

**Briefing Paper**

July 12, 2010

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# **State Forestry Agency Perspectives Regarding 2009 Federal Wildfire Policy Implementation**

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A briefing paper from the  
National Association of State Foresters  
prepared by the Forest Fire Protection Committee



## Background

In 2009, federal agencies clarified existing agency fire policy, leading to changes in terminology and how some wildfires were managed. Federal agencies have grappled in recent years with the same issues as their state partners: longer fire seasons, larger incidents, limited fire suppression resources, escalating costs, firefighter and public safety, fires in the wildland-urban interface, and the appropriate role of fire protection entities regarding structure protection.

To proactively address these issues within the construct of resource-benefit wildfire management strategies, the National Association of State Foresters (NASF) has endeavored to capture lessons learned from the 2009 fire season and provide recommendations as to how they can be incorporated in future wildfire incidents. The intent is to improve the level of cooperation and understanding by all parties engaged in or affected by wildfires that are managed for multiple objectives.

## State and Federal Fire Suppression Partnership

As the foundation for this discussion, it is important to list several assumptions regarding state-federal fire management policy, strategies, and interaction. Specifically:

1. Continued cooperation and communication are essential to our success. States will continue to work with their federal partners on an integrated response to wildfires, particularly those on shared protection.
2. All wildland agencies have the prerogative to determine their management response for any wildfire that lies solely on their protection. This response may be dictated by a number of factors, including values at risk, natural resource objectives, available fire suppression resources, and state law.
3. Ultimately, public agencies are accountable to the people they serve and thus are obligated to be as forthright and clear as possible in communicating their intent in responding to wildfires.
4. Safe and aggressive initial attack is the best suppression response to keep wildfires small and costs down. Local, state and federal agencies should continue to support one another with fire response and initial attack efforts.
5. The individual circumstances for each wildfire should drive the decisions about response. For a variety of reasons, sometimes a response other than full suppression is not simply the only option, but the preferred choice.
6. The greatest area of concern lies with wildfires that are or have the potential to become multi-jurisdictional. The concerns shared by state fire protection agencies can be categorized into the following areas of emphasis:
  - *Firefighter & public safety*
  - *Threats to private property, or natural resources with economic, social and cultural values on public lands*
  - *Application of decision-making models in the dynamic fire environment*
  - *Effects on interagency relationships*
  - *Impacts to available suppression resources*
  - *Air Quality*
  - *Poor public relations due to unclear communication*
  - *Cost*
  - *Critical watersheds, municipal water supply*

## The Wildfire Response Decision-making Environment

Just as wildfires are dynamic, the decision-making process regarding their management should be as well. To that end, all stakeholders need to continue to work together, communicate effectively, and be active participants in decisions that could ultimately affect them. In turn, fire managers must understand and respect the policies and legal mandates of each agency that drive their decisions regarding wildfire suppression.

The following are some recommendations that should be considered for fires that are managed for multiple objectives which have the potential to cross jurisdictional boundaries:

1. Prior to the core fire season, an extensive outreach effort should be made to explain federal fire policy to cooperators, local government representatives, and private property owners. Consistent use of terminology (i.e. “fire use, appropriate management response, or resource benefit”) and a clear explanation of related processes (i.e. WFDSS, Management Action Points, Long Term Implementation Plan, etc.) should be addressed.
2. On incidents where the decision is made to manage a fire or portion thereof for resource benefits, the jurisdictional agency should be prepared to assume all suppression costs. Adjacent fire protection entities, including state and local government, should be consulted regarding fire management strategies, and shared decision-making reinforced whenever possible.
3. Adjacent fire protection entities should provide prompt notification to agencies when concerns exist about wildfires that are managed strategically for resource benefit that have the potential to impact adjacent jurisdictions.
4. When conflicts regarding fire response arise at the local level, each geographic area should establish protocols for how to pursue and resolve issues at a higher level, if needed. Such a protocol should be developed and adopted at the Geographic Area level.
5. Financial and personnel impacts to other fire protection entities due to resource-benefit fire management strategies should be mitigated as much as possible.
6. Any available claims process for resource losses from a fire managed for resource benefit should be made known and available to all potentially affected parties.
7. As much as possible, implementation of federal fire policy should be consistent across a geographic area and across the various federal agencies.

#### **Mitigating Impacts to State and Private Property**

NASF believes the following actions are warranted to ensure that working relationships between state and federal partners remain strong and that threats to state and private property are minimized:

1. Broad application of modified suppression strategies—particularly within the WUI, commercially viable timber stands, or critical watersheds/wildlife habitat—is not advisable. Within these areas, federal agencies should limit the use of resource-benefit fire strategies to lands where priority areas identified in local Community Wildfire Protection Plans (CWPPs) have been treated to reduce fire risk.
2. Expanded use of resource-benefit fire management strategies may transfer a significant amount of financial and safety risk to state and local governments. Consequently, representatives from these entities should be informed well before the fire season and directly involved with any decisions to expand use of this tool.
3. In areas where resource-benefit fire management strategies are appropriate, stakeholders must continue dialogue aimed at clearly conveying the roles, responsibilities and liabilities that may come with such strategies. Pre-season exercises and discussions are vital to ensure management of such fires minimizes threats to adjacent property and the frustration of affected communities.