset of the wet season. However, the situation in Colorado is still severe, and other parts of the West are rapidly becoming drier.

The buildup of hazardous fuels in the national forests poses a significant threat to public safety and ecosystem health. We have been working on several fronts to address current forest conditions. We are increasing our emphasis on treatment of hazardous fuels and developing a strategy to reduce hazardous fuel build-ups on national forest lands.

Decades of effective fire suppression, selective timber harvesting, and grazing have put many forests at higher risk from damaging wildfires. Large numbers of small diameter trees have grown into forest stands during the last century of aggressive fire suppression. These fuels have grown under larger remnant trees and created fuel ladders that allow fires to climb into the overstory and race through the tree crowns, defying control efforts.

### **Current Fire Management Strategies**

Federal agencies with wildland firefighting responsibilities are aware of the growing risk of catastrophic wildfires. The Forest Service has been steadily increasing its program to treat hazardous fuels through the last decade to reduce these risks. The Forest Service uses a variety of tools and techniques to treat hazardous fuels, including mechanical treatment and removal, prescribed burning, or a combination of the two.

In 1994, the Forest Service was treating approximately 385,000 acres across the United States to reduce hazardous fuels. Today, we have successfully increased annual treatment almost four-fold. Last year we treated approximately 1.4 million acres. In the southwest, we have increased annual treatment three-and-a-half times, from about 37,630 acres of hazardous fuels treatment in 1994 to over 122,480 acres last year. In the past, due to funding constraints, we focused our efforts in areas with merchantable timber. Today, high-risk areas such as the wildland/urban interface are increasing as a focus of priority. There are many opportunities to treat these high priority areas, which tend to be dominated by non-commercial material, for which commercial timber contracts are infeasible. At the request of the New Mexico delegation, we recently provided information outlining our approach for reducing fire risks by treating small-diameter trees and non-merchantable hazardous fuels in the wildland/urban interface. I would like to submit Chief Dombeck's May 23, 2000 letter to the New Mexico delegation outlining our approach for the record.

To protect communities from fire, it is necessary to accomplish work on private as well as public lands. For example, the Administration has testified in support of S. 1288, the Community Forest Restoration Act, which if enacted into law would authorize cost-share grants to stakeholders for collaborative forest restoration projects in high-risk areas such as those in New Mexico.

In the past year, we have issued reports addressing large fire costs, workforce capacity and configuration, and a draft strategy to reduce vegetation-related fire risks across our nation. Teams are in place to begin implementing the recommendations of all three of these reports, but I would like to concentrate on the hazardous fuels strategy report.

Our effort was spurred by an April 1999, General Accounting Office (GAO) report titled: *Western National Forests: a Cohesive Strategy is Needed to Address Catastrophic Wildfire Threats* (GAO/RCED-99-65). The GAO asserted, “The most extensive and serious problem related to the health of national forests in the interior West is the over-accumulation of vegetation.” Regional Forester Laverty is leading the team that is developing the draft report “*A Cohesive Strategy for Protecting People and Sustaining Resources in Fire-Adapted Ecosystems*” to respond to the concerns raised in the GAO report and to identify how the agency can best target its resources to address the issue. The report is currently under review. The report is not operational in nature, but rather is a strategic blueprint that utilizes coarse-scale national data to assess the problem and outline an approach to deal with reducing hazardous fuels.

On July 12, 2000, the Senate approved an amendment offered by Senator Domenici and cosponsored by Senator Bingaman to the fiscal year 2001 Interior and Related Agencies Appropriations bill (H.R. 4578). The amendment would appropriate \$240.3 million in emergency funds to Federal agencies for hazardous fuels reduction (\$120.3 million for the Department of Interior and \$120 million for the Department of Agriculture). The Administration is supportive of the need to reduce the wildfire hazards in the wildland/urban interface, such as by treating additional areas for hazardous fuels reduction. In addition, the Administration would suggest that making funding available for cost-share on private lands can be an effective way to reduce the hazards to homes and the likelihood of damages to structures.

While we have not yet fully assessed the specifics of the amendment, the Administration does have strong concerns over certain provisions. Specifically, section (a) conflicts with current policy that prohibits the use of wildland fire funds for commercial timber sale contracts and projects. We will work with Congress to craft language that makes it clear that commercial timber sale needs should be addressed with timber sale funds, not the

emergency fuel reduction funds, and that the emergency fuel reduction funds be used to reduce the hazards of wildfire dangers for communities in the wildland/urban interface.

We are also concerned with the provision requiring the Secretary of Interior and the Secretary of Agriculture to publish a list of the wildland/urban interface communities at risk from wildfire as described in sections (b) and (c) of the amendment. We believe an alternative approached that uses criteria developed for identifying landscape elements as well as communities determined to be at risk, and then prioritizing the treatments would be a more productive approach. Risk maps that display the acres with greater likelihood of facing fire hazards can provide a starting point for such a strategy. There are also other concerns with the language in the amendment, which is still under review. Language should not be included that is unrelated to the goal of expeditiously addressing the emergency situation with projects on the ground.

### **Using Partnerships and New Tools in the Wildland Urban Interface**

The threat of wildland fires to our communities and businesses is real and continues to grow, especially in the West where more and more people are building homes and businesses in fire-sensitive ecosystems. Intermixing homes and forests can create dangerous situations and result in evacuations and great damage and loss of property. Destructive wildland fires occur naturally in California and other areas of the country, from Washington to Colorado to Florida.

Protecting public and firefighter safety is the top priority for Federal firefighting agencies. Since 1985 in response to the growing risk, we have been working with the National Association of State Foresters, the National Fire Protection Association, and local firefighting organizations to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques in community planning, homebuilding, and landscaping so that they can protect themselves and their property. Working with Federal, State, and private partners, the Forest Service has reached out to hundreds of communities adjacent to the national forests, including communities in Utah, Arizona, California, New Mexico, Colorado, Idaho, and other states across the county.

Through this partnership, the Federal agencies and the National Fire Protection Association developed the concepts and practices of FIREWISE landscaping. Using appropriated funds, the Federal partners offer education, information, and sometimes even fire resistant vegetation to help communities in the wildland urban interface be prepared for the inevitable fire outbreaks that occur in these ecosystems. We are also working with the Insurance Standards Office, the body that sets standards and premiums for property and homeowners insurance, on the significant protection offered by FIREWISE concepts. We believe that these techniques will reduce insurance premiums

and protect lives and property, as well. The Federal agencies are also leading workshops across the nation for developers, bankers, and insurance agents to ensure that future developments in fire-sensitive ecosystems will be planned and constructed to better withstand the inevitable outbreaks of wildfire.

Recent research on the Los Alamos fire by Jack Cohen, a Forest Service researcher from the Rocky Mountain Research Station, illustrates the importance of dealing with fuels in and around structures as well as the broader wildland/urban interface. His assessment indicated that for maximum efficiency and effectiveness, fire treatment activities should start with the private lands near structures, and are most beneficial when conducted in conjunction with treatments on adjoining Federal and private lands. Proper building construction and vegetation management in the 200 foot area surrounding structures is the most effective method of preventing fire damage to homes. His observations support important principles of defensible space, such as how homes damaged by fire often results from fire spreading from structure to structure, not from the forest canopy. Also, homes with high ignitability factors such as heavy pine needle accumulations on their rooftops and in their yards as well as firewood piled next to their house often are at very high risk of complete destruction, while surrounding vegetation is often only moderately scorched or unburned. This highlights the need to have coordinated efforts in dealing with wildland/urban interface fire risk issues.

Also as part of the State Fire Assistance program, the Wildland/Urban Interface Cooperative Fire Protection Component funds competitive grants to State and local entities to implement community fire risk reduction activities. This component supports coordination with States and localities to reduce long-term wildfire costs through prevention by hazardous fuels reductions and fire planning for the wildland/urban interface. The States have agreed to spend \$10 million as matching funds for the \$10 million (above the fiscal year 1999 level) included in the President's fiscal year 2001 budget to implement special projects to improve protection of high risk wildland/urban interface areas. House and Senate action on H.R. 4578 has effectively reduced this amount to less than \$5 million available for vegetation modification and FIREWISE homeowner programs.

In addition to the FIREWISE effort and the Wildland/Urban Interface Cooperative Fire Protection Program, the Federal government supports State fire management programs through assistance to volunteer fire departments.

### **Wildland Fire Management Policy**

The Secretaries of Agriculture and the Interior adopted the *Federal Wildland Fire Management Policy* in 1995. The policy directs agency heads and other officials to

implement the principles, policies, and recommendations in the “*Final Report of the Federal Wildland Fire Management Policy and Program Review*”.

The following guiding principles from the Federal Fire Wildland Fire Policy are fundamental to the success of the Federal wildland fire management program:

- Firefighter and public safety is the first priority in every fire management activity;
- The role of wildland fire as an essential ecological process and natural change agent will be incorporated into the planning process. Federal agency land and resource management plans set the objectives for the use and desired future condition of the various public lands;
- Fire management plans, programs, and activities support land and resource management plans and their implementation;
- Sound risk management is a foundation for all fire management activities. Risks and uncertainties relating to fire management activities must be understood, analyzed, communicated, and managed as they relate to the cost of either doing or not doing an activity. Net gains to the public benefit will be an important component of decisions;
- Fire management programs and activities are economically viable, based upon values to be protected, costs, and land and resource management objectives. Federal agency administrators are adjusting and reorganizing programs to reduce costs and increase efficiencies. As part of this process, investments in fire management activities must be evaluated against other agency programs in order to effectively accomplish the overall mission, set short- and long-term priorities, and clarify management accountability;
- Fire management plans and activities are based upon the best available science. Knowledge and experience are developed among all wildland fire management agencies. An active fire research program combined with interagency collaboration provides the means to make this available to all fire managers;
- Fire management plans and activities incorporate public health and environmental quality considerations;
- Federal, State, Tribal, and local interagency coordination and cooperation are essential. Increasing costs and smaller work forces require that public agencies pool their human resources to successfully deal with increasingly complex fire management tasks. Full collaboration among Federal agencies, and State, local,

and private entities results in a mobile fire management work force available for the full range of public needs; and

- Standardization of policies and procedures among Federal agencies is an ongoing objective. Consistency of plans and operations provides the fundamental platform upon which Federal, State, and local fire management organizations can cooperate and integrate fire activities across agency boundaries.

On June 27, 2000, Secretaries Babbitt and Glickman called for reactivation of the group that developed the 1995 Federal Wildland Fire Policy. This group is to review the status of implementation of the 1995 policy and provide recommendations for its complete implementation. They will address specific issues raised in the Cerro Grande Prescribed Fire Investigation Report and subsequent Independent Review Board Report and provide recommendations to the Secretaries for resolving those issues. The group will report back to the Secretaries by December of this year.

In addition to Department of Agriculture policy, the Forest Service adopted specific policy objectives in 1995 that are outlined in FSM 5100 (Forest Service Manual). The objectives are to use fire from either management ignitions or natural ignitions in a safe, carefully planned, and cost-effective manner to benefit, protect, maintain, and enhance National Forest System resources; to reduce future fire suppression costs; and, to the extent possible, to restore natural ecological processes and achieve management objectives adopted in approved forest land and resource management plans (forest plans).

Under the Manual, the following fire use policies apply on all National Forest System lands:

- All proposals and decisions to use prescribed fire or wildland fire are subject to the agency's analysis, documentation, and disclosure requirements for complying with the National Environmental Policy Act;
- All fire use projects require an implementation plan that meets the requirements established in FSM 5142.2. A Prescribed Fire Burn Plan must be prepared and approved prior to prescribed fire ignition. A Wildland Fire Implementation Plan must be prepared and approved for wildland fire use (natural ignitions);
- A fire use project may be implemented only with trained and qualified personnel. The organization described in the approved Prescribed Fire Burn Plan or Wildland Fire Implementation Plan must be used to implement the project;

- The size and complexity of each fire use project determine the size of the organization needed to safely achieve objectives of the project;
- Work force and equipment needs must be coordinated to ensure that fire use and contingency actions do not exceed Regional capabilities and are coordinated with National needs;
- If fire use exceeds or is anticipated to exceed planned limits and the Fire Use Manager or Burn Boss determines that the fire use cannot be returned to planned limits with available resources within 48 hours, a Wildland Fire Situation Analysis must be prepared to determine the appropriate suppression response;
- Before a prescribed fire may be implemented, the prescribed fire burn plan must be approved in writing by the appropriate line officer. A qualified burn boss must conduct each prescribed burn. Similarly, before a wildland fire use project can be implemented, the wildland fire implementation plan must be approved in writing by the appropriate line officer. A qualified fire use manager or other qualified fire manager, such as a Type II Incident Commander, must conduct each wildland fire use project. A decision to amend a Prescribed Fire Burn Plan or a Wildland Fire Implementation Plan requires approval at the same or higher level of authority; and
- Approval of a prescribed fire burn plan or a wildland fire implementation plan constitutes firm limits on the prescription to be applied and the objectives to be achieved. Deviation from these limits requires prior written approval by a line officer at the same or higher level of authority as approved the initial plan.

In addition to the policy stated above, fire management staff and line officers must also comply with the direction in the Federal Interagency Wildland and Prescribed Fire Management Policy Implementation Procedures Reference Guide (referred to as the "Implementation Guide").

The Implementation Guide establishes detailed requirements that must be met before a prescribed fire can be ignited. It includes the following mandatory elements that must be addressed in every prescribed fire burn plan:

- Description of the Prescribed Fire Area, including map;
- Goals and Objectives;
- Range of acceptable results expected;
- Project Assessment;

- Prescribed Fire Implementation Actions;
- Cooperation;
- Contingency Plan;
- Funding;
- Smoke Management and Air Quality;
- Monitoring; and
- Post-burn Activities.

All these elements must be addressed to the satisfaction of the Agency Administrator responsible for Prescribed Fire Burn Plan approval. The Prescribed Fire Burn Boss assigned to conduct the burning is responsible for ensuring that all elements are within the range identified in the plan before igniting any fire.

### **Summary**

The threat of wildland fires to our communities and businesses is real and continues to grow as we build homes and businesses in fire-adapted ecosystems. Fires occurring within the wildland/urban interface are inevitable, and when fires break out, our first priority is for the safety of the public and our firefighters. Although the property losses associated with catastrophic fires such as the recent Cerro Grande fire are staggering, we were successful in protecting the lives of both the public and our firefighters. This is a tribute to the excellent training of our firefighting workforce and our attention to safety.

The Forest Service is committed to avoiding future catastrophic fires like those in Los Alamos and to implementing a cohesive strategy to restore and maintain healthy ecosystems on National Forest System lands. That means reducing hazardous fuels that have built up over the better part of a century as a result of fire suppression and past land management practices, while ensuring cautious and consistent protocols in any use of prescribed fire.

We will continue to work with our Federal, State, and local firefighting cooperators, and Congress to ensure that the Federal firefighting agencies have the resources we need to educate home and landowners about fire risks, fire risk reduction strategies, and to protect the public, property, and resources when fires occur.

As Chief Dombeck wrote in his May 23, 2000 letter to the New Mexico delegation, it is also essential to recognize that hazardous fuels buildups in the West occurred over many decades. Restoring the health and resiliency of these ecosystems while protecting nearby communities from the effects of fire in these ecosystems that have unnatural fuels buildups will take many years. That reality, however, is no excuse for inaction. Our

strategic approach is designed to treat areas that pose the highest risk to people and property, and to do so in the most expeditious manner possible. This will require partnerships, resources, and common sense approaches that avoid needless controversy.

This concludes my statement. We would be happy to address any questions you or members of the Committee may have.