

WILDFIRES ON THE NATIONAL FORESTS: AN UPDATE ON THE 2002 WILDLAND FIRE SEASON

OVERSIGHT HEARING

BEFORE THE

SUBCOMMITTEE ON FORESTS AND
FOREST HEALTH

OF THE

COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

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**OVERSIGHT HEARING ON WILDFIRES ON THE
NATIONAL FORESTS: AN UPDATE ON THE
2002 WILDLAND FIRE SEASON**

**Thursday, July 11, 2002
U.S. House of Representatives
Subcommittee on Forests and Forest Health
Committee on Resources
Washington, DC**

The Subcommittee met, pursuant to call, at 10 a.m., in room 1334, Longworth House Office Building, Hon. Scott McInnis [Chairman of the Subcommittee] presiding.

Mr. MCINNIS. The Subcommittee on Forests and Forest Health will come to order.

The Subcommittee is meeting today to hear testimony on Wildfires in the National Forests and an Update on the 2002 Wildland Fire Season.

Under Committee rule 4[g], the Chairman and Ranking Minority Member can make opening statements. If any other members have statements, they can be included in the hearing record under unanimous consent.

I ask unanimous consent that Representative Wally Herger, who has requested to sit on the dais with us be allowed to do so. Hearing no objection, it is so ordered.

**STATEMENT OF HON. SCOTT McINNIS, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF COLORADO**

Mr. MCINNIS. Today, our Committee will hear from an impressive array of individuals on the growing wildfire epidemic on our national forests and our public lands. Our business here today is to discuss this issue and the issue, frankly, is an issue that is on the minds of many people throughout the country, that issue, wildfire.

It is by now a cliché because we have heard it so many times on TV and other places, but this wildfire season has the makings or the potential to become one of the worst in our nation's history.

Already this year we have burned over three million acres, which by itself is nearly three times the average for an entire year in recent years.

What is most alarming about this statistic is that historically wildfire burns the hottest, largest and most frequent fires in the latter parts of July and into August and September. Now, as we

all know, these fires started in early June. For the first time, as I understand it, while we go to a level 5, level 5 is the highest ranking we can go to in a firefighting alert, and while we have gone to that in the past, we have never gone to that before July 28th and we went to that about two and a half weeks ago.

The expenses, of course, on this are huge. The ramifications of the fire and the consequences to the communities that are impacted by it are significant as well. We think that the estimates for this year's firefighting costs are going to exceed \$1 billion. It could get higher than that, which is about 300 percent more than what we have had.

As bad as the fire season is and as prohibitively expensive as it has become, make not mistake about it, it is not a rarity. The American people are going to continue to spend hundreds of millions of dollars each year to protect homes and communities from wildfire until we get serious about dealing with the hazardous fuel conditions on our national forests.

The Forest Service have said that some 72 million acres of national forest land are at high risk of wildfire. These fast tracks are home to decades worth of dead, downed and dying trees and other woody biomass.

As a frame of reference, that area, 72 million miles, is larger than Connecticut, Rhode Island, Maine, New Hampshire and Vermont. That is all of New England combined. Yet, this year the Federal Government will reduce fuels only by somewhere between 1.5 and 2.5 million acres. Talk about taking a peashooter to a gunfight, to put it bluntly, this glacial pace is totally inadequate in face of a threat.

So, I look forward to hearing from our agency witnesses to find out what we can do to help step up the thinning work. If it is money, then Congress needs to find the money because a dollar spent on fuels treatment is \$4 or \$5 saved on planes and slurry and bulldozers and other suppression-related expenses.

I might also add that while I have emphasized throughout my remarks here the impact to the communities on wildfire and the impact of the cost to the U.S. Congress, to the taxpayers, we should note sadly and with due respect that we have nine or ten firefighters who have so far lost their lives this season fighting these fires.

In that vein, in the last few days, new information in the vein of the fuel situation, new information has emerged about the extraordinary effect that appeals and lawsuits are having on the Forest Service's ability to clean out fuel buildup on the understory of American you believe forest lands.

I want to give the audience here a little history on that. It is clear to me that in the recent fires, many of which have been in my district and in the State of Colorado, that the environmental community like the Wilderness Club and the Sierra Club have attempted to walk away from any share of blame for these fires.

It is clear that the Sierra Club and the Wilderness Society and some of these others did not strike the match on these fires. They did not cause the drought out there. But they certainly have contributed and they have a place at the table to try with us to mitigate the fires in the future.

The National Sierra Club, as I understand it, and I would be happy to be corrected, has a no timber policy, no logging policy. I, as Chairman of this Committee am urging those environmental groups, on a national basis, to sit down, come to us with some reasonable ways to work through this. This cannot continue to occur.

About a year and a half ago I suspected that these appeals were being, in my opinion, many were being filed frivolously. I wanted to know exactly what percentage of them were out there that would delay or stop the forest thinning.

I was surprised. I got a letter back. The letter has been referred to by the Ranking Member at the last meeting we had. Only about 1 percent or 2 percent of those thinning projects were delayed or stopped as a result of this appeal process of making the Forest Service gun shy.

I didn't believe that number. I didn't believe it then and fortunately, I don't have to believe it now because that number was wrong. That number is closer to 48 percent. For example, in the Northern Rockies we have 100 percent. Every thinning project up there, according to the numbers that I have seen, have had appeals filed against it.

We can't continue to give the Forest Service the management tools they need if these appeals will be filed and filed and filed again.

Fortunately, on the South Platte, where we had the first—unfortunately, we had the fire—but fortunately on the South Platte, we have two plots lying side by side. One plot was where the thinning was allowed to take place. The other plot was where the thinning was stopped by the appeal process and was not allowed to be completed.

What is going to be of interest is when our scientists go in there, not the people based on emotion, but based on science, are going to be able to go in there and make comparison as to whose science was right; whether it was the Wilderness Society or whether it was the Forest Service science that was right.

A couple of posters that I would like to point out because I know we are soon to get into discussions about roadless areas and so on, this is a picture taken out of the Rocky Mountain News in the last 2 weeks, taken with permission, by the way. That is a fire on the front page of their newspaper.

That fire was stopped by a road. That is the only thing that stopped that fire. I think that picture illustrates pretty well where properly managed, properly placed, properly maintained roads and other fire blocks can assist us out there.

Would you put up the next poster? We will go through must more detail with these in the panel. But there are some numbers for you to look at as we go through as far as the appeal process. These new numbers are very, very significant. It is not my intent up here as Chairman of this Committee to roast the Sierra Club and to roast the Wilderness Society and some of these other organizations.

It is my intent to say to them, "Don't walk away from us. Come back to this table and help us figure out an agreement. Help us put something together to let the Forest Service do what the Forest Service does best, and that is manage those forests."

I have personally witnessed extensive public relations campaigns. The full focus of those campaigns was to force management of the forests based on emotion, not based on science. This is the result. These fires are in part, not totally, a result of emotion-based management, a legalistic-based management instead of letting our forest people do what they need to do.

So, with that, I look forward to hearing from our experts today. I hope that we come out of this with some constructive conversation and some constructive direction to reinforce the people of our Forest Service who I think have done a tremendous job.

My final remark is there have been a lot of brave, very dedicated people from our Federal agencies, from our contract employees and hopefully soon even from countries like Australia and New Zealand that will assist us, but we've got a lot of brave people out there to fight these fires. So far we have kept the upper hand on them.

But again, I do want you to all keep in mind that we not only lost all this property, we not only lost all this money, to date we have lost nine or ten firefighters as a result of the fire season.

[The prepared statement of Mr. McInnis follows:]

**Statement of The Honorable Scott McInnis, Chairman,
Subcommittee on Forests and Forest Health**

Today, the Subcommittee will hear from an impressive array of individuals on the growing wildfire epidemic on our national forests and public lands. Before we begin that discussion, though, I want to thank Mr. Inslee and the many other Members of this Subcommittee whose support was nothing less than essential in moving a bill of mine that, when signed by the President, will clear the way for many dozens of world-class firefighters from Australia and other countries to support our own during this and coming fire seasons. We were able to move that bill, which by the way was referred to 4 different committees, in just a matter of days thanks to the broad bipartisan push behind it. So thank you to my colleagues for your invaluable support. To our witnesses from the Forest Service and Interior, you tell the Calvary that the reinforcements are on the way.

Our business here today is to discuss an issue on the minds of a lot of folks out West and in other parts of the country wildfire. It's by now cliché because we've heard it so many times on TV and other places, but this wildfire season has the makings of becoming one of the worst in this nation's history. Already this year, we've burned well over 3 million acres, which by itself is nearly three times the average for an entire year. What's most alarming about this statistic is that, historically, wildfire burns the hottest, largest and most frequent in the latter parts of July and into August and September. The wildfire forecast for the coming months, Colleagues, is ominous indeed.

As each week passes, and hundreds of new fires flare up, our government's resources continue to dwindle. Just yesterday, Chief Bosworth who I recently traveled with to Colorado to view the largest fire in our state's history—sent a directive to the field, the sum total of which was put a lid on all non-essential spending, because this fire season will probably burn that up, too. I applaud the Chief for taking this unfortunate but nonetheless prudent and altogether needed step.

Projections for wildfire suppression spending have grown geometrically with the passing of every week and month. In April, the Forest Service estimated that it would spend \$587 million on wildfire suppression this year. In May, the agency's estimates grew to \$787 million. Now estimates are encroaching on \$1 billion. The final amount spent will doubtlessly be higher than that. If suppression spending does exceed \$1 billion, that will amount to 300% more than Congress appropriated for this fiscal year. So there's no question that now or later, Congress is going to have to get its wallet out.

As bad as this fire season is, and as prohibitively expensive as it has become, make no mistake about it, it is no apparition. The American people are going to continue to spend hundreds of millions of dollars each year to protect homes and communities from wildfire until we get serious about dealing with the hazardous fuels crisis on our national forests. The Forest Service has said that some 72 million acres of national forest system land are at high risk to catastrophic wildfire. These vast

tracts are home to decades worth of dead, downed and dying trees and other woody biomass. As a frame of reference, that area 72 million acres is larger than Connecticut, Rhode Island, Maine, New Hampshire and Vermont that's all of New England—combined. And yet, this year the Federal Government will reduce fuels only on somewhere between 1.5 and 2.5 million acres. Talk about taking a pea-shooter to a gunfight. To put it bluntly this glacial pace is totally inadequate in the face of this threat. And so I look forward to hearing from our agency witnesses to find out what we can do to help you step up your thinning work. If its money, then Congress needs to find the money, because a dollar spent on fuels treatment is four or five saved on planes and slurry and bulldozers and other suppression related expenses. If it's making the Forest Service's decision-making process workable, then Congress needs to find the will to rise above the alarmist voices and do that too.

In that vein, in the last few days new information has emerged about the extraordinary affect that appeals and lawsuits are having on the Forest Service's ability to clean out fuel build-up on the understory of America's public forestlands. This information compiled by the Forest Service shows that nearly 50% of all mechanical thinning projects were appealed or litigated, overwhelmingly by environmental groups.

As I have said previously, for all those who have been wringing their hands about how the appeals problem was over-hyped and over-blown by folks like me, this data was a bucket of cold water in the face. It shows nothing less than a systematic campaign on the part of a few ideological purists to either slow or stop the thinning of over-grown forests. There is no question in my mind that these myopic few are out of step with the will of the American people.

Now I've already heard the hand wringing start again, questioning the validity of these numbers. And so Senator Larry Craig and I have asked the General Accounting Office to further analyze the appeals data and report back to Congress. We expect that report back from the GAO soon. In the meantime, anyone who is tired of the Federal Government spending hundreds of millions of dollars on fire suppression, tired of seeing communities threatened, tired of seeing smoke congested air and soot filled rivers and streams you should be outraged.

Let me be clear. America's army of environmental litigants are not responsible for this summer's drought conditions, and they certainly can't be blamed for the arsons, campfires and lightning strikes that have ignited these massive blazes. But they are undeniably guilty of boxing the Forest Service into a position of malicious neglect when it comes to managing our forests. This neglectful posture has turned our forests into a fuel-rich tinderbox that is just one match, one cigarette, one lightning strike away from exploding.

This, Colleagues, cannot be allowed to continue. And as I said earlier, Congress and the Forest Service need to muster the courage and find the will to do something about it.

Mr. MCINNIS. With that, I will turn it over to Mr. Inslee for his remarks.

**STATEMENT OF HON. JAY INSLEE, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF WASHINGTON**

Mr. INSLEE. Thank you, Mr. Chair. I want to thank the Chair for convening this hearing. It is a very, very important issue. I want to express the sentiments from the State of Washington for the people of Colorado that have suffered as a result of these forest fires. People around the country, I think, are feeling very deeply about these losses.

But I also want to say at the outset something that I feel very, very strongly about, having reviewed the evidence about these fires. There has been an assertion that the reason these losses have occurred is because some American citizens have insisted that the bureaucracies responsible for enforcing the laws of the United States are responsible for these fires.

I don't know what they call that in Colorado, but in Washington we call that hogwash. To say that the environmental community is responsible for these fires is totally, totally inaccurate. To say that

Mother Nature is responsible for these fires, and some of the people who started these fires are responsible for the fires and the fact that the U.S. Congress has not appropriated enough money to do the defueling projects that are necessary to stop these fires, those assertions have some accuracy.

I have come here today to talk about that specifically. First, I want to show the American public what we are talking about. That's a map of the Colorado fires. The fact of the matter is, of the entire acreage burned in the Colorado fires, about 2 percent of the acreage are areas where there were any appeals filed whatsoever.

Those acres were in the latter part of the fire. If you look at this map, I apologize you can't all see it, but you see this brown line is the extent of the upper South Platte and the fire started in the southern part of the range of the fire.

Mr. MCINNIS. Mr. Inslee, I want to correct something right here. Since I was at that fire and I know what the heck you are talking about, these are not the Colorado fires. That is one fire in Colorado. We had numerous fires. So, if you want to restate it, that is the Hayman Fire. It might help you with your presentation.

Mr. INSLEE. I appreciate that. We will get to some other fires if you give me a few moments to do it.

In this fire, the first started in the south. The first burned to the north and it burned through all kinds of diverse country. The only areas that were subject to appeals were in the very northern reach of the fire, just before it was stopped. These are these little blue crosshatched areas here that represent 2 percent of the entire fire area that was burned.

Just as importantly, the entire area in the fire that potentially could have been subject to thinning was 4 percent of the entire area of the fire. In other words, if there were no appeals filed whatsoever, the entire area that was subject to potential thinning in this area was 4 percent of the fires.

Now, what was the limitation? Why couldn't the U.S. Government do significantly more? The reason is the U.S. Congress hasn't appropriated enough money by a long stretch of the imagination to the U.S. Forest Service to get this job done.

The fact is it is not the environmental community that is limiting the acreage on a global basis of what we can thin, it is the amount of money that we appropriate because the U.S. Forest Service is using every single dime that we appropriate. The limiting factor is the U.S. Congress's appropriation.

So, let us look at a different file. Let us look at Arizona. I am sorry I don't have a map for every single fire, but we have done an analysis and about these numbers are right on almost all the fires.

The Arizona fire, again, the fire started in the south, on non-Forest Service land, on non-Federal land, as in many of these areas, by the way, well over half of the areas burned this year are non-Federal lands. It burned for acres and acres and acres. It burned through logged areas that have already been logged partially, and that is shown in these gray areas. The fire is shown on this red line. Excuse me, the red line is the fire.

Of all the areas burned, of all the thousands and thousands of acres burned in Arizona, the only area that was subject to an ap-

peal is this area up in here, this little tiny sliver shown in blue that was on the rim of the fire.

You see these thousands and thousands of acres burned and grossly irresponsible politicians have come and told the American people that the environmental community who was simply standing up for making this bureaucracy follow the laws, was causing these fires. That was grossly irresponsible under the facts of this situation.

Now, there are real issues we have to deal with on seeing to it that our fuel reduction problems get better handling by the U.S. Government. That is why I am glad we are having these hearings, because there have been appeals filed.

Of all the fuel reduction programs, that includes thinning, mechanical thinning and prescribed burns, about 1 percent of all of those were appealed. A higher percentage, and I am very appreciative of Mr. McInnis for getting this second report from the Forest Service, a higher percentage of the mechanical thinning projects have been appealed. This report would suggest almost half, a significant amount.

The reason is, our research has indicated in about half of those projects the Forest Service or a significant portion of that half, probably half of that half at least, the Forest Service has dropped the ball. They fowled up. They didn't follow the law. Do you know why? Because in a significant portion of those, these were disguised commercial timber sales trying to get their nose under the tent of mechanical thinning projects.

When some American citizen has blown the whistle on the American Forest Service, the bureaucracy responsible for this, more than half the time the Forest Service is backed up. Do you know why? Because they got caught with their hand in the cookie jar doing commercial thinning projects when they ought to be using this for fire suppression.

Let me just give you a few examples of that. In the Upper Blue Stewardship Program in the White River National Forest, the Forest Service proposed logging 15 million board feet of logging. For a variety of reasons it violated the law to do that.

When an American citizen said, "You are not following the law," what happened? The Forest Service backed up and stopped because they wanted to do logging of big timber for commercial purposes rather than fuel reduction.

In the East Rim timber sale of the Kybob National Forest in Arizona, the Forest Service proposed logging eight million board feet of trees two miles from the rim of the Grand Canyon. An American citizen filed an appeal of that. There were no, as far as I can tell, restrictions on the sizes of trees to be thinned.

The Forest Service got caught with their hand in the cookie jar and they withdrew the sale. The problem we have here, and I would hope that we can move forward on this, is finding a definition for these projects which clearly define what is thinning and what is commercial timber sales.

We do have a problem in this project. I appreciate Mr. McInnis bringing this hearing for this reason. The problem we have is that there is an ill-defined definition of what these projects are. Frequently, it has resulted in the Forest Service doing commercial

thinning, going into roadless areas instead of emphasizing the urban wilderness boundary.

Where only 45 percent—excuse me, I am going to have to check this statistic, I'll get back to you on this—but a large percent of these expenditures are not in the urban wilderness boundary.

The Forest Service has been focusing, doing this work in roadless areas where the big trees are. We need them to focus doing this in the urban wilderness boundary where we can save people's houses. That is where we need them to focus.

We, I hope, come out of this with a way to do two things. One, focus the Forest Service using their limited resources around people's houses, which are the first places we have to save, instead of going up where the big timber is, where the big commercial timber is, but where it doesn't save people's houses. We have to get the Forest Service to focus on saving people's homes, No. 1.

No. 2, we have to come to a better definition of these programs so that everything knows what the rules are.

Thank you for your patience, Mr. Chairman. I appreciate that.

Mr. MCINNIS. Thank you. Before we go to our witnesses, let me make a couple of comments here. First of all, I wish the Ranking Member would reconsider this language implying that the Forest Service has their hand in the cookie jar.

The Forest Service doesn't need insults at this point in time. I think they have done a tremendous job. I think they are frustrated by this. I don't care whether you call it mechanical or not, it is a fact. Rocky Mountain, the northern region of the Forest Service, had 53 decisions that were subject to appeal and 53 of them were appealed, 100 percent.

I would remind the Ranking Member that less than two or 3 weeks ago the National Sierra Club, not all environmental groups, and we have a lot of good ones out there, but the National Sierra Club and the Wilderness Society were thumping their chests that only 1 percent was ever appealed.

Now that these new numbers are out, we are seeing that the Web sites are being changed and the stories are changing.

Mr. INSLEE. Would my friend, the Chairman, yield?

Mr. MCINNIS. Not yet. The second thing that I would point out is that the example you used happens to be the forest I grew up on, the White River National Forest. Your figure about the timber up there, that forest has had less than 2 percent in 100 years.

Colorado is not a timber State. I don't even think we have a major saw mill left in the State of Colorado. We may have a mom and pop operation, but we are not a timber State.

Finally, in the other percentage you were looking for that you originally said 45 percent, you wanted to restate that at 70 percent. I want to remind people that the only fire damage is not just on the urban interface. You have first damage when you get deeper into the forest.

Finally, if you have an opportunity, if you need to thin a forest and you have an opportunity to put that to some type of commercial use, that wood can be put to some kind of use, why not use it like that? I would hope that you would agree, Mr. Inslee, that if we go in for the purpose of thinning and we have an opportunity to utilize that in some constructive fashion, that thinning, either in

cogeneration facility or in some kind of commercial timber facility or is the inbred hatred of commercial timber so deep that under no circumstances you would allow commercial on there?

Those are points we should consider. We need to go to our panel.

Mr. INSLEE. Would the Chairman yield?

Mr. MCINNIS. This is my concern about yielding, members. I want every member here to get plenty of time, adequate time to question both panels. We have two panels. This Committee will adjourn at 12 o'clock.

So, I can either yield to you now and reduce your time to get to visit with the witnesses, which I don't think you want to do. So, with that we are going to proceed to our first panel.

On our first panel we have Sally Collins. Sally, thank you very much for coming. She is our Associate Chief, National Forest System; Mr. Truesdale, Assistant to the National Fire Plan Coordinator and Tim Hartzell, Director of the Office of Wildland Fire Coordination, U.S. Department of Interior.

I am not sure which of you would like to proceed first. Sally, why don't you proceed?

STATEMENT OF SALLY COLLINS, ASSOCIATE DEPUTY CHIEF, NATIONAL FOREST SYSTEM, U.S. FOREST SERVICE; ACCOMPANIED BY DENNY TRUESDALE, ASSISTANT TO THE NATIONAL FIRE PLAN COORDINATOR, U.S. FOREST SERVICE; AND TIM HARTZELL, DIRECTOR, OFFICE OF WILDLAND FIRE COORDINATION, U.S. DEPARTMENT OF THE INTERIOR.

Ms. COLLINS. First of all, I appreciate very much being invited to speak today. I think the fact that we have the Department of Interior and the Department of Agriculture in front of you here answering questions with one single testimony points out the coordination and the support that we have to work together.

I would like to submit my full comments for the record and just summarize those for you briefly here. Then we will have more time for questions.

[The prepared statement of Ms. Collins follows:]

**Statement of Sally Collins, Associate Chief,
Forest Service, U.S. Department of Agriculture**

Thank you for the opportunity to meet with you today. I am Sally Collins, Associate Chief, Forest Service, Department of Agriculture. With me today are Tim Hartzell, Director of the Office of Wildland Fire Coordination at the Department of the Interior; and Denny Truesdale, Assistant Coordinator, National Fire Plan, Forest Service. Since the Department of the Interior and the Department of Agriculture work closely together in fire management and in implementing the National Fire Plan, it is appropriate to use one statement to talk about the 2002 wildland fire season including rehabilitation and restoration and discuss our work on the National Fire Plan.

At the outset, Mr. Chairman, we want to thank you and your Subcommittee for your support of the fire management program and, most importantly, for your support of the brave men and women who make up our firefighting corps. Our firefighters do an impressive job under adverse conditions and they deserve our thanks and admiration. As we move into the peak of the western fire season, fighting wildland fires is only one aspect of the work we must do to protect communities and restore ecosystems.

THE FIRE SITUATION AND OUTLOOK

The outlook is for a continued severe fire season. In 2002 to date, we have already seen over 3.1 million acres burned. The season started out earlier than usual and is more than twice the ten-year average of burned acreage. At this point in the year,

drought condition in the Southwest, Rockies and East Coast has set the stage for an active fire season in those areas. Since October, areas receiving below normal amounts of precipitation include Southern California, the Southern Great Basin, the Southwest, the Rocky Mountains and the Eastern Seaboard. The Northeast experienced the second driest September to February in the last 107 years. July 2001 through June 2002 was the driest rainfall season on record since 1850 in Los Angeles and San Diego.

Analyzing fuel and weather conditions across the country, the areas of greatest fire potential for the month of July include Arizona, Colorado, Wyoming, California and the Great Basin.

The weather outlook for later this summer and fall calls for generally warmer than normal temperatures across the entire West. Through September, rainfall is predicted to be below normal, in portions of the Pacific Northwest, Northern Rockies and Great Basin. As a result, fire potential in the Great Basin, Pacific Northwest and Northern Rockies is expected to increase later this summer and fall. Existing drought conditions along the Eastern Seaboard could lead to high fire potential during the fall months. Above normal fire potential is predicted in California, the Great Basin, Rockies, Mid-Atlantic States and portions of the Pacific Northwest and Northern Rockies through the fall.

2002 FIRE SEASON

The 2002 fire season has already been a difficult one. Thanks to the National Fire Plan, the wildland fire agencies together have well over 17,000 fire employees to prevent, detect, and suppress wildland fires, treat hazardous fuels, and provide leadership for the organizations. When we realized the potential severity of the 2002 wildland fire season, we began to hire seasonal firefighters early and we are staging firefighting crews and equipment in locations where they can be mobilized quickly and effectively. Thousands of homes have been saved by firefighters, more than 300 large fires have been controlled, and about 42,000 fires were controlled through the end of June. Without the added National Fire Plan support, our response would not have been as strong. As of June 30, less than 1% of the fires have escaped initial attack to become large fires compared to an escape rate of 2 to 5% in years past. This year, when we went into Preparedness Level 5 (the highest level of preparedness), we still had approximately 221 hand crews available to be assigned. In fire season 2000, when we went into Level 5, we were stretched so thin we were already ordering military crews. Although several fires have been devastatingly large, the additional resources have made a difference in reducing the size of many of the fires.

Firefighting is a high risk, high consequence activity, and the Forest Service and Interior have always had strong firefighter safety and training programs. Firefighter safety is our highest priority. Following the ThirtyMile Fire tragedy in July 2001, where four firefighters lost their lives, we have reexamined our safety programs and identified areas needing improvement. The areas identified include managing firefighter fatigue, reinforcing use of the 10 Standard Fire Orders and the 18 Watch Out situations, and developing training to avoid entrapment by fire. All of these improvements in training and safety are in place for this fire season. We are committed to doing everything we can to improve firefighter safety.

Another critical aspect to decreasing wildfire is the reduction of hazardous fuels in our forests and grasslands. We can do this by restoring fire adapted ecosystems, thereby reducing wildland fire risks to communities, conserving natural resources, and most importantly, saving public and firefighter lives. Bipartisan Congressional support has provided the Forest Service and Interior with the necessary funding to increase the acreage of fuels treatment to reduce risks to communities and ecosystems. We have preliminary indications that recent fuel treatments have been effective in community and natural resource protection. We are currently gathering information to determine if these initial assessments can be validated.

When local areas anticipate or experience above normal fire activity, the Departments have the authority, through what is known as "severity funding," to provide suppression funds to those units so that they can bring in additional staff and equipment to improve initial and extended attack response capabilities and increase prevention activities. Already this year, the Forest Service has approved over \$53 million for severity assistance; Interior has approved over \$29 million in severity assistance. Federal wildland fire agencies have enhanced initial attack capabilities in Arizona, New Mexico, Colorado, Montana, and Nevada by pre-positioning resources ranging from airtankers, to hand crews, to engines in strategic locations. Weather, fuels, and drought conditions all contribute to the number and size of wildfires. We can reduce the severity of unwanted wildland fire over time through hazardous fuels

reduction. We will never be able to control every fire every time, but we can reduce the number and severity these wildfires.

REHABILITATION AND RESTORATION

Rehabilitation and restoration are critical parts of responding to the aftermath of wildfire. These efforts focus on lands unlikely to recover quickly and naturally from wildfire. Stabilizing activities generally take several years and include reforestation, watershed restoration, road and trail rehabilitation, and fish and wildlife habitat restoration. Reseeding is done when possible with seeds from native trees and plants. In addition, rehabilitation efforts continue from the 2000 and 2001 fires.

With the fires of recent days, Forest Service and Department of the Interior specialists are already in the field assessing conditions and preparing the burned area reports for emergency rehabilitation needs. Emergency stabilization work has already begun and longer term rehabilitation and restoration on these very large fires will continue for several years.

OUTCOMES OF THE NATIONAL FIRE PLAN

For the past year and a half, since the National Fire Plan was developed, Federal agency field units, States, Tribes and other partners have been busy, putting into action the concepts of the Fire Plan. In 2001, we accomplished a great deal of work in each of the 5 key point areas of the Fire Plan (Firefighting, Rehabilitation and Restoration, Hazardous Fuels Treatment, Community Assistance and Accountability)—work that has been summarized in the Fiscal Year 2001 Performance Report.

In Fiscal Year 2002, the Forest Service and the Department of the Interior expect to treat 2.4 million acres to reduce hazardous fuels and to protect priority communities at risk. Continued bipartisan Congressional support for working with communities and interest groups is vital to firefighter and public safety, to reduce risks to communities, and implement of the ecosystem health goals of the National Fire Plan.

Our mid-year review of accomplishment for the National Fire Plan shows that excellent work continues to take place. By the end of June, both Departments completed fuels treatment on over 1.6 million acres. Over 47 percent of these acres are in the wildland urban interface. Despite the severe drought, we will accomplish additional mechanical and prescribed fire treatments as weather permits. We anticipate that we will accomplish some additional mechanical treatment this year. Treatment by prescribed fire activity has been severely curtailed due to wildfire activity, through what is usually a productive time of year for treatments. Our employees have reported that recent fire behavior and photographs show that fuel treatments in Arizona and Colorado have been effective in wildland-urban interface areas and in natural resource protection. Although the initial indications are supportive of our fuels treatment, we are working to validate this information.

An example of our focus on hazardous fuels is the Blue Ridge Urban Interface project on the Coconino National Forest in Arizona, begun during September 2001. The project was designed to reduce the risk of fire around 10 subdivisions totaling over 1,000 homes located near the town of Clint's Well. So far the project has completed 4,230 acres of prescribed burning, 1,600 acres of commercial thinning and the chipping of thinning slash material on about 220 acres. On May 14th of this year, a fire broke out just south of the project boundary. Within an hour the fire had grown to 5 acres and began to spread rapidly through the tree canopy. As it moved into part of the project area, an area that had been burned in February, the fire activity decreased and crews were able to contain the fire. If the fire activity had not decreased, the fire would have had the opportunity to move through one of the subdivisions, perhaps burning the homes in its path.

In 2001, as part of the community assistance portion of the National Fire Plan, the Student Conservation Association in Idaho and Nevada launched the Fire Education Corps, a public-fire awareness project. Local teams working in cooperation with Federal, state and local authorities provided more than 500,000 residents with vital, wildfire safety information through: public presentations, special events, community canvassing, home evaluations, fuels reduction projects, and media relations.

With our State Forester partners through the State Fire Assistance program, we have assisted over 11,000 communities by developing local projects on fire prevention, fire suppression, hazard mitigation, and creating FIREWISE communities. Both Departments have helped over 3,100 communities by providing training, protective fire clothing, and firefighting equipment through the Volunteer and Rural Fire Assistance programs.

Our working relationship with our State and local partners has never been stronger. In addition to our Federal firefighting crews, we call upon many other fire-

fighting forces for assistance. State and local firefighters may be the first to respond to fire incidents. We rely heavily on these crews for support, especially the rural and volunteer fire department crews, for their expertise in structural protection. In severe fire seasons, State, Tribal, military, National Guard, local firefighters and supervisory firefighters from Canada, New Zealand, and Australia are instrumental in fighting wildland fire. We would like to thank you Mr. Chairman, for your work on the bill regarding tort claim coverage of foreign firefighting personnel.

The five land managing agencies have updated the majority of their fire management plans to be consistent with the Federal Wildland Fire Management Policy, with a goal to have all plans updated in 2004, if not sooner. Today the Wildland Fire Leadership Council is finalizing an interagency fire management plan template that will make fire management planning within all Federal agencies consistent and without regard to boundaries. The fire management plans are used by fire management officers, line officers and incident commanders to plan for future fire management decisions, and to make quick decisions when a fire incident occurs, as to the appropriate techniques and tactics for effective wildland fire suppression.

This year, the Departments are developing a common interagency fire budget planning process that will provide all agencies with a uniform, performance-based system for identifying the preparedness resources necessary to deliver a cost effective fire management program. This system will be deployed by the 2004 fire season and will influence readiness decisions for the 2005 fire season. Some interim components may be online even earlier.

On May 23, 2002, the Secretary of Agriculture and the Secretary of the Interior joined with the nation's Governors to endorse the Implementation Plan for the 10-Year Comprehensive Wildland Fire Strategy. The 10-Year Implementation Plan is an historic document setting forth an agenda to aggressively manage wildland fires, and reduce hazardous fuels, protect communities, and restore ecosystems over the next decade. The 10-Year Implementation Plan was developed in response to the high level of growth in the wildland urban interface that is placing more citizens and property at the risk of wildland fire, the increasing ecosystem health problems across the landscape, and an awareness that past suppression has contributed to more severe wildfires. The 10-Year Implementation Plan will help reduce the risk of wildfire to communities and the environment by building collaboration at all levels of government.

The newly formed Wildland Fire Leadership Council is important to the leadership, accountability, and coordination in carrying out the National Fire Plan. The Council, which has met three times, has participants from the National Association of Counties, the National Governors Association, the Federal Emergency Management Agency, the National Association of State Foresters and the Intertribal Timber Council. The Council provides oversight to ensure policy coordination, accountability and effective implementation of the wildland fire programs. Currently, the Council is developing action plans for each task described in the 10-Year Implementation Plan. These action plans will set the course for accountability for accomplishing this important work.

SUMMARY

With the outlook for a continuing severe fire season, the five Federal land-managing agencies and our partners at the State and local level are doing all that we can to be prepared. We will continue to do everything we can to protect firefighters, the public, and communities. We appreciate continued bipartisan support from the Congress. The 10-Year Implementation Plan and the Wildland Fire Leadership Council will continue to foster cooperation and communication among Federal agencies, States, local governments, Tribes, and interested groups and citizens. Our aim is to ensure the long-term safety and health of communities and ecosystems in our care.

This concludes my statement, Mr. Chairman. I would be happy to answer any questions you and the members of the Subcommittee may have.

Ms. COLLINS. Today I will be talking about the 2002 fire season. You have done a nice job of summarizing that already. Then I will also talk about our accomplishments under the National Fire Plan to date.

At the outset, I really want to thank you, Mr. Chairman, and other members of the Subcommittee for your support of our Fire Management Program, but more important, for your support of our

brave young men and women who are out there fighting these fires. This has been a really tough year and they are doing an impressive job under adverse conditions and they really do deserve our thanks and our support. So, we appreciate that.

The outlook is for a continue severe fire season, as you well know. Already to date we have seen over 3.1 million acres burned compared to one million less than that in our single largest fire season in 2000.

So, the fire season started out earlier than usual and it is more, gain, as you said, much more than the 10 year average that we have seen in the past. The drought condition in the southwest, Rockies and East Coast, has set the stage for an active fire season for the rest of the season and we will probably see the fire season extend into the fall on the east coast. We will probably hear more about that later.

The 2002 fire season has been a difficult one. Thanks to the National Fire Plan and wildland fire agencies together have over 17,000 firefighters out there to prevent, to detect and suppress wildland fires, to reduce hazardous fuels and to provide leadership to these fire organizations.

When we realized the severity of these 2000 and 2002 seasons, we started hiring seasonal employees early. We started pre-positioning our resources, our crews and our equipment so that they could be staged to remobilize quickly and effectively. Thousands of homes have been saved by firefighters. More than 300 large fires have been controlled, but more impressive than that, 42,000 small fires have been suppressed at the end of June.

Now, without the added money from the National Fire Plan and without that support, our response would not nearly have been this strong. As of June 30th, less than 1 percent of the fires escaped initial attack to become large as compared to the two to 5 percent in previous years.

We want to commend you for that because that is a huge accomplishment.

Firefighting is risky. It has high consequences and the firefighters safety continues to be and will continue to be our highest priority. Following the Thirty Mile Fire where four young firefighters died in July of 2001, we reexamined our safety program and identified a lot of areas for improvement. I would certainly be willing to talk about some of those as would these folks that are with me.

We are committed to doing absolutely everything we can to improve firefighters safety. We have implemented the recommendations from that Thirty Mile Report already this fire season.

So, let me quickly summarize the results today on the National Fire Plan. I have already talked about firefighting capability. Let me talk for a minute about hazardous fuels. Hazardous fuels reduction is everything about reducing risks to communities, restoring fire adapted ecosystems and most importantly, saving public and firefighter lives.

We can reduce the severity of wildland fires, unwanted wildland fires over time through hazardous fuels reduction. We will never be able to stop every fire every time, but we can reduce the number and severity of these wildfires.

In 2002, the USDA and Department of Interior together are treating, as you said earlier, 2.4 million acres to reduce fuels. Our midyear review of accomplishment shows that we have already made great progress. We have treated over 1.6 million acres, over 47 percent of these, between the two agencies, is in the wildland urban interface. Of course, that varies, as you said, at 70 percent for the Forest Service and a smaller percentage for BLM lands just by the nature or where BLM lands reside versus the Forest Service.

Despite the severe drought, we will accomplish additional mechanical and prescribed fire treatments where weather permits. Our employees have reported that recent fire behavior and photographs show the fuel treatment, both mechanical and prescribed burning in Arizona and Colorado have been effective in showing the progress of fires and helping to control them.

What is important here is your continued bipartisan support which is essential in realizing a consensus that we have to build around hazardous fuels reduction, not just prescribed burning, but mechanical treatments as well.

Turn for a second to rehab and restoration, which are critical parts of responding to the aftermath of wildfire. The kind of stabilizing activities generally take several years and include reforestation, watershed restoration, road and trail rehabilitation and fish and wildlife habitat restoration.

The Forest Service and Department of Interior specialists are already in the field assessing the conditions of the recent fires. Emergency stabilization work has already begun. I just read this morning that we have already restored the line around the Hayman Fire and emergency stabilization and rehab are going to take years. We need to be committed for the long term on this.

I want to turn to community assistance for a minute. With our State forest partners to the State Fire Assistance Program, we have assisted over 11,000 communities by developing local projects and fire prevention, fire suppression, hazard mitigation and the Firewise Program.

Both departments have helped over 3100 communities by providing training, protective fire clothing and firefighting equipment through the Volunteer Fire Assistance Program.

I just could go on and on about what we have done with our community assistance collectively. I think some other folks will probably talk about that some more.

Let me turn finally to accountability. On May 23, the Secretary of Agriculture and the Secretary of Interior joined with the nation's Governors to endorse a bipartisan plan for the 10-year comprehensive wildland fire strategy.

They established prior to this the Wildland Leadership Council, which was formed to provide the leadership accountability and coordination between the two departments in carrying out the National Fire Plan and this 10-year action plan.

The council is actually meeting this morning. They have met three times since its inception and they are in the process of putting the final touches on who is doing what in that 10-year action plan.

They are meeting with the National Association of Counties, National Governors association, FEMA, National Association of State Foresters and the Intertribal Timber Council. They are doing good work. So, with the outlook for a continued severe fire season and five Federal land management agencies and our partners at the State and local level, together we are doing all we can to be prepared.

We will continue to do everything we can to protect firefighters, the public, and our communities. We anticipate and we appreciate continued bipartisan support from Congress. Our aim is to ensure the long-term safety and health of our communities and the ecosystems that we care for.

This concludes my statement, Mr. Chairman. I would be happy to answer any questions that you and Members of the Subcommittee have.

Mr. MCINNIS. Thank you, Ms. Collins. We will open up for questioning. I will begin the questioning. I am curious. The threat of appeals and litigation, what kind of bearing does that have on the time that it takes to get the projects through the NEPA process?

Before the appeal process, you have a period of time that you have to get there, first. What have the threats of the appeal and the litigation threats—has that slowed down that process before you even get to the point where they can formally file an appeal?

Ms. COLLINS. Well, it does take, depending on who is signing that decision and where that appeal goes, but it does take anywhere from 30 to, as long as a year to get an appeal resolved at times, and depending on the levels of appeal.

The appeals process is just one of those many, as I think the Chief has talked about, many processes associated with the gridlock issues. We have analysis, multiple layers of requirements that has been layered on over the years as a result of many things. So, I don't want to put the whole thing on the appeals process, but the appeals process does add time.

I also want to say that the statistics that you were talking about are related to the mechanical thinning as opposed to the prescribed burning. I think everyone knows that, but I just wanted to make sure that got clarified.

Mr. MCINNIS. I guess my point is have you seen a paralysis on the pre-appeal process as a result of the aggressive appeals that have been filed?

Ms. COLLINS. Well, what the phenomenon is is this. It is not probably too surprising. It is that when a decision that you are working on is likely to be appealed or you have a sense that it might be appealed because of the public involvement, you end up putting a lot of time, the term people use is "bulletproofing" a document.

And really, I think our analysis that we submitted to you all shows that it really for the most part doesn't add a lot to the quality of the decision that is being made. But it is in anticipation of a potential appeal and litigation. If you really want a project done, you don't want it appealed and you don't want it litigated, otherwise it takes, sometimes, so long to get it done that it sometimes can be a moot point. At times the project does become moot.

So, you try to modify the project. You try to build the analysis so that it will sustain itself on appeals. That can be a lot of work.

Mr. MCINNIS. Finally, you have heard some strong statements in our opening remarks about the Forest Service and their hand in the cookie jar and dealing with commercial logging and so on. Is it a policy of the Forest Service that their first priority or any priority is for commercial logging? I mean it seems to me that there has been an emotionally driven campaign that any time the Forest Service wants to go in and do something, some kind of management in the forest, that the easiest way to stop it is to paint you in the same bedroom as a commercial logging operation. Can you go through a little of that with me?

Ms. COLLINS. Yes, I would really like to do that because I think this is something that we have been dealing with for a long time and I would sort of like to make sure that we have the facts in front of us on this.

First of all, we are not spending any hazardous fuels money on timber sales. We just plain are not doing that. What we are trying to do through our planning process is look at the land first and what does it need and on a landscape basis. In so doing, and legitimately, we are not out there trying to grab timber. We are trying to see what the land needs.

You all know, I was a Forest Supervisor and a line officer for 10 years on a very fire-prone ecosystem. You have 100 trees per acre where traditionally you might have had six to ten. I mean these stands are overstocked. They have to be treated. Sometimes you look at the stand of 100 trees per acre and you say, "How do I get that removed?"

Well, what are my choices? My choices are, I could prescribe burn, but that is way too dense a stand to put a fire in without thinning first.

My second choice is send a bunch of Forest Service people out there in uniform and get them to cut down those trees. You know, you pay your Forest Service employees to do it.

The third thing you might try as you consider a services contract where you pay somebody to remove that and maybe if it has some commercial value you could sell it in a log yard of some kind or the third thing you can do is someone will pay you to take it out and you use a vehicle like a Greensheet or a timber sale.

The planning of that, if you know in advance it is going to be for hazardous fuels reduction, you plan it on a landscape basis using hazardous fuels reduction money and when it gets to the point where you know some of it is commercial and some of it is not, this piece over here I am going to prescribe burn, then you allocate the dollars accordingly.

That is how it works. It makes economic sense to get money back when you can, again. I think Mr. Inslee is absolutely right, we are not necessarily always this clear about the purpose of these projects as we could be. But we do need to understand.

I think we have given you these statistics before. Between 50 and 60 percent of our timber sale program is cutting trees for stewardship reasons, between 50 and 60 percent. It is not for timber volume reasons. It is to increase elk habitat, wild turkey habitat, to

reduce fuels hazards, to improve water quality. It is for a lot of those kinds of things.

So, when you think about it that way, we have the effect in many of our timber sales of reducing fuels. That is kind of the landscape I am trying to describe. I don't know where the issue comes from that we are doing something that is underhanded at all. I think we are trying to be absolutely straightforward in this.

I would be happy to try to clarify it in any way I can.

Mr. MCINNIS. Thank you, Ms. Collins.

Mr. Inslee.

Mr. INSLEE. Thank you, Ms. Collins. I appreciate your testimony, especially the part where you said I was right. I really liked that. I want to make sure that you understand, too, that I am not saying that the Forest Service has been involved in any sort of underhanded dealings, some sort of conspiratorial thing.

What I suggest to you, though, is that the Forest Service on quite a number of occasions has proposed projects that were driven or at least have the impact of using much more commercial timber, big trees, than were really necessary to do the fuel reduction work that a lot of us feel needs to be done.

That is where the controversy is here. That is where there has been these appeals filed. Let me give you an example. And by the way, before I give you some bad examples, let me give you some good examples. You have had some successes, the Happy Jack, there is a great name, Urban Interface where you did 452 acres of thinning trees where you had a limitation of five inches in diameter.

You said, Look we are only going to do trees less than five inches in diameter. The community said, Great, wonderful. No appeal.

The Victorine Project where you did 6,000 acres of prescribed burn, no appeal, no problem.

The Blue Ridge Urban Interface where you did 11,449 acres of thinning trees. You put a limitation on it of nine inches in diameter, no problem, no appeal.

What I am seeing from this is where the Forest Service puts limitations on diameters of trees to make sure that it is a reduction of these small trees that causes the fuel fire loading rather than the big trees which many people think reduce the problem, then we don't have a problem.

But where you don't do that, there you find these appeals like in the Upper Blue Stewardship Project of the White River North National Forest where you proposed to take out 15 million board feet of logging. You had no diameter cut requirement. Some citizens appealed, including, interestingly the ski industry and the project was withdrawn.

In the Upper South Platte Project of the Pike-San Isabel National Forest, you proposed to do 5,000 acres of roadless logging, again, no diameter limitation on trees. It was an appeal and you had a difficulty.

I guess this is where the difficulty occurs. What I would like to ask you is what is the best way you think we can get to a definition so that citizens have more confidence in your decisionmaking that you are really doing fuel reduction rather than commercial logging?

Ms. COLLINS. My response is this, and I guess it comes from, again, being a line officer out there in a community for many, many years, that what works best is to get those folks in that community together, out kicking the dirt and looking at what trees you have got. It is so different from place to place.

What is small in one place and what is healthy in one place is different than what is small and what is healthy in another place. It varies by ecosystem type and it varies by species type. Where we needed to do thinning we were talking about much bigger trees than five-inch and nine-inch trees where you had second growth Ponderosa Pine in Central Oregon that would burn hot.

So, I think you run a risk by setting something like diameter limits which is so variable. But I do think that if you work with people in the community and certainly we were finding that it was very successful, you get great understanding and you can reduce appeals if you spend some time with people talking about what is going on and what is really needed there. You take the scientists with you.

Mr. INSLEE. I agree with you. Let me suggest another way that I think we could really help this program. That is to increase our focus on spending our scarce dollars for fuel reduction programs in the urban wildlife interface to protect people's houses first. You know, we have to do triage here. Where should we spend our first dollar?

I will tell you, my constituents think the first dollar ought to be spent protecting people's homes. Yet, I just got the statistics for 2001 and only 32 percent of the acres proposed for treatment in 2001 were around people's homes in the wildland urban interface.

Much more of it was spent up on the roadless areas where frankly there was some more commercial logging available, but we weren't protecting people's immediate homes.

Now, Congress has tried on several occasions to get the Forest Service to focus more of its money on protecting people's homes in the wildland urban interface. Why aren't we spending nearly 100 percent of our money first protecting people's homes and Forest Service programs?

Ms. COLLINS. Well, we have been listening to this. Is it the wildland urban interface or is it the large ecosystem where you spend your money first? I think that the answer is it is both. It is not all one or all the other.

It clearly is important for us to provide and protect for those communities in and around our forests. That is absolutely essential and that is our first priority.

However, we have huge issues with, for example, the Hayman Fire, a municipal watershed. We have issues with threatened and endangered species we need to protect out in the larger ecosystem. One of the reasons why we want to keep this focus back on communities, the reason for the 10-year action plan, the reason why the Westerns Governors, the National Governors Association are so committed to these efforts to identify priorities is that it is only that community that knows what resources are important.

There is another dimension to this, a couple more dimensions to this. From my standpoint, when I saw homes burn every two to 3 years in Bend, Oregon, those fires started miles from those homes.

Some of them actually had done a lot of work in terms of fuels reduction. The fires have their own patterns in different places and we know where wind patterns are, we know where the fuels are. We know what needs to be treated in order to get a hold so we can prevent those fires from going into communities.

In the second part of that is that there is a whole lot more to a home than a house. The context within which a house is located is essential. You can protect the structure, but you also have to protect the environment around which that home is situated.

Mr. INSLEE. Well, just one suggestion, and I appreciate your forbearance, Mr. Chair, I know you have been listening to this where Congress has been telling you protect the homes first. The reason you have had to listen to it for years is you are still not doing it.

That is why you are getting more appeals than you like. If we can get you to focus on the urban wildlife land interface, we are going to have a lot better program, we are going to have a lot less appeals and we are going to make a lot better use of taxpayer money. That is what my constituents think.

Thank you very much, Ms. Collins.

Mr. MCINNIS. I would like to point out, Mr. Inslee, that still in the northern forest region 53 appeals, 100 percent appeal rate.

I also want to point out in the South Platte, that despite the homes that were destroyed, one of our biggest concerns up there in that fire was the watershed. We have millions of people who depend on that watershed up there for the municipal drinking water in Denver and some of these other metropolitan areas.

Now, you wouldn't call that urban watershed, I mean there are not a lot of homes right there. But we have critical other elements, as well as our elk habitat, our bear habitat and things like that that I expect you to help try and protect.

One other thing I should point out is that on the South Platte there were diameter limitations, but it was still appealed. Mr. Tancredo.

Mr. TANCREDO. What were those diameters, do you know?

Mr. MCINNIS. I will get you the numbers by noon.

Mr. TANCREDO. Well, Mr. Chairman, it doesn't matter.

The statement was made here that there were no diameter limitations and in fact there were. They were on the second go-around. It wasn't the first appeal, but the second appeal.

After diameter limitations were put in place, there was a sixty-page appeal filed.

Mr. INSLEE. Do you know what those were, Tom?

Mr. TANCREDO. I think 14 inches. I think that is what it is. I am not positive. I think it was 14 inches. But you said that there were no diameter limitations and that is not accurate.

Mr. INSLEE. For the record, I was referring to the first appeal. We can talk about this with the panel, but I think this is the problem we are getting into, that community members across the country have found occasions where the Forest Service has wanted to cut down trees like this, Tom.

This was in a proposed fuel reduction program.

Mr. TANCREDO. Claiming my time, Mr. Chairman. I need my time.

Mr. INSLEE. Thank you.

Mr. TANCREDO. It is a fact, is it not, I guess I will go to the panel and ask you whether or not it is accurate that there are times when you are doing thinning in order to in fact create a fire break. You must remove some larger trees. To leave them there actually creates a problem because of what they call canopy jumping, the idea that a fire moves from canopy to canopy.

It is possible that you at some period of time in some situation have to remove larger trees in order to actually make a firebreak. The idea that you can perfectly cleanse an area with a restriction of the very small diameter trees may not work. It may not be the best way to do it.

That is the whole issue we are talking about here, about giving you some flexibility in that process. But it is almost impossible to do any of these things, frankly, when you realize that not everybody that approaches this issue is doing so as a result of just their purpose of making sure that whatever management plan you implement is the right one for that forest and that it accomplishes the goal of good forest management, because a lot of participate frankly don't want you in that forest at all, or anybody else, any other human being.

I mean the Sierra Club, as I understand it, has a policy that to oppose timber cutting, period. It doesn't matter the purpose. So, it again goes back to a motivation as to why people are interested in what they are trying to accomplish.

So, as long as you can, with a 32-cent stamp, anybody can stop you from going ahead with some sort of management plan that is designed to reduce the possibility of catastrophic fires. We are going to have these horrendous problems like we have seen in my State and in Arizona.

We have to do something that changes that process, something that allows people to have input into the management plan, it is true, but then at some point in time does not allow for this, as I say, a 32-cent stamp. No, I'm sorry, it is 37-cent stamp. That goes to show you the last time I sent a letter. E-mail is the thing.

At any rate, a stamp of some cost, relatively inexpensive, can stop the process. It seems to me that we have to look at something else. The "something else" I would like you to comment on that has been presented as a possible alternative, management plan, is something we call charter forests. We sent it over to you some time ago, a bill that we have for that purpose. I just wondered, No. 1, if you had a chance to review this concept and get your comments about it, especially that part that allows for—everybody to have a place at the table to participate from the outset, in the development of the plan.

Once that plan is decided upon, there is one EIS and then the Forest Service takes over the management and that's the end of it, essentially.

Ms. COLLINS. I am really sorry to say that I have not read that in detail. I will do that after this. I would like to comment on that notion, though, the notion of what do we really need. Because I think charter forests offer the opportunity to experiment with some ideas and we really look forward to doing that.

I think that it is important that we bring lots of different people together on that because I know that there are people worried about what that may mean.

But I do think regarding appeals, what we really want to see is a process that pulls people together rather than pulling people apart, because one of the things that is happening with our current appeals process is that it has become kind of a quasi-legalistic kind of process where the average citizen has a kind of hard time operating in it, as it becomes a precursor to litigation in many cases.

Mr. Bosworth, the Chief and I, really feel strongly that people need to have a right to say, "I don't like this project and I don't like it for these reasons."

We need to be able to say, "This is a bad project," or "I really like this project and I want you to go forward with it."

What has happened is that we have accumulated a process because it is sort of quasi-legalistic, that there are numerous hooks on process. Did you look at these five steps in this manual? Did you consider this piece of science in this way at this point in time?

It is all about process. It is not about is this a good project or not? So, we need to come up with a way to incent people to come together and talk and trust and try to figure out if there is a solution, rather than having this process that is sort of hanging out there that people can grab hold of.

I really do support people's right to grieve things. I certainly have used it in many other realms of my life, and I certainly want people to have that right. But I do think it needs to be a responsible and responsive process that is not this costly and this timely.

Mr. TANCREDO. Thank you.

Mr. MCINNIS. I might add that for your process to work, Ms. Collins, the parties that are involved have to want a solution. They have to enter willing to compromise, willing to be constructive and come to some kind of solution.

Mr. Udall.

Mr. TOM UDALL. Thank you, Mr. Chairman.

I want to ask about the report itself that you have produced and where is the background data on this. Which forests are we talking about? Which appeals? I notice in one of the addendums to your report you list all the appellants, but you don't list which projects we are talking about. I think the key to what Mr. Inslee is trying to get at is if we don't know the projects, how are we to analyze this is report and see if it is accurate or not?

Can you get us the projects that are included here? I notice you are talking about 326 decisions, 155 that were finally appealed, 21 decisions that has been litigated.

It is my understanding that our side of the Committee and the Committee staff has been trying to get that from you. We don't have it here at the hearing. We are unable to really do a solid analysis of what is going on here. Is there a reason for not putting that in?

Ms. COLLINS. What we did, we put this together without—we don't have that, but we can certainly get it to you and we will get it to you.

Mr. MCINNIS. I might add, too, Ms. Collins, the General Accounting Office is going to do an in depth analysis as a follow-up, giving

you exactly the information that you asked for. So, that information will be forthcoming from the General Accounting Office.

Mr. TOM UDALL. Mr. Chairman, when we have a hearing, though, you know, we are going out here with this information and I think we are going to get a slanted approach in terms of what is going on here if we don't have the full information before us.

Mr. MCINNIS. Maybe that is what happened with the 1 percent, Mr. Udall.

Mr. TOM UDALL. Well, no. That was a GAO report and I think it was a good solid report. Are you contesting the GAO report that said 1 percent? Are you saying there is serious problems with that report and they were lying or something? Are there untruths in it?

Ms. COLLINS. No, no, no, no. What happened with that report, you get a different answer depending on the question you ask. I think one of the things that GAO said recently, I just saw a letter that they sent yesterday saying they were going to re-analyze it. They are going to re-analyze it for a variety of reasons. One is that they looked at projects that basically had, many of them already had, I think 20 percent of them had the appeals already completed on them.

They were also looking at prescribed burns which don't even, most of which, many of which, don't even have an appeals process. So, the numbers were skewed to begin with.

Mr. TOM UDALL. You mean you are saying prescribed burns? They have an appeals process just like all the others.

Ms. COLLINS. No, many of them are categorically excluded from NEPA and do not have an appeals process.

Mr. TOM UDALL. Well, then they are not controversial.

Ms. COLLINS. Well, some are and some aren't.

Mr. TOM UDALL. So, you will get us the full data, then?

Ms. COLLINS. We will, yes.

Mr. TOM UDALL. Mr. Chairman, I think we should have another hearing on the full data and knowing what the projects are.

Can you tell me whether or not any forests in my Congressional district, the Santa Fe National forests are included here as listed? I look at the appellants and I see some environmental groups that are in the Southwest that could be a part of this. I don't have a clue, so how am I to question your results?

Mr. INSLEE. Mr. Udall, would you yield for a minute because I have some information that may answer this question.

Mr. TOM UDALL. I will.

Mr. INSLEE. In November 2001, the National Forest Service proposed to do a prescribed burn on the Bighorn National Forest of 23,000 acres. Sounds significant. The Intermountain Forest Association, a timber industry group, filed an administrative appeal of the prescribed burn, arguing that the Forest Service should instead build expensive roads in the roadless areas and permit the industry to do "merchantable timber," meaning big tree logging.

The appeal was rejected by the Forest Service in January 2002. Clearly there is an ability of the community because the timber industry sure filed an appeal because they wanted to get in there and log big trees.

I just point this out. It is an example of the problem we have. A lot of these appeals that are filed are not just by the environ-

mental community. A lot of them are people who want to get in and log. You are getting it from both sides. I understand that. I just hope that helps you out, Mr. Udall.

Ms. COLLINS. We will get you that information. We will be happy to do that.

Mr. TOM UDALL. It would be very helpful. Mr. Chairman, I would like to come back when we know what we are talking about here because this is a very sketchy report and it comes to some conclusions that are different from the very thorough GAO report that was done earlier.

You talked about the appeals process. There is this huge question that the appeals process is not working. That seems to be the conclusion from the Chief on down, the appeals process is not working.

But the other way to look at that is that only 6 percent of these are going to litigation. That is a very, very small number. That means in the appeals process you are actually working out all of your problems, aren't you? And when you have this very small number of appeals actually going to litigation, that is a number where, you know, most cases that are filed in court, they all settle before you actually get to the final result and get to a jury.

It seems to me that we are talking here about an appeals process that is working out the problem. Do you have any comment on that?

Ms. COLLINS. Yes. I would say that you can get really focused on the numbers and the percentages here. I understand why there is a concern with that. But the reality is that every appeal and every lawsuit has its own set of decisions and precedents, some of which are conflicting.

The result is an environment where people are feeling like they have to document everything. Now, we are working on that ourselves. We have to figure out how to be on top of the latest science that is quoted in a litigation decision.

But you see that that ultimately builds a huge record. I was out there talking to a biologist the other day in the South. She said 3 years ago her biological evaluation on this particular species was 16 pages now. It is now 65, just because of additional requirements that get added.

That is what comes from decisions that are made. So, again, whether it is one or 21, and the fact that they are different makes this a very confusing and very difficult process.

Mr. MCINNIS. The gentleman's time is up.

Mr. TOM UDALL. Thank you, Mr. Chairman. And we will get the list of those names?

Ms. COLLINS. We will get you those.

Mr. TOM UDALL. Thank you.

Mr. MCINNIS. Mr. Hayworth.

Mr. HAYWORTH. Mr. Chairman, first of all, thank you for the recognition.

A half million acres in my Congressional district burned. Hundreds of homes were lost. Thousands of lives were disrupted. I could sit on this dais today and be involved in the rather intellectually stimulating, but ultimately futile game of can you top this in terms of debating rules.

For example, I could point out that the Chairman has the letter from Barry Hill of the GAO clearly setting forth the methodology. I could go down that route. I could note that it is so curious, the demonization of timber harvesting that we are hearing as if commercial and job creation, industries and enterprises are demonic or evil and somehow not in the public interest, and some may hold that view.

I hope that is not the case. I hope that is not what I'm hearing, but if we continue to have that mindset, and I welcome the informal discussions that I have had with my friend from Colorado who grew up in Arizona, as did my colleague who represents the first district of Arizona, grew up in Snowflake, right there by the forest.

I know that the forest in New Mexico last summer, we had a horrendous experience there with my colleague from New Mexico. I just lament the fact, people at home have said, we really need to stop pointing fingers and we need a dose of common sense.

When the President came to the district the message that came back was this: Maybe we ought to call it an enlightened environmentalism. Enlightened environmentalists are for effective forest management. To me that means what is reasonable. Is it unreasonable to have harvests of timber, a renewable resource, without clear cutting, without damaging old growth, with doing things in a responsible manner?

What is unreasonable about that? What is evil about commercial endeavors, especially if those endeavors actually put money in the Treasury.

We have heard a lot today, and I just have to point out, fresh off my fax, Sally talks about being on the front lines and being involved in forest management. I have a letter here that comes from the Apache Sitgrave National Forest. Let me read to you and I quote:

"The apparent effect of the appeal regulation is to push out staff responsible for land treatment into a mode of proposing and implementing small wildlife urban interface projects when a larger scale is more appropriate."

Repeating, "when a larger scale is more appropriate." The litigation over the BACA Project and other lawsuits regarding grazing has generated a decisionmaking process that must meet standards for court scrutiny rather than what would result in a reasoned choice among alternatives, as is set as the objective of the National Environmental Policy Act, NEPA.

Sally, do you concur that sometimes the court regulations established in this endless march of litigation departed even from NEPA and what has been legislated as sound science and a reasonable way to move forward?

Ms. COLLINS. Well, I can't address specifically whether the courts are conflicting with NEPA. But I can say that I think that we are, as you said, in a situation where blaming anyone is not productive. What I have seen over the years is that if you get reasonable people together looking at reasonable projects, you get a lot of consensus. I think you can get that.

I have only been back in Washington for 2 years. But I can see that we debate things, we talk about things at this level. But when

you actually get people out there on the ground talking together, magic happens. I have seen it over and over. I think it can happen.

I would like to see us create processes that encourage and incent that more, create incentives for people to do that more.

Mr. HAYWORTH. The key word here is reasonableness. The standard of western jurisprudence is the context of what would reason people do. And more than firebreaks around homes and more than residential fire treatment is a comprehensive program for healthy forests.

I welcome constructive endeavors. But when we sit here in an accusatory tones and decide that people who have made their living off resource-based industries are—the implication must be—somehow less than honest or somehow evil in their intent, we do little to solve the problem.

I would hope that the charred acreage in my district would stand as silent testimony to the futility of dealing in legal abstractions. The timber industry in Arizona for all intents and purposes is dead. The jobs are gone.

As I told the press, for those who say they champion diversity, where is your biological diversity when everything is incinerated? Yield back.

Mr. MCINNIS. Mr. Udall.

Mr. MARK UDALL. Thank you, Mr. Chairman. Good morning to the panel. Thank you for your testimony, Deputy Chief Collins. I want to redirect the folks of the Committee onto, I think, the future.

Just recently, on the 26th of June, I wrote the Chief, asking him to appoint a broad-based panel to review the Hayman Fire in Colorado and to see what it can teach us about ways to reduce the risk of similar extreme fires in Colorado's Red Zones and I hope in other Red Zone areas.

I think this could help build some consensus and speed progress. I haven't received a response and I understand that this is a busy time of year for all of you, particularly busy with what has been occurring.

But, have you had a chance to review the request and if so, could you give me some preliminary input and reaction to the proposal?

Ms. COLLINS. Mr. Udall, we have had a chance to review it. We have had a lot of discussions. I personally talked to Rich Cables in Colorado about it and Dale and I have talked about it. He got some people together yesterday and discussed it.

Let me just tell you what we are thinking because we really do believe that that is a good idea. We have asked Rick Cables in our research community in Rocky Mountains to get together and talk about who might be the right mixture of people to look at that.

I think that the other piece of it that we are considering is, you know, maybe this isn't the only fire we want to look at that way. Maybe this is something we maybe look at more broadly because one of the things that this could do, I was just reading the summary of this research report from a Colorado State University professor, Phillip Omni. Have you heard of that report? It is basically the effect of fuels treatment on wildfire severity where he actually looked at wildfires and the impact that those wildfires have on the hit or treated area.

This is the kind of thing, and this is done through a joint Fire Sciences Program, you know, where we fund universities to do research for us. This kind of research, this kind of thing could be done through sort of a review like the one that you were talking about where we actually take a look at what happened during that fire and what were the effects, for example, when it hit some of these treated areas and what are the effects afterwards? What are the effects on the watershed, the Denver watershed? What are the effects on soil erosion and that kind of thing?

Where did it burn hot? Where did it burn cool? We like that idea. I just wanted you to know that we are working on it and we should get a response back to you shortly.

Mr. MARK UDALL. Excellent. I would look forward to it, as I am sure all my colleagues on the Committee frankly, to take a look on-site at some of the areas that were treated and how they responded during the fire, particularly the Hayman fire, but I think there are other places in other forests where some treatment activities occurred.

We can certainly learn a lot from what happened. We can also look at the dwellings that survived and of course, those that didn't and learn more about how our defensible space activities are effective or not so effective.

So, I would hope that we can move together, all of us, to learn from the fires and begin to do the important work of preventing this occurrences in the future.

Let me move to another question. As many of us here did, I strongly supported the National Fire Plan. I was one of the Members who asked the GAO to review it. The GAO made some recommendations, including establishing a coordinating council and putting a higher priority for work in the urban wildland interface.

In March, to follow up, I introduced a bill along with my colleague, Mr. Hefley, and my cousin, Representative Tom Udall, to implement the recommendations.

After that the Administration did establish the coordinating council. Then on April 11, the three of us who introduced the bill wrote Secretary Veneman and Secretary Norton urging further steps to implement these recommendations.

So far we haven't received an answer. Do you have any sense of when we can expect a reply?

Ms. COLLINS. I actually think the reply is coming shortly. I think the gist of it is going to also be that you have a definition of wildland urban interface in there that talks about how we would work through those decisions. I think that Wildland Leadership Council is going to actually be able to use some of that information as they look at criteria around which priorities will be developed on a local basis.

I think through that process we will find those projects gravitating to those areas of local concern.

Mr. MARK UDALL. Thank you. I will look forward to that reply.

Let me just conclude by saying I share the concerns and the feelings expressed not only by my colleague, Mr. Hayworth, but my cousin, Congressman Udall and Congressman McInnis and everybody on the panel.

If you look at the West's history, the West has a rich history. It has a history full of conflicts that were followed by tragedies, range wars being one example, the gold rushes where native peoples were overrun, the Mormons from whom I am descended, there are many conflicts and tragedies that followed.

There are also great examples of collaboration where Westerners pulled together and built communities and responded to the natural world, which is a very strong force in the west. Mother Nature always bats last in the West.

We now face another crossroads. We can work together and move ahead and return our forests to a healthier condition, or we can find various groups to demonize. There is a lot of finger-pointing going on and we can continue to indulge ourselves in the finger-pointing or we can move to work together.

That is the commitment I am making to my constituents, to work for the future. And I hope we can do that in this Committee. Thank you.

Mr. McINNIS. Keep in mind, Mr. Udall, that in the West with public lands there are many organizations based in the East who have some voice in that. So, it is no longer restricted to us resolving our problems amongst our family in the west.

Mr. Flake.

Mr. FLAKE. Thank you, Mr. Chairman.

Ms. Collins, we in Arizona, as Congressman Hayworth indicated, it is all located within his district, but I grew up just outside of the periphery of the fire. I grew up with many of those who have made their living thinning the forest, actually making the forest more healthy, who have now been stymied over the past several years.

The logging industry is completely gone, gone. So, it is going to be difficult to buildup that infrastructure to actually go in and maintain the forest health that we need. But I think we are going to see the first test of this new cooperation that may exist between environmentalists and others when we see what the response is to the attempts that will be made over the next couple of months, it has to happen soon, to go in and do some salvage work in the burned out areas.

Do we have any indications yet if those attempts will be appealed?

Ms. COLLINS. We don't have any indication because we are just barely through our BAER process, Burned Area Emergency Recovery, to know what we even have there and what might be available for salvage. So, we know those are controversial. They have been for a long time and they will probably continue to be. I think we will need to work with people to work through some of those problems.

Mr. FLAKE. It is my understanding that the attempts to go in and salvage some remaining economic value in Montana were blocked, as they were in New Mexico recently.

Ms. COLLINS. Yes.

Mr. FLAKE. Is that the case?

Ms. COLLINS. Yes, it is.

Mr. FLAKE. Those have not been allowed to go forward?

Ms. COLLINS. I think on the BitterRoot we actually came to some agreement, but I don't have that specific information here with me.

Mr. FLAKE. It is my understanding that exhibit Center for Biological Diversity, located in Tucson, actually, filed suit in New Mexico to block that sale. Is that your understand?

Ms. COLLINS. I don't know. I would have to get back to you on that. I am sorry.

Mr. FLAKE. What is the position on the Forest Service? Is there any inherent damage that is done by going in and salvaging some value left there to the trees? It has to be done, as I understand it, in 2 months you can get all the value and in 2 years there is no value at all.

Ms. COLLINS. It really depends on the species and it depends on the area and it depends on how hot the fire burned. It depends on a lot of factors. But assuming that there is some commercial value there, and assuming that that is in a forest plan allocation that allows for commercial harvesting, we would go in and we would remove that. It might have and it might not have beneficial effects to wildlife, to reducing fuels hazards in the future and that sort of thing.

But certainly that is what we do. We often salvage. We often don't salvage in some areas, depending again on what the priorities for management of that area are.

Mr. FLAKE. But in this case we have about 600 square miles. It is likely that it will be something salvageable.

Ms. COLLINS. There will be some area in there, probably, that could be salvaged.

Mr. FLAKE. Thank you.

Initially, a lot of people quoted the GAO study, the 1 percent, particularly those from the environmental community, saying that we are not blocking forest thinning projects.

Now, with the new information coming back indicating that in all appealable decisions, particularly for the region where the Arizona fires were located, at least 73 percent of all appealable decisions were appealed.

Now, on that side they are saying, well, those are different. Those are logging. They try to put the logging face on it. Can you make a comment on what—they try to separate forest thinning now from logging. Can you comment on the interface there, if you will, between forest thinning and logging?

Ms. COLLINS. Well, when I was talking before about there is a lot of ways to get the fuel out of the woods. You can pay someone to do it or you can do it and get money for it.

Mr. FLAKE. So, what the environmental groups term logging is actually forest thinning?

Ms. COLLINS. Well, it is often a commercial thing where you are actually getting value for thinning and you are selling that product. So, someone is paying you to take that out of the woods. Again, that is contingent upon you doing an analysis. This is the kind of stand density we need. This is what we need for wildfire cover. This is what we need for riparian protection. Then you decide whether or not you are going to thin it because it has commercial value through a commercial product sale or you are going to pay someone to do it.

Mr. FLAKE. I thank the Chairman.

Mr. MCINNIS. Ms. McCollum.

Ms. MCCOLLUM. Thank you, Mr. Chair.

I just had one of our foresters stop by the office today that the Department of Forestry had recognized Dennis Ninsky up in Superior. I have been up to Superior. We have been talking about the West, and the West is important, but I think people need to hear some potential good news sometimes, too.

In Minnesota we are waiting for the dollars. We are all set to go. We are all set to go in the Boundary Waters. We are ready to save homes. We are ready to save life. We are ready to protect the remaining forests. We are waiting for the dollars.

The Forest Service is ready. The DNR is ready. Canada is even ready to work with us. The tribes are ready to work with us. All the local units of government and yes, the environmental community is with us. And yes, the Forestry Round Table and the Forestry Council, when appropriate, have a say in it.

So, we are waiting for the dollars. From some of the opening statements that were made here, having had thinning going through, fuel reduction going through, could have played a major role in reducing the amount of destruction, damage, loss of property and the potential loss of life.

So, just in the Superior Forest, and I would like you to comment on what we can do here, the estimate is \$53 million. An ambitious goal would be 7 years. I would ask the Forestry Service, just using Superior as an example, not saying it needs to go to the head of the list, just as an example, what are the chances in the next 7 years of getting \$7 million to do the reduction so that we do not face the same tragedies as Mr. Hayworth has just gone through?

What are the chances, based on your appropriations, of being able to get the job done?

Ms. COLLINS. And what you are talking about there is commercial thinning, non-commercial thinning?

Ms. MCCOLLUM. It is the Boundary Waters in Superior National Forest.

Ms. COLLINS. It is the blow-down?

Ms. MCCOLLUM. It is the blow-down that happened many years ago. We still have blow-down from '91. What are the chances, based on your budget?

Ms. COLLINS. Well, I think we have talked about the allocation we have for fuels treatment. It is less than we had in a pretty, actually, non-aggressive strategy in our cohesive strategy. So, I think that we can do more fuels work with more money. A lot of it is just looking to how we allocate that money nationally and how that kind of plays out.

Ms. MCCOLLUM. So, in other words, we don't have enough money, period. In Minnesota we have an open fire appropriation. We take fire very, very seriously.

Ms. COLLINS. Yes.

Ms. MCCOLLUM. It is an open appropriation. If we have to come back into session, the Governor will call us back.

Ms. COLLINS. Right.

Ms. MCCOLLUM. I would like, because this is my first term in Congress, I would like with the inflation built in, how much dollars you have had—let's go to the '91 blow-down. I will just use '91 for

an example. How much unmet need there has been in Minnesota and what your plans are for going forward.

Because without you having an open style appropriation to take care of what is going on currently right now in the West, and what you have identified in the West, I just wondered not only how Minnesota, but the rest of the national forests can expect not to be put in the same hazardous position.

It is my goal to work with you on that, so I want to know what your unmet needs are.

Ms. COLLINS. I appreciate that and I also really appreciate the situation you have up there. I flew over that blow-down last year and I have canoed in that same area. I know that is just an unbelievable situation up there. So, I will get that information back to you so we can see how we might work together.

Ms. MCCOLLUM. Mr. Chair, I know that there are other examples of other national forests that are probably all ready to go. We have everybody at the table. Everybody is signed on. But until we figure out how to get the dollars appropriated, we are going to be creating a hazardous condition up there.

Thank you, Mr. Chair.

Mr. MCINNIS. Thank you.

Mr. Herger.

Mr. HERGER. I thank the Chairman. I thank the Committee for allowing me to sit in on this hearing. It is incredibly important. I represent an area in northern California, northeastern California with 11 national forests within it.

Fire is an everyday, in the summertime, June, July, August, threat to us in our forests. So far the tally is running about 200 percent above the 10-year average already. We have 140 percent that is burning above the record-setting 2000 fire season.

Just to respond to the gentle lady from Minnesota, I can mention that back in 1996 we had a blow-down in the Seven Rivers National Forest in which we attempted to go in and remove these trees.

The radical environmentalists, the Sierra Club, the Wilderness Club, sued and sued and sued and prevented us from taking these—these were blown-over trees. These are now dead and dying trees. They prevented us from removing those trees while we could get commercial value out of them that would pay for them.

We didn't get virtually any trees out of that forest. Now, we have the same problem that you have. Now we have to have taxpayer dollars go in and remove them. So, again, we see another example where the radical environmental community doesn't mind taxpayer dollars going in to remove the trees.

Ms. MCCOLLUM. Can I ask the gentleman to yield for a statement?

Mr. HERGER. I only have a limited amount of time. This is so very important.

Ms. MCCOLLUM. Well, you are mistaken, sir.

Mr. MCINNIS. Ma'am, Mr. Herger has the floor. Mr. Herger, you may proceed.

Mr. HERGER. Thank you. Also, some of the good news here, and again, I have been in Congress now 16 years and this has been an increasing problem of our forests, particularly during the Clinton-

Al Gore-Bruce Babbitt years where they basically didn't allow us to thin our forests at all.

We have forests that are ten times denser than historic levels, not where everything has been clear cut, but where we have fire ladders of brush and different layers of tree levels getting up into the big trees; where now rather than having a healthy fire that clears out the brush, now we have catastrophic fires that destroy everything.

There is no habitat for the Spotted Owl or anything else. So, this is very important. Again, Mr. Chairman, I thank you for bringing this hearing out, that finally we are beginning to get the truth out. We have seen so much misinformation out. One of those, I heard several times the point of only 1 percent were appealed.

What is interesting, in today's Wall Street Journal, they have a report here where they talk about that and they mention that there were groups that were advocating or pointing out the point there was only 1 percent. It goes on to mention that western scientists, and I am reading directly from this, "Forest officials in the meantime were mystified with this 1 percent number. Everyone unlucky enough to own a tree in his backyard knows from experience that environmental groups appeal projects faster than bunnies reproduce."

It goes on to mention that in a three-page letter sent this week to Congress, Barry Hill, who is Director of the Natural Resources and Environment for the GAO set the record straight in his letter. It turns out that nearly half, or 48 percent which the Chairman mentioned earlier, of all the attempt to thin by the Forest Service were being appealed.

As a matter of fact, in the northern region, and that may be the gentle lady from Minnesota's region, the northern region, 100 percent of them were appealed. Every single one of these projects were appealed. I am reading from the Wall Street Journal. This is a quote from GAO for 2001-2003, "In several other regions anywhere from 67 to 79 percent of their plans were held up because of appeals."

Then they go on to say, "Who are the ones appealing? The Sierra Club, Center for Biological Diversity, Wilderness Society, and others." They are the very same folks who held up the obviously incorrect report and claimed it was true.

Well, my question now, so much for where we are. The Sacramento Bee ran an article, a series of six articles this last summer indicating that the top environmental group raised \$3.5 billion a year, which they put in the campaigns, hire the best lawyers, the best lobbyists to see to it that not even a single tree—and by the way, Mr. Chairman, 4 years ago the Sierra Club came out and said, "Not a single tree," did they want to see removed.

Well, we do have a plan. We can do something about it, Ms. Collins. The Quincy Library legislation which I am sure you are familiar with, bipartisan, passed in '98, Senator Feinstein in the Senate sponsored it. I sponsored it in the House. It passed 429 to 1, which would allow us a pilot program to go in, which was set up by the local environmentalists, by the local forest products people, by the local people in my district, around Quincy, California, and three national forests.

So far that has been fought and appealed and stopped. We are now about 3 years into the 5-year plan. We haven't done basically anything. As a matter of fact, they have done less thinning in this area than they have even in the regions around.

My question to you, is this an urgency to the Forest Service to begin implementing this and second, can we begin waiving some of these radical environmental laws and rulings that do not allow us to move forward on these projects that protect public health and safety?

Mr. MCINNIS. I am not going to be able to allow you to answer the question, only in that we are out of time. I need to move on to Mr. Holt.

Mr. HERGER. I would like a written response for the Committee and for myself on this.

Mr. MCINNIS. I am sure she would be happy to supply it, Mr. Herger, afterwards, if you would like to meet with her.

My only concern is I do have a second panel and some of these people have traveled some distance. I would like them at least to be able to put testimony onto the record.

Mr. Holt and Mr. Inslee both have a couple of comments before we can conclude with this panel. So, let me proceed with Mr. Holt.

Mr. HOLT. Thank you, Mr. Chair. I actually have a particular interest in the Boundary Waters area. My colleague from Minnesota would like to set the record straight on a matter concerning that. I yield to my colleague.

Ms. MCCOLLUM. Thank you, Mr. Holt. The gentleman perhaps did not hear, because I saved the best for last. The environmental community is working, they are set to go. We are ready to work together.

Mr. HERGER. Great, I wish they were back in '97 when our forests were burning up.

Ms. MCCOLLUM. Well, sir, this is my time now. You misstated what I had said, so I wanted to set that straight. You also mentioned my State in the Wall Street Journal. I am looking at the article and I do not see Minnesota spelled out here at all.

Mr. HERGER. It is the Northern Region that I believe does include Minnesota, though.

Mr. HOLT. There are so many questions to cover here. It is an important subject. But Ms. Collins, a couple of points. With this study from the Forest Service that has been the topic of so much discussion this morning, an awful lot of the discussion has focused on the percent of the decisions that has been appealed.

In this 48 percent appealed, are any of those appeals made on behalf of timber companies?

Ms. COLLINS. I am sure they are. I am sure that we have a whole spectrum of appellants. Some are individuals who are local people who have an interest in it. I think if you look at that list you can see that it is a whole variety of people.

Mr. HOLT. Again, since so much of the discussion has dealt with the number of appeals that are made, and I should say, I'm not at all convinced that appeals are necessarily bad things. It can take years to clean these areas up.

Ms. COLLINS. Right.

Mr. HOLT. So, to take some months or even years to get it right before the work begins is not necessarily a bad idea. One question is: What steps are you planning to take to lessen the chance that fuel reduction projects will be appealed, to get it right in the first place.

Second, do you think that limiting fuel reduction work to the Red Zones, in other words, protecting the dwellings in particular, would reduce the number of appeals?

Ms. COLLINS. I think first of all we are doing a whole lot of things. We put together a group of people that Tom Thompson, our Deputy Chief for National Fire Systems is leading to look at what is it that we need to be doing ourselves, because the Forest Service has got a lot of accumulated process that we are trying to sort out. We are certainly not innocent in this, too. We have a lot of work to do.

We are also working with other agencies. I guess even this week the Council of Environmental Quality has indicated they are willing to look at their regulations. These regulations have been around 30 years or more and there are some things that we have learned.

So, they are willing to look at that. We are working with the U.S. Fish and Wildlife Service on how we do consultation under the Threatened and Endangered Species Act. I think we are doing a lot of the work that needs to be done to try to facilitate and make our processes more effective.

But specifically, we are doing our best. I'll tell you, people out there are working with what we have really hard. They are trying to bring people together early in the process. We are looking at whole landscapes. People understand the projects when they see them in the context of something larger. So, I think what we are doing is working really hard to almost, in some ways, work around difficult processes and make them as functional as we can.

Mr. HOLT. Let me rephrase the question a little bit. Of this 48 percent that are appealed, how many of those were in what would be called the Red Zone area?

Ms. COLLINS. I don't have that information.

Mr. HOLT. Am I correct to assume that it would be a rather small percentage?

Ms. COLLINS. Probably not. I would say it is more likely to be probably comparable to the percentage of projects that we have in the wildlife urban interface. Right now the number of projects the Forest Service has in the Wildlife Urban Interface is around 60 percent of our projects.

Now, again, this 48 percent is just talking about mechanical treatments. It is not talking about prescribed burning, which is a tricky business in the wildland urban interface, unless you have just the right conditions.

Mr. HOLT. I would say it is probably appropriate that we would be talking about chin saw thinning in the Red Zone.

Ms. COLLINS. Absolutely, in the Red Zone. And like I say, I think if 48 percent of our mechanical treatments are being challenged and 60 percent of our projects are in the wildland urban interface, it is probably not a small percentage.

Mr. HOLT. Thank you, Mr. Chairman.

Mr. MCINNIS. Thank you.

Mr. Inslee.

Mr. INSLEE. Thank you, Mr. Chair. I am sure that you would agree that there are occasions that the Forest Service needs an appeal. They make a mistake and need to get it fixed.

Ms. COLLINS. Absolutely, you bet.

Mr. INSLEE. That probably happens, what over half the time? Do you have any way of knowing?

Ms. COLLINS. Most of the time our appeals are sustained at a higher level. I think it is close to 90 percent.

Mr. INSLEE. I am not talking about litigation.

Ms. COLLINS. No. I am talking about appeals.

Mr. INSLEE. No, I am talking about appeals in your internal structure. Let me stop there and ask you a different question. You talked about working with the community. I think that is very important. I appreciate we had to you are saying.

I want to ask you a specific question about the Gila National Forest in New Mexico. In the sheep basin, the community worked for years to try to develop a fuels reduction plan, almost 3 years.

What they tried to do is establish parameters as to what trees would be cut so they could be sure it was really a fuels reduction program instead of a disguised commercial timber sale. What happens there is despite 3 years of work, the Forest Service, and I will just read from the appeal: "The most disturbing aspect of the Sheep Basin decision is the lack of a diameter cap for the logging of large and old trees. Two-thirds of the logging has no diameter cap at all while one-third is covered by a 24-inch cap, a huge tree for this area," and by the way that is, "required by the Mexican Spotted Owl Recovery Plan."

"There is no ecological justification for logging these mature and old growth trees given that over 90 percent of the trees in the Sheep Basin area are less than 12 inches in diameter."

Then later the appeal talks about the total absence of any attention to the wildland urban interface and quotes, "The district Ranger's response to suggestions they think about that is 'although the wildland urban interface biological opinion considered some areas within the Nogredo Watershed, there are not proposals to treat these areas at this time.'"

Now, let me ask you a question. If the goal here is to have a fuel reduction program to remove the smaller trees and brush, to remove the fuel load that has grown up over the centuries because we suppressed, Democrats, Republicans, we were all with Smokey the Bear.

And this stuff grew up for decades and decades. If the goal is to remove that smaller fuel and leave some bigger trees in the upper county so you have some forests as opposed to just cutting down all the trees, which is the ultimate fire suppression policy, in this forest, why didn't the Forest Service just say, yes, we are not going to cut over "x" diameter tree, No. 1, that is the first question I have for you.

Second, why don't you do what Congress has been suggesting to you for years, which is to focus first on the wildland urban interface? I will let you answer and then I will follow up.

Mr. MCINNIS. And we need to keep the answers brief because I really want to get to that second panel.

Ms. COLLINS. Like I said before, I resist diameter limits for obvious reasons. I think they are misleading and not necessarily science-based and very, variable from site to site and species to species.

Mr. INSLEE. I understand they are variable, but why don't you set one for this forest? Why don't you set one that met the scientists?

Mr. MCINNIS. Mr. Inslee, you have to allow her to answer the question.

Ms. COLLINS. And I certainly would be happy, because we do have to be brief, and I appreciate that, to get you some information on that. I would really appreciate doing that in more detail.

Mr. INSLEE. Thank you.

Ms. COLLINS. I don't have specific information about this project to be able to comment on it. Generally, we had to I will say it has probably been in the works for a while. It has probably preceded the National Fire Plan when it was started.

In addition to that, we have huge issues out in the ecosystem in terms of forest health concerns that are not in the wildland urban interface that we do continue to need to treat. That is why I said to begin with that it is not an either/or. It is really some of both.

Mr. INSLEE. Let me just ask you one question and perhaps you can get back to me in writing. What I would like to know is why the Forest Service didn't pick a maximum diameter so that you could assure the citizens of the community that this was really a fuel reduction effort instead of a commercial logging effort in disguise?

Why didn't you set a diameter that was specific to that environment? Perhaps you can get back to me and thank you very much.

Ms. COLLINS. You bet.

Mr. MCINNIS. Thank you, Ms. Collins. I want to thank the panel very much. I think your information this morning has been very helpful. We do look forward to future meetings at a mutually convenient time because the issue is just very, very critical.

Thank you all. Once again, please thank the personnel of your departments that are out there on the fire line and the people that are supporting them. Let them know that we are all very, very proud of them.

Ms. COLLINS. We appreciate that. Thank you.

Mr. MCINNIS. I would like to call our second panel up. Mr. Hubbard with the Colorado State University; Dr. Bonnicksen with the Department of Forest Service, Texas A&M; Mr. Pearson, Executive Director, San Juan Citizens Alliance; Dr. Penny Morgan, Department of Forestry, and Mr. Michael Long, Associate Director, Florida Division of Forestry.

I would like to begin with Dr. Bonnicksen.

Just as a reminder for the panel, I will ask you each to make a 5-minute statement and we will—I won't be able to be here past noon, but we will continue the Committee hearing past noon at least to that point in time that you all get an opportunity to put your statements on record.

So, Doctor, why don't you begin your statement, please?

**STATEMENT OF THOMAS M. BONNICKSEN, PROFESSOR,
DEPARTMENT OF FOREST SCIENCE, TEXAS A&M UNIVERSITY**

Dr. BONNICKSEN. Thank you, Mr. Chairman. My name is Dr. Thomas M. Bonnicksen. I am a Professor of Forest Science at Texas A&M University. For 30 years my specialization has been the history and restoration of America's native Forests.

I published the only book in existence that documents the 18,000-year history of North America's forests and the role Native Americans played in their management.

In essence, my view is that history really matters and nothing I have heard in the discussion today illustrates to me that we appreciate the importance of the history of our forests and the way we manage them. I also am somewhat disturbed, I guess, because I see in the media and I hear it in this room the idea that we should be concentrating our funds and our thinning efforts on the wildland urban interface, really meaning putting mile and a half wide fuel breaks around rural communities.

I have to say, to speak frankly, that I think that is a cynical ploy. I think it is cynical because it plays on my feelings, your feelings, everyone's feelings of concern for the welfare and the property of the people who live in these communities. How could we feel otherwise?

But it is playing on that sympathy. It is really a ploy. It is a ploy because it diverts our attention from the forests in between these communities where the real problem lies and it is an attempt to create in those forests idealized conditions that haven't existed in the North American forests for 120,000 years.

Let me explain. People want to see those forests unmanaged and untouched. That means thick and full of fuel. Our forests for 12,000 years in the Lower 48 States were managed by native peoples. They doubled the frequency of fire. This is the Holocene, more recent interglacial. 120,000 years ago, the last interglacial was called the Eemian. That was the most recent time when the climate was similar and people were not managing our forests.

So, what people want to see in the area between these communities are forests that existed 120,000 years ago without people in them. I can tell you as an ecologist what kind of a forest that might be. That would be a forest in which fires were half as frequent because native peoples weren't here and therefore, more fuels had accumulated and fires were bigger.

That is what is happening in the West and that is what is going to happen between these communities if we concentrate all our money on just those fuel breaks.

Now, let me also point out that if we actually thinned our forests as they would have to be thinned to prevent those fires from brushing into these communities, which they will, not matter how wide the fuel breaks anyway, my calculation shows it would cost, assuming a 15 year fire cycle on average in the West, which obviously is more variable than that, about \$60 billion during the first 15 years to thin these forests, 73 million acres, \$60 billion.

That is using numbers from the Sierra Nevada National Forest, mechanical hand thinning and prescribed burning.

Do you know how much we spent in Fiscal Year 2001? \$400 million. Actually, only 13.8 percent of the budgeted amount in the Fire

Plan. We are planning in 2002 of spending \$395 million. My calculations show that it would take us 150 years to thin these forests with that level of funding.

Now, obviously, that is not going to be successful. There is also another problem. I don't want to thin 73 million acres of forest because that also ignores the history of these forests.

Let me point out as a forest scientist that a diameter limit cut is not only non-scientific, it is bad forestry and it is ecological nonsense. What you create are forests with a canopy, nothing underneath, sterile, no diversity, but certainly less fire prone. That is a very bad idea.

Instead of creating these engineered fire-resistant forests that are ecologically unsustainable, we should be looking to the history of these forests and using that as our guide. For example, forests historically were patchy; meadows, patches of young trees, patches of older trees with nothing underneath them, were virtually immune to hot fires.

Only in those patches that had escaped fire by chance were the fires hot. This meant historically our forests had an ingenious, built-in ecological pattern that kept monster fires like those that we see today from occurring because as the fire flared up in one patch it would drop down to the ground in another one.

In other words, little firebreaks were distributed throughout the historical forest and that kept monster fires from sweeping over vast areas.

That patchiness is gone and without it we cannot stop these monster fires. So, what can we do? Well, let us use history as our guide. Let us stop thinking about diameter limit cuts. Let's find out what the forest looked like originally in its near monster fire immune condition and use whatever means are necessary to recreate the patchiness, the mosaic, of different age classes in that forest.

To do that will stop the monster fires, increase the historic levels of diversity that existed in these forests and which we are losing. And, in addition to that, because we have to remove trees of commercial size, and I think ecologically that is unavoidable, we will reap the revenue necessary to help us pay the costs.

I don't see any reason why we shouldn't be doing this. We create forests that look like they did historically. We reduce monster fires. We support local communities. We maximize the diversity of our forests and we even recreate the habitats that the endangered species have lost, and therefore accelerate the recovery of these species.

Talk about win-win, history really matters and it can make the management of these forests a win-win situation for all and do what I think we have to do and that is protect the welfare and the lives of the people who live in these forests.

Thank you.

Mr. MCINNIS. Thank you, Doctor.

[The prepared statement of Dr. Bonnicksen follows:]

**Statement of Dr. Thomas M. Bonnicksen, Professor,
Department of Forest Science, Texas A&M University**

My name is Dr. Thomas M. Bonnicksen. I am a forest ecologist and professor in the Department of Forest Science at Texas A&M University. I have conducted research on the history and restoration of America's native forests for more than

thirty years. I have written over 100 scientific and technical papers and I recently published a book titled *America's Ancient Forests: from the Ice Age to the Age of Discovery* (Copyright January 2000, John Wiley & Sons, Inc., 594 pages). The book documents the 18,000-year history of North America's native forests. A biographical summary is provided at the end of this written statement.

OUTLINE

My written statement emphasizes the following six points:

- Forests are deteriorating.
- Wildfires are growing worse.
- National Fire Plan is not working.
- Prescribed fire is not the answer.
- Restoration forestry will solve the problem.
- Success requires help from the private sector.

1. DETERIORATING FORESTS

Our forests are shrinking at an alarming rate, especially in the South. Historically, native forests covered 45% of the lower 48 states. Since the late 1800s, about 12% of our forests have been scraped away for cities and farms, and losses are continuing as urban expansion accelerates.

Forests also are rapidly deteriorating from within. Few forests retain their historic beauty and diversity. They are growing older and thicker, some reaching astronomical densities of 2,000 to 20,000 trees per acre. A forest can stagnate for many decades or even centuries under such crowded conditions. Consequently, plant and animal species that require open conditions are disappearing, streams are drying as thickets of trees use up water, and insects and disease are reaching epidemic proportions. Tree mortality in the United States increased 24% between 1986 and 1991, and forest growth declined by 2% during the same period. Competition for water, nutrients, and sunlight among densely packed trees explains some of the decline. Invasive non-native species also are causing serious damage to native forests.

In addition, complete forest types are disappearing as shade tolerant species take over forests that fire used to keep open. In particular, white pine forests in New England no longer cover large areas, and few trees reach the size of those that existed at the time of European settlement. In addition, oaks are declining throughout the East because the forests are too thick for them to regenerate. Sugar maple and red maple are taking over many of these forests, including northern hardwood forests. Similarly, in the South shade tolerant hardwoods are replacing pine trees throughout their range. Likewise, the vast longleaf pine savannas that dominated much of the South are nearly gone. This loss is especially tragic because pine savannas had the highest species richness of any forest type in North America.

In the Inland West, juniper is spreading within pinon-juniper woodlands and replacing grasslands in the Colorado Plateau and southern Rocky Mountain regions of northern Arizona and northern New Mexico. Because of increases in the density of pine and other conifers, aspen forests in Arizona and New Mexico decreased by 46%, and they are rapidly disappearing as a distinct forest type throughout their range. Rocky Mountain Douglas-fir trees are replacing ponderosa pine forests in much of the West while white fir is replacing Douglas-fir in the Southwest. Similarly, shade-tolerant spruce and fir are replacing lodgepole pine forests in the Rocky Mountains. Finally, white pine blister rust, mountain pine beetles, and the lack of fire to create openings for regeneration, have reduced western white pine forests to only 10% of their original area. Shade tolerant trees such as western redcedar, western hemlock, and grand fir are replacing what little remains of this once magnificent forest.

Native forests also are being replaced in California and the Pacific Northwest. For instance, shade-tolerant white fir trees are replacing mixed-conifer forests in the San Bernardino Mountains of southern California and giant sequoia forests in the Sierra Nevada. Similarly, Douglas-fir forests are being replaced by shade-tolerant western hemlock in the Pacific Northwest and by white fir in northern California.

2. WILDFIRES GROW WORSE

Monster fires are devouring trees and houses with unprecedented ferocity this year because our forests are so thick. Excess fuel causes these fires, not weather. Forests cannot burn without fuel no matter how hot, dry, and windy the weather.

Less well known, but equally important, our forest are no longer patchy. Fire seldom spread over vast areas in historic forests because meadows, and patches of young trees and open patches of old trees were difficult to burn and forced fires to drop to the ground. Without them, fires are free to grow into the ravenous beasts we know today.

During the last few weeks, the Rodeo-Chediski fire in Arizona consumed 468,638 acres of forest and destroyed 467 homes before being contained. The Hayman Fire in Colorado was also huge. This is just the beginning of a bad year in a string of bad years. The fire season has two months to go and already the number of acres burned is nearly triple the 10-year average.

Since 1990, wildfires charred over 41 million acres, destroyed more than 4500 homes, and cost about \$5.5 billion to fight. These fires burned significantly hotter than would have been the case in historic native forests. The forest fire menace is growing more serious each year and we are not using what we know to prevent it.

3. NATIONAL FIRE PLAN IS NOT WORKING

In November of 2000, the General Accounting Office reported that tens of millions of acres of forest are at "moderate to high risk from catastrophic wildfire and need to be treated." In response to this and other reports, and the disastrous fires of 2000, agencies in the Departments of Agriculture and Interior created the National Fire Plan. The 10-year Cohesive Strategy to carry out the plan includes firefighting, rehabilitation of burns, hazardous fuel reduction, and community assistance.

The National Fire Plan is not working because it tries to do too much with too little money. Although all the plan's goals are important, hazardous fuel reduction is the key to success. However, only \$400 million, or 13.8% of the Fiscal Year 2001 budget of \$2.88 billion was spent on fuel reduction. The Fiscal Year 2002 budget only includes \$395.2 million for fuel reduction. There is no chance whatever that this funding level will achieve adequate fuel reduction to prevent fires like those that burned in 2000 or 2002.

The problem is even more serious because fuel reduction takes place in scattered locations and at a very small scale. Although helpful, in most cases the area treated is too small to be effective. Unfortunately, there is simply not enough money to do anything else and still achieve the other goals in the Plan.

It is difficult to get reliable data to determine what it actually costs to do prescribed burning, and mechanical and hand treatments, to reduce forest fuels. The best data I found come from California National Forests and a few other places. Prescribed burning costs range from \$200 per acre to \$800 per acre. However, it costs much less to burn forests with little fuel, which is rarely the case. Mechanical treatments cost between \$350 and \$460 per acre. Hand treatments cost \$525 to \$1300 per acre.

Approximately 73 million acres need treatment. Assuming that in most of these forests the same area burned once each 15 years on average, that means that each year about 4.9 million acres of seriously overstocked forest will have to receive an initial treatment. Subsequent maintenance treatments also must be done on a 15-year cycle since fuels will continue to accumulate. In short, the fuel reduction process will last forever. Likewise, the cost of treatments will last forever even though maintenance treatments are less expensive than initial treatments.

So, what would it cost to do the job right? Using average costs, and assuming that most if not all forests will require mechanical or hand treatment before prescribed burning, and assuming that prescribed burning will be feasible on all acreage, the total cost for the initial treatment would be \$59.9 billion, or about \$4 billion per year for 15 years. At the current rate of funding for hazardous fuel reduction, it would take 150 years to complete the initial treatments. Even if it cost only a quarter of this a year it would still take nearly 40 years. By then fuel accumulations on the areas treated first would be almost as bad as they are today. In other words, the National Fire Plan would waste billions of dollars and local communities would still be vulnerable to wildfires.

4. PRESCRIBED FIRE IS NOT THE ANSWER

Prescribed fire would come closer than any tool toward mimicking the effects of the historic Indian and lightning fires that shaped most of America's native forests. However, there are good reasons why it is declining in use rather than expanding. Most importantly, the fuel problem is so severe that we can no longer depend on prescribed fire to repair the damage caused by over a century of fire exclusion. Prescribed fire is ineffective and unsafe in such forests. It is ineffective because any fire that is hot enough to kill trees over three inches in diameter, which is too small to eliminate most fire hazards, has a high probability of becoming uncontrollable.

The danger of escaped fires, such as the tragic Los Alamos fire, also poses a serious constraint on prescribed burning because of the hazards to human life and property. On average, a prescribed fire is likely to escape control for each 20,000 acres burned. That means there could be as many as 243 escaped fires a year given the number of acres burned to carry out the National Fire Plan. This is unacceptable since there are nearly 94,000 homes at risk in just the Sierra Nevada. It is unknown

how many homes are at risk throughout the West. Not only that, there are very limited opportunities when all of the factors such as fuel loading, fuel moisture, existence of defensible perimeters, temperature, and wind are at levels that make it relatively safe to conduct a prescribed burn.

Finally, prescribed fire can also be destructive in forests that are not too thick to burn. Dense piles of litter that built up for more than a century now surround large old trees in many forests. Burning this litter, even with a very light fire, sends enough heat into the soil to kill the largest trees by cooking their roots. This is unnatural and it is already happening to thousands of valuable old trees in the Sierra Nevada as well as in Southwestern ponderosa pine forests.

Prescribed fire is an essential tool, but it is still expensive, costing about \$1.5 billion a year to treat the required acreage in the National Fire Plan. In addition, the unsightly pall of wood smoke hanging over mountains and valleys, burning eyes, health hazards, and air pollution restrictions also will prevent widespread and frequent burning even as maintenance treatments. For example, Colorado had to restrict prescribed burning because Denver must reduce power generation to comply with Federal laws whenever wood smoke hangs over the city. There are also too few trained personnel available to conduct the burns. Therefore, it is unlikely that we will ever be able to add 4.9 million acres of prescribed burns a year to the acreage already being burned for slash removal and other purposes.

5. RESTORATION FORESTRY WILL SOLVE THE PROBLEM

Restoration forestry provides the best hope for returning health to our native forests because it uses their ecological history as a model for management. The native forests that European explorers found provide excellent models because of their beauty, diversity, and abundance of wildlife. Most historic forests also were resistant to monster fires.

Restoration forestry is defined as restoring ecologically and economically sustainable native forests that are or, after reasonable restoration, will be representative of prehistoric or historic landscapes significant in history and culture that also serve a society's contemporary need for forest products and services.

The goal of restoration forestry is to restore and sustain, to the extent practicable, a historic forest to a condition that simulates or resembles the structure and function of a reference native forest. The term "reference native forest" means the way a whole forest appeared spreading over a landscape, with all of its diversity, at or about the time it was first seen by explorers. A reference native forest does not represent a particular point in time. It represents a period of time and the variations in forest structure that were characteristic of that period.

The pre-European, and post-Native American, settlement forest provides the most scientifically sound reference forest for the United States. Such a reference native forest is inherently sustainable and diverse, it represents thousands of years of ecological development and human use, and it existed during a period with similar variations in climate.

The pre-European settlement forest mosaic is the key to restoration forestry and the solution to the wildfire problem. Unlike the popular idealized image of historic forests, which depicts old trees spread like a blanket over the landscape, a real historic forest was patchy. It looked more like a quilt than a blanket. It was a mosaic of patches. Each patch consisted of a group of trees of about the same age, some young patches, some old patches, or meadows depending on how many years passed since fire created a new opening where they could grow.

The variety of patches in historic forests helped to contain hot fires. Most patches of young trees, and old trees with little underneath did not burn well and served as firebreaks. Still, chance led to fires skipping some patches. So, fuel built up and the next fire burned a few of them while doing little harm to the rest of the forest. Thus, most historic forests developed an ingenious pattern of little firebreaks that kept them immune from monster fires. Science recently confirmed the effectiveness of this historic pattern.

Today, the patchiness of our forests is gone, so they have lost their immunity to monster fires. Fires now spread across vast areas because we let all patches grow thick, and there are few younger and open patches left to slow the flames. That is what is happening throughout the West.

This is even more serious because monster fires create even bigger monsters. Huge blocks of seedlings that grow on burned areas become older and thicker at the same time. When it burns again, fire spreads farther and creates an even bigger block of fuel for the next fire. This cycle of monster fires has begun. Today, the average fire is nearly double the size it was in the last two decades and it may double again.

Restoration forestry can dramatically reduce monster fires by simulating the dynamic character of historic native forests. This means maintaining the historic range of variation in patches of fire resistant open older and younger trees within the forest mosaic. Thus, restoring historic native forests will reduce threats to local communities from wildfire by providing a system of fire resistant patches that act as firebreaks strategically dispersed throughout the forest mosaic. In short, restored forests would look and behave in much the same way as historic forests. They also would be healthy, diverse, sustainable, attractive, and nearly immune from monster fires.

6. SUCCESS REQUIRES PRIVATE SECTOR HELP

Unlike the fire resistant forest envisioned in the National Fire Plan, the goal of restoration is to restore and maintain an ecologically and economically sustainable historic forest. Thus, restoration focuses on whole forests and everything that lives in them, not just their resistance to fire. In contrast, the fire resistant forest is not natural, and it does not look natural. A restored forest looks and behaves naturally, and it has all the benefits of diversity and sustainability inherent in the original native forest. Not only is the restored forest ecologically superior, it also is just as safe as a fire resistant forest.

In addition, the fire resistant forest has a fatal flaw. No one will pay the enormous cost. An unending stream of tax money is required to sustain a fire resistant forest. That means spending about \$59.9 billion for the first 15 years and about \$30.8 billion for each of the following 15-year maintenance cycles. The exorbitant cost in public funds needed to create and maintain these fire resistant forests ensures failure.

Even concentrating mile-wide fuelbreaks around communities to save money will not work. Surrounding communities with fuelbreaks, and ignoring the area in between them, guarantees that our forests will be sacrificed to monster fires. This is a defacto "let-it-burn" policy. So, the question is do we want restored forests or an unending cycle of monster fires and blackened landscapes.

It would take a minimum of public funds to restore a fire resistant historic forest, and it would come close to supporting itself indefinitely. The reason the restored forest is economically viable is that it involves a long-term partnership with the private sector.

People who make their living from forests have the expertise and desire to participate in reducing threats from wildfire, and they have the equipment and processing facilities. They are also highly educated, skillful, creative, and responsible professionals who can be trusted to help with this important job. Their help would dramatically reduce the use of appropriated funds so that restoration occurs on a meaningful scale. It would also provide society with essential goods and services and create much-needed jobs in rural communities.

Like the fire resistant forest, the restored forest requires hands-on management. However, restoration involves more than just thinning and burning. It requires cutting trees of all sizes. However, the decision to remove or leave an individual tree, regardless of size, depends on what is necessary to restore and maintain an ecologically and economically sustainable historic forest. In other words, restoration forestry is a different kind of forestry. It requires mimicking nature rather than engineering a forest to maximize the production of wood. Nevertheless, the amount of wood produced must still be sufficient to support the effort.

Restoration requires removing patches of trees of certain ages and sizes in about the same number as would have been killed historically by fire, wind, insects, disease, and other disturbances. The removal of trees from one patch provides an opening that allows a younger patch to begin developing in its place. Even so, the number of patches removed would usually be less than what would have been lost historically to accommodate unpreventable losses from natural disturbances. Thus, the forest landscape continually changes while the proportion of older and younger forests in the mosaic varies within a relatively stable range.

Historically, the size of patches differed by forest type. Pacific Douglas-fir forests had large patches and mixed-conifer and ponderosa pine forests had small patches. Larger patches also tended to be relatively long and narrow with an uphill orientation. That means that restoration forestry also strives to simulate the size, shape, and orientation of patches on the landscape that historical disturbances created in particular forest types.

In addition, lethal fires and other major disturbances usually killed all of the trees in a small patch but they rarely did so in a large patch. That means leaving behind stringers of living trees and scattered individuals in large patches during restoration. Similarly, some dead trees remained standing after a historic fire passed and others lay in heaps on the ground. These dead trees helped to replenish

soil nutrients and provide homes for wildlife. Therefore, restoration involves leaving behind adequate amounts of standing and fallen dead trees so that they are part of the restored forest just as they were part of the historic forest.

The systematic removal of patches of trees to create new patches is the secret to ecological and economic success. Not only do the trees provide revenue and wood, but they do so in a predictable and sustained manner. Still, the frequency and effects of historical disturbances would determine the number and size of trees cut. Even so, the supply of raw material would be consistent and continuous. Restoration is a long-term commitment to both forests and the people who manage them. This will encourage the private sector to invest in the plant, equipment, and personnel needed to help us restore our native forests and solve the wildfire problem.

Mr. MCINNIS. Mr. Hubbard.

STATEMENT OF JIM HUBBARD, COLORADO STATE FOREST SERVICE, COLORADO STATE UNIVERSITY

Mr. HUBBARD. Thank you, Mr. Chairman and Members of the Committee. I can't cover what Colorado has been through in 5 minutes, but I will try. My focus will be on Colorado even though the issues are not unlike much of the West.

For us, it has been the worst fire season in history. Our 10-year average is to burn 71,000 acres. We are at 364,000 and counting. That is five times our 10-year average. We are at 46 large fires that have gone beyond initial attack.

We have spent \$110 million on suppression costs. We have evacuated 126 subdivisions, 77,000 people. We have burned 366 homes, 981 structures. That is \$80 million compared to our previous high loss of \$18 million.

We have water quality issues, air quality issues, habitat issues, tourism issues, all as a part of this. My point is this gives us even more a sense of urgency to do something in Colorado.

Even with this, 99.5 percent of our fires have been suppressed with initial attack. We have good firefighters doing a good job in a dangerous situation. Drought has contributed but drought isn't our primary factor is forest condition.

With or without drought, our forests in the west are ready to regenerate because of age, because of density, because of vigor, because of low fuel moisture. We worry when our fuel moisture in trees gets below 10 percent. It is common now to be 4 percent, even as low as 2 percent. That is dry. It is going to burn. It is going to behave more erratically than we are used to.

We are especially concerned when you put people and property in the way, the interface. We have to address the interface. There are some individual responsibilities, of course, but it has to be in the landscape context or we can't protect those communities.

I have attached a map to the testimony which shows you the Hayman Fire. One such treatment on the northeast edge of the Hayman Fire was an 8,000-acre prescribed fire done a year ago. When Hayman hit that prescribed fire along with an earlier season fire in the same area, that spread stopped. That spread stopped on an afternoon when we were in the process of evacuating 40,000 people.

If that had gone further and merged with the other head coming around Cheeseman Reservoir, we would have evacuated 40,000. It is strategic placement of treatments around homes, but beyond that within the ecosystem. What do we need to do? We need to deal

with fuels. We need to coordinate our firefighting and we need to deal more effectively with rehabilitation. We are going to have some major problems in Colorado with rehabilitation.

Fuels is what I would like to talk about the most. If we don't treat this forest we can't protect these subdivisions and it does have to be on a landscape scale. A lot of debate about where we have treated and why we have treated. I think there are answers to those questions, but perhaps what we do need to find is a way of coming together on interface. What that means, where and how we treat in the interface.

Perhaps we set up some guidelines, some best management practices, a form of communication different than we have now. This is not a logging issue in Colorado. It is a land management issue. It is a land management issue. It is a life and property protection issue.

We have to prioritize. All agencies, not just the Federal Land Management Agencies under Federal land, but the State and the locals working with them, not just on fuels treatment, but on preparedness for firefighting, on rehabilitation and restoration.

Going back to the map to talk about rehabilitation for a minute, if you look to the north, to the top of that, you see the Buffalo Creek Fire. That was a 12,000-acre fire. Strontia Springs Reservoir is in the upper right-hand corner. That is the collection reservoir for the Denver Water Board that serves three million customers in the city of Denver.

Following the Buffalo Creek Fire, with a two-inch rain event, we put more sediment in Strontia Springs than in the 12 years of its previous existence. Denver Water spent \$20 million treating and dredging to supply those three million customers.

Hayman is 137,000 acres. It completely surrounds Cheeseman Reservoir, a much larger collection reservoir for Denver water and it goes right down the South Platte River. We are going to have some serious problems. One of our problems is hydrophobic soils. When we have our forests burn this hot on those soils, it puts a crust on those soils. It is impermeable. The water runs off. With a small rain event, a lot of water runs off.

We are going to have to deal with those kinds of situations. We don't need more large fires to give us more of those kinds of problems.

One other point, on appropriations, we have touched on that a little bit. I have provided the Committee with a pie chart of the appropriations for the National Fire Plan showing the percentage for the 2002 appropriation. I am not suggesting that any of those area's preparedness for fighting fire, which is the largest at 60 percent, be reduced because we still which will have to fight large fires in the West.

But I am suggesting that we don't have enough money. I am suggesting that it isn't as balanced as it should be at this point. We haven't yet dealt with the issue of emergency suppression like we should, not effectively, and how we finance that. That effects a lot of other programs, including hazardous fuel reduction.

So, without going into a lot of detail, I would suggest there are some issues there that need to be addressed and how we deal with that appropriation.

When there are smoke and flames in the air, I am always asked. "What are the fires doing?"

So, you tell people what the fires are doing and why they are doing it, what has happened here and what has gone on in the past to bring us to this point.

But then it gets down to who is to blame. Well, my answer to that is the condition of the forest is to blame and we are going to have to address the condition of the forest. We are going to have to protect lives and property, give firefighters a chance to deal with that and it has to be in a landscaped context.

So, what do we do? We implement the National Fire Plan, all lands, full involvement, long term. We have to fight fire. We have to determine how and where to treat in the interface and in the ecosystem.

Thank you.

Mr. MCINNIS. Thank you, Mr. Hubbard. Mr. Hubbard, I appreciate the job you are doing for us out there in Colorado.

[The prepared statement of Mr. Hubbard follows:]

Statement of James E. Hubbard, State Forester of Colorado

Good morning Mr. Chairman and members of the Subcommittee. My name is Jim Hubbard and I am the State Forester and Director of the Colorado State Forest Service (CSFS). The responsibilities of CSFS employees involve providing expert advice and technical assistance to non-federal landowners and communities in the areas of forest management; insects, disease and other forest health issues; urban forestry; conservation education and, of course, fire protection.

Since the end of April, the focus of nearly all of our employees has been on responding to wildfire through direct suppression, through mitigation assistance to worried homeowners, through coordination and training of local resources as it spreads northward through the state.

The statistics from the 2002 Fire Season are already record setting, not only in terms of acres and cost but in risks to lives, property and essential community infrastructure. Given the current drought and condition of the forest, these numbers are hardly unexpected. But if we cannot collectively find a way to treat the hazardous fuels that are feeding these fires, across boundaries and on a meaningful scale, this season's statistics threaten to become the rule rather than the exception.

Colorado's 2002 Fire Season So Far

Beginning with the Snaking Fire in April, Colorado has recorded at least 1,046 fires that have burned 364,000 acres at a cost of \$100 million. This compares to the state's ten-year seasonal average of 3,119 fires and 70,770 acres. Seventeen of these fires exceeded county capability and invoked the state's Emergency Fire Fund (EFF). Fourteen fires have been declared FEMA incidents indicating imminent and substantial threat to life and property. Five of the state's largest fires in recent history have occurred this season.

An estimated 77,000 Colorado residents have been evacuated from their homes for periods of a few days to several weeks. Three hundred sixty-six homes have been lost as well as 981 other structures. This damage has resulted in costs to the insurance industry in excess of \$80 million many times greater than the previous high of \$18 million following the Hi Meadow and Bobcat Fires.

Twenty-five percent of large fire damage has occurred on private or other non-federal land where technical and financial assistance for emergency and long-term rehabilitation are much harder to come by.

Wildfires impacts on vital resources such as water quality and supply, air quality, wildlife and their habitat, local infrastructure and economies and recreation opportunities have also been staggering. Due to the early start of the fire season, wildlife biologists are discovering heavy impacts from the blazes, particularly among young and newborn animals. At least two herds of elk were trapped and killed in the Hayman Fire. And critical fish habitat will suffer from increased water temperatures, immediate sedimentation, changes in water chemistry and impacts on prey base.

The Denver Water Board, which supplies drinking water to 3 million customers, is bracing for rehabilitation costs around Cheesman Reservoir in excess of \$100 mil-

lion. The 1996 Buffalo Creek Fire occurred 3 miles north of the Hayman site and burned 12,000 acres in a sub-drainage of the South Platte River. Since that time, Denver Water has spent more than \$20 million to address subsequent sediment and debris. By comparison, the Hayman Fire has consumed 137,000 acres in the river's main drainage and on all sides of the city's primary water collection reservoir.

The most amazing success story of the 2002 season is the fact that 98 percent of reported fire starts have been contained through initial attack by local resources. Without the effectiveness of these firefighters, many of whom are volunteer, Colorado would have many more large fires with which to contend. Governor Bill Owens recognized the severity of the fire season very early and authorized funding for additional resources to strengthen the state's initial attack capability. This assistance has provided much needed air support, as well as additional regular and inmate crews, to bolster local capability.

Why Is This Season So Bad?

Many of Colorado's forests are unnaturally dense, concentrated in older age classes and vulnerable to insect and disease attack, catastrophic wildfire and other types of damage at an inordinately vast scale. They are, in fact, waiting for this type of regenerative disturbance to rejuvenate and diversify forest structure. Decades of fire exclusion have left so much fuel in the forest that when disturbance does occur, it often happens at a scale that devastates the landscape rather than revitalizing it. Drought further exacerbates these conditions by reducing even live grasses, shrubs and trees to 4 percent fuel moisture drier than kiln dried lumber and far below the 10 percent level that triggers alarm among western fire managers.

At least one million Coloradoans live within these high-risk forests in areas commonly referred to as the wildland-urban interface (WUI) or, in Colorado, as the Red Zone. Since April, thousands of interface residents, on both sides of the Continental Divide, have been evacuated from their homes and forced to spend much of their summer in shelters or with family and friends wondering if their property will survive.

The risk to human safety grows exponentially in the complicated interface environment. Local fire departments, both municipal and volunteer, provide initial attack on most of the state's interface fires. These first responders arrive facing the need for evacuations, subdivisions with inadequate access, lack of available water supply and structures built with highly combustible materials. This already confusing situation becomes even more difficult on large fires when local resources transition to interagency teams for extended attack.

A substantial body of research shows that forest management activities such as thinning and prescribed burning can significantly mitigate wildfire risks in the interface. The challenge is to implement these treatments on a meaningful scale. The attached map showing the boundaries of the Hayman Fire demonstrates the potential for treatment areas to slow even extreme fire behavior. On the northeast flank of the fire, the previously burned sites of the Schoonover Gulch Fire and the Polhemus Prescribed Fire stopped the main head of the Hayman Fire from spreading. This occurred on a day when plans were in place to evacuate 40,000 homeowners in the fire's path.

The CSFS, in partnership with Federal agencies and local contractors, has assisted hundreds of landowners with mitigation on more than 10,000 high-risk acres. In some cases, this has resulted in treatment of entire subdivisions, including perimeter fuel breaks. But most often it involves fuel reduction on individual properties, which remain at risk from untreated areas on adjacent private, non-federal and Federal lands.

The fire behavior seen in Colorado this season has important implications for those considering how best to mitigate wildfire risks to communities in the interface. The intensity of the state's large fires is such that a home, a subdivision or even a community could not be protected if fuel reduction activity had not occurred across the larger landscape as well as around individual properties. In the West, this means we need to be more aggressive in treating Federal lands in proximity to interface communities or vital community infrastructure.

In order to truly reduce wildfire risks to communities and restore fire as a more natural part of the ecosystem, treatment must occur across boundaries, on a landscape scale and over the long-term. Existing environmental clearance processes take so long that Federal agencies are not able to keep pace with the protection requirements of the interface.

The level of activity needed will require support and involvement from local communities and an approach to development and prioritization of projects that incorporates local protection priorities and preferences for treatment options. There is agreement across a spectrum of interests that the risk to life, property and commu-

nities in the interface must be reduced. We must find a way to harness that agreement and use it to inform a new kind of project review process that facilitates greater and more timely work on the ground.

The wildland-urban interface is a set of conditions that is particular to each state's combination of people, geography and fuels. The interface definition previously published in the Federal Register allows states the necessary flexibility to identify their own high-risk areas within national guidelines. Project implementation will be further expedited by adopting the Federal Register definition and by allowing states to prioritize treatment activity and resources according to local assessments of values-at-risk whether that means action within a subdivision or in the surrounding watershed.

What Is Needed to Protect Western Communities in the Short-Term?

In the short term, interface communities across the West would benefit from accelerated hazardous fuel treatment across boundaries, genuine and active coordination between local, state and Federal response entities, emergency rehabilitation assistance and greater focus on synthesis and application of interface research in the intermountain West.

Implementation of hazardous fuel treatments across the landscape could be accelerated through the cooperative development of Best Management Practices (BMPs) for activity in the interface. This kind of collaboration could simplify the clearance process for Federal activities by facilitating needed agreement on priorities and principles for mitigation and for subsequent action on a meaningful scale.

Coordination between local, state and Federal fire management and response agencies must also be improved in the short term, specifically in the prioritization of fuel treatment projects, the strengthening of initial attack efforts, the delivery of program assistance to volunteer fire departments and the integration of available resources for extended attack in the interface. Congressional direction that prioritizes related appropriations according to this kind of multi-level coordination could assist in promoting action. The new Wildland Fire Leadership Council (WFLC) is a good coordination model and the Chairman is to be commended for his support of this effort. But non-federal involvement in the Council must remain strong and similar coordination must occur at the regional and local levels as well.

Colorado, alone, has emergency fire rehabilitation needs in excess of \$50 million. For private landowners, the NRCS's Emergency Watershed Protection Program is the only source of rehabilitation assistance. This program is currently unfunded and needs to be replenished immediately to meet existing and future demand from the 2002 season.

Finally, the Interior West has a serious need for a synthesis of current science on mitigation and response to interface fire under existing extreme conditions. This compilation and analysis of research should address fire behavior, utilization of products from fuel treatments and a new approach to integration of firefighting resources in the interface. Congress could address this need on a short-term basis by establishing a focused center for interface training and research.

What Is Needed To Reduce Wildfire Risks Over The Long-Term?

The Ten Year Comprehensive Strategy and Implementation Plan, recently endorsed by the Secretaries of Agriculture and Interior and the Western and Southern Governors' Associations, lays out an excellent long-term plan for reducing risks to communities and restoring fire-adapted ecosystems. I encourage Congress and the Administration to work together to ensure that the necessary funding and support are provided to carry-out the specified activities in these documents.

Community involvement in the planning, prioritization and implementation of wildfire risk reduction projects on both Federal and non-federal land is a key component of the Ten Year Strategy. The Community and Private Land Fire Assistance (CPLFA) Program, authorized in the 2002 Farm Bill, provides the ideal combination of planning, technical and financial assistance to facilitate this involvement. Although it was funded at \$35 million in the Fiscal Year 2001 Interior Appropriations Bill, the CPLFA is currently unfunded in Fiscal Year 2003 bills moving through both the House and Senate. I urge Subcommittee members to work with their colleagues to restore funding to this vital component of the National Fire Plan (NFP) in the House Appropriations Bill and to increase the overall emphasis in NFP funding from preparedness and suppression to community assistance and long-term restoration.

I further encourage Congress and the Administration to recognize the emergency nature of suppression costs and appropriate funds needed above and beyond regular budgets on an emergency basis. Asking agencies to rob fuel treatment, community assistance, restoration or related National Fire Plan accounts to cover these costs

will only hinder the implementation of a balanced, long-term fire program as described and agreed to in the Ten Year Comprehensive Strategy.

Conclusion

The condition of Colorado's forests and the accompanying risk from wildfire took more than a century to develop. It is not something any single agency can solve alone and it will not be restored overnight. But we must begin immediately to increase our risk reduction activity in the wildland-urban interface. Land management agencies and related interest groups must come together at local, state and national levels to establish agreement on guidelines and priorities for treatment and then move rapidly to accelerate action on the ground. Better coordination of interface suppression response among all jurisdictions will further improve community protection. And, ultimately, we must work at all levels to establish a mechanism for long-term commitment to protecting life, property and natural resources.

Mr. MCINNIS. Mr. Pearson. I never thought you guys were going to get a break down there in Durango.

**STATEMENT OF MARK PEARSON, EXECUTIVE DIRECTOR,
SAN JUAN CITIZENS ALLIANCE, COLORADO**

Mr. PEARSON. Well, if you will permit me, I did bring a few photos of the Missionary Ridge Fire.

Mr. MCINNIS. Smoke plumes, you know you think you see one and then you think, well, there won't be more of those and they just kept coming and coming. Our thoughts were sure with you down there. I appreciate your coming all this distance in light of these circumstances to present some testimony.

So, you may proceed and we will pass these photos around.

Mr. PEARSON. Thank you very much, Mr. Chairman. My name is Mark Pearson. I am Executive Director of the San Juan Citizens' Alliance which is a Durango-based citizens conservation group of about 500 southwest Colorado residents.

We have monitored and participated in Forest Service planning and management decisions in the San Juan Forest for the past 15 years. As you will note from some of those photos, like many of us in Durango, we have had an involuntary front row seat to the Missionary Ridge Fire that by last week had burned across approximately 73,000 acres of the San Juan National Forest, but the last few days of rain and the arrival of the monsoons have pretty well damped that fire.

But the fire has occurred under historic drought conditions. Until last week we had received just one inch of precipitation since the start of a year when normally we would have over seven inches by now.

As the Chairman has noted, standing trees in the San Juan Mountains currently have less moisture than kiln dried boards at lumber stores.

Prior to Missionary Ridge, in the 137 acre Hayman Fire near Denver, the record fire in Colorado was another San Juan blaze. The Lime Creek burned in 1879. The tinderbox conditions that permitted our moist San Juan Forest to burn at high elevation in June of 1879 were recreated this year.

We have only got 107 years of rainfall records in the southwest, so in 1879 we are somewhat extrapolating, but apparently that was probably the last year as dry as the year we have had this year.

One of those photos is the picture of the smoke column that occurred at three o'clock in the afternoon of June 24th when the fire

exploded out of the top of Haflin Creek, which is one of the steep canyons that drops into the Animas Valley. That is the one that spurred authorities to tell us to skedaddle and we spent a week out of our homes.

That cloud actually broke the fire lines and surged down hill toward the subdivisions, but it hit Aspen stands where it dropped to the ground and some intensive work by air tankers and helicopters and ground crews and bulldozers restored the defensive perimeter there.

You can tell that a lot of the forest that burned is a mixed conifer and aspen forest. A lot of the foresters locally are predicting that much of the Missionary Ridge Fire will come back as a massive stand of aspen. In this respect it is probably similar to the many fires that burned in the 19th Century that probably established the landscape that we see today and the vast tracks of aspen forest that characterize the San Juans.

One of the key strategies that fire commanders use on Missionary Ridge and at Hayman was to try to direct the fire toward wilderness areas where it would be far away from homes and property.

The presence of the Weminuch Wilderness on the northern edge of Missionary Ridge allowed fire commanders to focus their efforts protecting the homes and property that was on the south flanks of the fire and they were able, the commanders were able to essentially pinch and nip at the fires edges and push it so that it went north into the wilderness area.

The San Juan National Forest has geared up the past 2 years to implement the 2000 National Fire Plan. They have at least 18 fuels reduction and thinning projects near rural subdivisions that are planned in addition to their prescribed burns. There were four projects that they had planned to do this summer that were either on the edge or within the boundary of the Missionary Ridge fire as the map that you have indicates.

The Vallecito Project, for example, had planned to thin Ponderosa Pine, White Federally recognized and Oak brush on the east side of the reservoir there to produce hazardous fuels adjacent to private land and the camp grounds just before the fire occurred. The San Juan has also got an aggressive program of prescribed burns near Durango.

Last April they burned 1,000 acres on the north edge of the city in the log chutes area. So, we think our forest is doing a really good job at implementing the National Fire Plan. They are focusing their money and staff on projects in those places that are close to homes where local homeowners and fire chiefs agree that the risk of wildfire is severe.

We have also seen that with the Missionary Ridge fire that the advice that we have heard time and again from fire chiefs and Forest Service scientists is correct, that the single most critical element to saving a home is what you do within 100 feet surrounding that house.

So, our county commissioners are now grappling with what kind of changes they should make to their land use codes and building requirements to make sure that the roads are adequate for fire trucks, that they have enough water supplies and to try to mini-

mize the problems that firefighters encounter trying to fight the fires in the subdivisions.

I think one other thing that is interesting about the whole issue of what is appealed and how many appeals there have been and so forth comes into play when you look at the risk of projects that any forest has out.

This is the list of projects from the San Juan. About half of the fuels reduction projects are done as categorical exclusions which means you can't appeal them. So, they don't show up in anybody's list of statistics.

The other half is done with environmental assessments, which, of course, you can appeal. One thing that is pretty interesting is that each ranger district does it different. The Manco Stolores District, all of their projects are done with environmental assessments.

Then you go over the hill a little ways to around Durango and then most of the projects there are done with categorical exclusions which cannot be appealed. So, there doesn't seem to be consistency within even a particular forest on how they address these kind of projects.

I think looking at some of those issues may help illuminate the whole question of appeals and what has taken long and what hasn't.

Thank you very much. I appreciate the opportunity to be here.

Mr. McINNIS. Thank you, Mark. The photos are pretty illustrative. You tell the crowd these plumes that Mark experienced down there in Durango would go 40, 50, 60,000 feet in the air. They actually form an ice cap on top of them. That forces it down, which I had no idea, and I thought I was fairly knowledgeable in the area.

Then it collapses and implodes. They have some videotape in your community where it was snapping 36-inch diameter trees like toothpicks when the wind came out of the bottom of the plume. You guys went through a lot down there. We appreciate your coming out.

Mr. PEARSON. Thank you.

[The prepared statement of Mark Pearson follows:]

**Statement of Mark Pearson, Executive Director,
San Juan Citizens Alliance**

Good morning Mr. Chairman and members of the Subcommittee. My name is Mark Pearson. I am executive director of the San Juan Citizens Alliance, a Durango-based citizens conservation group of about 500 southwest Colorado residents. We have monitored and participated in Forest Service planning and management decisions on the San Juan National Forest for the past 15 years. I greatly appreciate the opportunity to participate in this hearing to update Members of Congress on the status of the 2002 Wildland Fire Season. We who live in Mr. McInnis' district, and who live in and around Durango, have a particularly keen interest in wildland fires this year.

By the end of last week, the Missionary Ridge fire had burned across approximately 73,000 acres of the San Juan National Forest outside Durango. Like many of my friends and neighbors in Durango, I've had an involuntary front row seat to the fire. I was evacuated from my home for one week during the fire, but fortunately returned a week ago Monday to find my home and property unscathed.

Missionary Ridge Fire Occurred Under Historic Drought Conditions

The Missionary Ridge fire has occurred under extraordinary circumstances. Southwest Colorado remains in the grip of the greatest drought in recorded history. Until a brief storm last week, Durango had received just one-inch of precipitation

since the start of the year, compared to an average of over seven inches. As the Chairman has noted, standing trees in the San Juan Mountains currently have less moisture than kiln-dried boards at lumber stores. The grass is crunchy underfoot everywhere through our mountains, a tinder-box waiting to explode as the number of recent fires attest.

Prior to Missionary Ridge, and the 137,000-acre Hayman fire near Denver, the record fire in Colorado was another San Juan blaze, the Lime Creek burn of 1879. Historic newspaper accounts report that winter snowpack and spring moisture in 1879 closely mimicked this year's conditions. The snowpack was minuscule, and news editors in the new mining town of Silverton touted the region's balmy winters as an inducement to draw more miners and settlers to the region. By May, fires were already burning in the upper Animas River valley, and by early June, 1879 a fire ignited in lower Lime Creek that would burn for a month through the high elevation aspen and spruce forests all the way to the edge of Silverton. The tinder-box conditions that permitted our moist San Juan forests to burn at high elevation in June, 1879 were re-created this year. In essence, what we've seen this year is a once in a century set of climatic conditions, a drought so extreme that it has broken all known records.

The drought's conditions have resulted in accidental ignitions of almost unbelievable cause. The Coal Seam fire near Glenwood Springs ignited when an underground coal fire that had burned without incident for decades was fanned into a conflagration by a coincidence of howling dry winds and kindling fuels. Ten homes were consumed in an hour by the Valley Fire near Durango ignited by an electric fence in contact with weeds and grass. The 73,000-acre monster Missionary Ridge fire was set off by an innocent motor vehicle spark or backfire.

According to the fire incident commanders, the Missionary Ridge fire exhibited extreme behavior. A typical scenario in this fire was the creation of towering, 30,000-foot columns of superheated smoke and embers spiraling skyward late into the evening. As the fires consumed available fuel on the ground and the heat diminished, the columns collapsed. In some cases, these collapsing smoke columns rained burning debris three or four miles in advance of the fire lines. One such column collapsed onto the Aspen Trails subdivision the night of June 14, igniting dozens of spot fires and sending the fire racing across thousands of additional acres through forested subdivisions.

I was personally evacuated at 3:00 pm on Monday, June 24 when the fire exploded out of the top of Haffin Creek. Haffin Creek is one of the steep, rugged canyons that plunge to the Animas Valley from Missionary Ridge. The canyon rises over 3,000 feet in just two horizontal miles. Dense stands of white fir, Douglas fir, and aspen grew in the head of Haffin Creek. When the fire hit these dense stands in precipitous terrain, some of it so steep it is almost impossible to stand, the resultant fuel cell burned vigorously and created another towering column of fire and embers that spurred evacuation of downwind residences such as mine. This particular cloud exploded over the top of the ridge, broke the firelines, and surged downhill. A combination of aspen stands that dropped the fire to the ground and aggressive attack by air tankers, helicopters and ground crews restored the defensive perimeter.

The fire fighting effort for Missionary Ridge was an extraordinary example of well-coordinated local and Federal cooperation. Durango residents and area homeowners do not have enough praise for the unbelievably heroic efforts made by firefighters who literally saved dozens if not hundreds of homes by their gritty determination not to lose any more homes than absolutely necessary. The quick response by Red Cross, FEMA, and countless other relief organizations greatly relieved the burden on residents displaced and those that lost homes, businesses, and property. Our sincerest sympathy goes out to the family of firefighter Alan Wyatt killed in a tragic accident last week while working to defend our homes and forests.

Missionary Ridge Fire Burned Through Aspen and Other Cool, Wet Forest Types

The Missionary Ridge fire was ignited by a motor vehicle on a forest access road on private property on June 9. Gusting winds quickly drove the fire uphill, into mixed conifer, aspen, and spruce amidst some of the most heavily logged and roaded parts of the national forest. The first day, Missionary Ridge grew to 7,000 acres in a matter of hours. It quickly roared through 40-year-old spruce clearcuts and crested the ridge. At this point, the dried grasses of the clearcuts served simply to accelerate the fire even faster than it was moving through the crown of forest.

Despite this fire's extreme behavior, in many other instances it burned as a cool, backing fire very similar to the prescribed fires set in spring and fall by fire managers. Particularly in the abundant aspen stands present in the fire perimeter, the fire dropped to the forest floor and burned undergrowth in a patchy mosaic of fire.

In many ways, the Missionary Ridge fire is probably indicative of the mid-19th-century fires that reportedly burned across the landscape and created the vast tracts of contiguous aspen that characterize the San Juan Mountains. It seems quite likely that most of the over 70,000 acres within Missionary Ridge will quickly regenerate as vibrant young aspen stands.

I know many residents are dismayed by the seeming moonscapes that surround some of their homes and businesses. My friends and neighbors in subdivisions like Enchanted Forest and Aspen Trails are relieved by the survival of their homes, but discouraged about the blackened condition of the surrounding forest. If folks can hang on to a bit of optimism at Vallecito and other resort areas, they will likely see the forest recover as one of the most scenic and stunning vistas in all the San Juans, with shimmering aspen forests surrounding a jewel-like mountain reservoir.

Missionary Ridge Fire's Role in Ecosystem

The Missionary Ridge fire also addressed one of the other major concerns of forest managers in southwest Colorado. Both the Colorado State Forest Service and the San Juan National Forest have asserted that the aspen forests created by landscape-scale fires in the 1800s and earlier are slowly succumbing to succession by spruce and fir. Forest Service documents describe that "suppression of wildfires over the past century has allowed most of these seral [aspen] stands to mature. As the seral aspen gives way to conifers throughout the Region, there will be an overall loss of diversity in plant communities." (Clyde Lake Timber Sale EA, February 1999) The Missionary Ridge fire has reset the ecological clock on over 70,000 acres of existing and future aspen stands, dwarfing the few hundreds of acres addressed by any specific aspen timber sale. Prior to the fire, Missionary Ridge offered a panoply of fall colors anyway, but the rejuvenated aspen stands from this fire will match or surpass any forest in Colorado.

Role of Wilderness Areas in Fire Fighting Strategies

One of the key fire fighting strategies utilized in both the Missionary Ridge and Hayman fires was to direct the fires towards safe havens in wilderness areas, far from homes and property. The presence of the Weminuche Wilderness Area on the northern periphery of the fire allowed fire commanders to focus their resources protecting homes and property on the southern flanks of the fire. Fire commanders continually pinched and nipped at the fire's edges to slowly maneuver it into the wilderness where it no longer threatened homes, and where fire should naturally be restored to the ecosystem anyway.

Wilderness served a similar purpose in the massive Hayman fire near Denver, where the Lost Creek Wilderness Area anchored the western flank of defensive efforts. Here, fire commanders also left the wilderness as a sort of "fire sink" where they could send the fire to burn unattended for days until more critical areas were contained, and then finally turned their attention at the end to the more remote spaces of the wilderness.

San Juan National Forest is Taking a Sound Approach to the National Fire Plan

Like many forests around the country, the San Juan National Forest has been gearing up to increase its fire management strategies in the past two years since enactment of the 2000 National Fire Plan. After receiving funding from Congress last year, the San Juan National Forest is aggressively moving forward with public outreach and involvement, and implementing numerous fuels reduction projects. For example,

- The San Juan National Forest has scheduled at least 18 fuels reduction and thinning projects near rural subdivisions. Specifically, four of these projects were already planned for this summer and fall along the edges of the Missionary Ridge fire perimeter. As an example, the Vallecito Project planned to thin ponderosa pine, white fir, and oakbrush to reduce hazardous fuels adjacent to private land and Forest Service campgrounds.
- The San Juan continues its program of aggressive prescribed burns near Durango and other communities, such as last April's 1,000-acre prescribed burn in the Log Chutes area just northwest of the city limits.
- Close to home, in my own neighborhood, last summer the BLM initiated a 40-acre fuels reduction project to clear oakbrush and thin ponderosa pine. Local residents were invited on tours to observe and offer comments.
- A week from today, on July 18, the San Juan National Forest is holding a La Plata County focus group to help ascertain better ways to educate the community about fire risks. Previous efforts in conjunction with homeowners and fire chiefs have laid out priorities for protecting homes in rural subdivisions.

The San Juan National Forest offers an excellent model for implementing the National Fire Plan. The necessary fuels reduction projects are now in the pipeline a

year and a half after direction by National Fire Plan. In conjunction with local fire chiefs, public involvement and education about reducing community risks is in full swing. The Forest is focusing its fire money and staff on projects in those places close to homes where local homeowners and fire chiefs agree the risk of wildfire is severe (the wildland-urban interface).

I understand that National Forests elsewhere have approached implementation of the National Fire Plan differently. For example, the Grand Mesa, Uncompahgre, and Gunnison (GMUG) National Forest just north of the San Juan is using a legitimate fuel reduction project as the anchor for a controversial commercial timber sale which the Forest Service admits may increase fire risk. Specifically, the Ward Lake Fuels Reduction Project combines a light-on-the-land fuels reduction effort around the boundary of extensively developed and fire-prone private lands with the Skinned Horse project, an old shelterwood timber sale and road-building proposal that the GMUG has twice withdrawn from consideration after public opposition. This combination of projects is sure to generate controversy about the agency's implementation of the National Fire Plan. We urge the Forest Service to follow the San Juan's model, and focus fuel reduction efforts near homes where fire chiefs and residents of my community want them focused.

No Logging Projects Were Proposed or Appealed in Missionary Ridge Fire

The Missionary Ridge fire burned in the middle of June through normally wet and moist forests of aspen, spruce and fir. That it was able to do so emphasizes the extraordinary nature of climate this year. Some have expressed concern about whether logging or other forest management projects have been unnecessarily delayed in these fire areas that might have made a difference in the fire's intensity and extent. Within the Missionary Ridge fire perimeter, there had not been a single logging project proposed by the Forest Service in the past decade in part because the upper elevations were extensively logged through the 1960s and never regenerated. Because there were no proposed logging projects, public involvement played no role in delaying any fuels reduction activities. This is similar to the national statistics reported by the GAO, that only a handful out of more than 1,671 fuels reduction projects it reviewed in August 2001 were appealed by various public interests, and none litigated.

Hayman Fire Burned Primarily Outside the Upper South Platte Project Boundary

Some have expressed concerns more specifically about the Hayman fire and objections raised by conservation groups to parts of a proposed Upper South Platte Project located around near and outside the northern end of the fire. Last September, the Forest Service approved implementing logging and thinning on 12,000 acres, with work beginning on the ground this spring just before the Hayman fire started. This decision, which involved thinning adjacent to home and communities in already roaded areas, was not challenged by anyone. Local conservation groups had challenged logging on an additional 5,200 acres located in undeveloped roadless areas, asking for better definition of exact locations of proposed logging, whether the proposal would retain larger, more fire-resistant trees, and how the trees would be removed without the need for constructing new roads. These concerns and others were raised by the Environmental Protection Agency and Congressman Mark Udall as well as by conservationists. The Project itself both in its scope and nature was a new type of proposal for the Front Range. It would have removed more timber than virtually any other Forest Service logging project in Colorado over the past decade. It is not surprising, then, that a project of this nature, particularly where it involved more remote areas, would involve some controversy.

The Upper South Platte project also highlights one of the scientific uncertainties about fuels reduction projects. While there is some general consensus about what our pines forests may have looked like in the 1800s, prior to European settlement, many scientists still view thinning projects aimed at restoring forests as experimental in nature. Because of this uncertainty, forest biologists at Colorado State University and University of Wyoming argue against invading roadless areas with these experiments, and focusing efforts instead on lands near homes and private property.

Some have argued that the Upper South Platte Project provides a textbook example of why laws that protect our water, wildlife, and wild places and that ensure public involvement in forest management must be changed. I disagree. The Pike-San Isabel National Forest did not identify where it wished to begin its thinning efforts until September 1999 less than three years ago. Given that the project would have taken up to 8 years to implement, and given the tinder dry condition of the forest, it is not likely that the Project would have halted the Hayman blaze sooner, even if all environmental laws had been ignored. Public input ultimately improved

some parts of the decision, and helped the Forest Service better explain and clarify its vision for the project.

In any case, the Project is located at the far northern end of the Hayman fire, far from the original point of ignition. The Hayman fire burned tens of thousands of acres long before it came near the area of the Upper South Platte Project. Approximately 98% of the fire occurred in areas not impacted by citizen appeals to revisit the Roadless Area portions of the decision, and the fire ultimately stopped in roadless areas at the fire's periphery.

Best Defense For Homeowners Remains the 100 Feet Around Houses

The Missionary Ridge fire provides stark evidence to buttress the advice reiterated by fire chiefs and Forest Service scientists time after time—the single most critical element to saving or losing a home to wildfire is the defensible space created in the 100 feet surrounding a house. Metal roofs and cleared brush still make the greatest difference. Fire researchers report that outside a 100-foot radius, even the radiant heat generated from a raging crown fire won't spontaneously ignite wood siding on a house. Homeowners who create defensible space can knock down a crown fire to a manageable level and give their property a fighting chance at surviving even a howling firestorm.

The Missionary Ridge fire provided a wake-up call that Durango residents cannot ignore. County commissioners are now considering what changes to land use codes and building requirements are needed to minimize problems of access, steep and narrow roads, lack of water supplies, and other difficulties encountered by firefighters trying to save homes. So many homeowners are now rushing to create more defensible space around their homes that local tree trimmers and fire protection businesses are swamped with work, with waiting lists stretching to months.

Keys to Success in Fire Prevention Include Local and Federal Efforts and Favorable Climate

Rain showers have started to bless the San Juans. Over an inch of rain fell on the Missionary Ridge fire last week, draining its vigor. The National Fire Plan is on track in the San Juans. Congress needs to fully fund it, make sure that firefighting efforts do not so severely deplete the coffers as to shortchange the preventative efforts agreed upon by homeowners, fire chiefs, foresters, and residents that will protect property in the event dramatic drought conditions persist through the remainder of the summer and into next year. Local residents and elected officials must grapple with difficult land use and zoning decisions to improve defensible space and limit development proposed for indefensible locations.

Thank you for your attention and the opportunity to offer these thoughts. I would be happy to address any questions.

Mr. McINNIS. Dr. Morgan.

STATEMENT OF PENNY MORGAN, DEPARTMENT OF FORESTRY, UNIVERSITY OF IDAHO

Ms. MORGAN. Thank you for the opportunity to share my recommendations with you. You will see I promote a broad and flexible perspective on ecological restoration and forest management.

I have to say before I begin that last week one of your staff called my boss and asked if I am brown or green. This really threw me for a minute. I couldn't think of how I would answer that. I am an ecologist. I don't see things in a single color. How can any single color describe what I think on this complex issue?

Then I realized maybe somebody was asking about my eye color and that has always been a real difficult question because I have one brown eye and one green eye.

That said, I have six recommendations. We do need an aggressive program of fuels management, including both prescribed fire and thinning from below. We need that focus in the urban interface. Such efforts are indeed included in the National Fire Plan and in the Western Governors Association Plan.

We need effective fire suppression, but fire suppression without proactive fuels management will not reduce long-term costs. Let me repeat. Fire suppression without proactive fuels management will not reduce long-term costs.

Unfortunately, an increasing percentage of the National Fire Plan budget is going to fire suppression which will make the situation worse rather than better, if not complemented by fuels management and prescribed burning.

My second recommendation: We must work from zones of agreement. There is a broad consensus, not only among scientists and managers, but across the diverse public that the priority should be protecting towns and that we should concentrate our efforts in the urban interface.

Fuels management is indeed needed and we can substantially reduce fire intensity and reduce fuel loads without cutting the large and the old trees.

We find those zones of agreement, as others have mentioned, by involving local communities and prioritizing the areas for treatment.

My third recommendation: We should empower local people and communities to collaborate with the State and the Federal land management agencies. In this, I think the collaborative framework in the Western Governors Association Implementation Plan is quite good.

Collaboration really does work. I am part of two successful efforts. The first resulted in a forthcoming paper summarizing current science and outlining principles of forest restoration in Ponderosa Pine forests. It was jointly coauthored by scientists from four universities, two Federal and one State agency and two environmental groups that all came to agreement.

The other collaborative effort I am part of is the Collaborative Forest Restoration Program which is a U.S. Forest Service program that has actually given the pen to local communities. These local community organizations write grants. Those that have been funded address all public lands, so this Forest Service money that is going to not only Federal lands, but also State, tribal, county and municipal lands.

I have been really impressed, when given the opportunity, how many creative ideas the communities have for reducing fire risk and restoring forests using small-scale community-based efforts that result in local jobs and local benefits. That program has strong bipartisan support.

My fourth recommendation: We must resist the temptation to suppress fires that don't threaten communities. Fires are vital to healthy forest ecosystems.

Fifth: We must identify the thresholds of stand density and other conditions that allow burning without prior thinning. We have many places that we could burn safely now or that could burn in wildfire safely now without long-term adverse effects.

Further, knowing these thresholds will help us identify what is the minimal level of thinning that is needed, which will make the money that we spend go further.

Last, I can't emphasize more that we need to monitor and evaluate effectiveness. We don't have all the answers and yet we must

begin fuels management. We must invest in monitoring to insure that we learn as we go.

I would urge us to differentiate between two different, of course they are related, fire management problems. One is protecting people and their property. That is to be addressed with fuels management within the urban interface.

The other is restoring forest integrity and resilience. I would like to emphasize in the urban interface again that we can significantly reduce the risk of high intensity fires without thinning to very low densities and without removing the old and large trees. In fact, heavy thinning can increase fuel loading, especially in the short term because of the slash that is created.

Unless burning follows thinning, fuels will accumulate on the forest floor. Seedlings establish. Needles fall. Grass grows and that will fuel fast-running surface fires.

I would like to have my full statement included in the record because I address in there the difference between thinning and restoration.

Mr. TANCREDO. [Presiding] Without objection. Thank you very much.

[The prepared statement of Penny Morgan follows:]

**Statement of Penelope Morgan, Professor, College of Natural Resources,
University of Idaho**

Good morning. Thank you, Mr. Chairman and members of the Subcommittee, for this opportunity to share my recommendations with you about fire and forest management.

I am a fire ecologist. I have taught and done research on fire ecology and management for more than 17 years. I often advise Federal and state agencies, and non-governmental organizations about fire effects and land management issues. In general, I promote a broad and flexible perspective on ecological restoration and forest management.

Here are my 9 recommendations. I'll then make my case and conclude.

My recommendations

1. We must recognize that we have two different fire management problems before us. The first problem, protecting people and their property from fire should be addressed with an aggressive program of fuels management within the wildland urban interface. Treatments in all forest types should include BOTH prescribed fire and thinning from below. Such efforts are included in both the National Fire Plan and in the Western Governors Association Cohesive strategy and related implementation plan. We need effective fire detection, suppression, and rehabilitation, but fire suppression without proactive fuels management will not reduce long-term costs, whether those costs are measured in dollars, soil erosion, houses burned, or large, formerly fire-resistant trees killed. Let me repeat, fire suppression without proactive fuels management will NOT reduce long-term costs. Unfortunately, an increasing percentage of the National Fire Plan budget is going to fire suppression, which will make the situations worse rather than better if not complemented by fuels management and prescribed burning.
2. Our second fire management problem, restoring the health and integrity of forests beyond the narrow Wildland Urban Interface will also require active management, but must emphasize the reintroduction for native fire regimes. Solutions must be adapted to the diverse forest ecosystems, and must be applied in a landscape context.
3. We must resist the temptation to suppress fires that don't threaten communities. Fire is integral and vital to healthy forest ecosystems and watersheds.
4. We need to develop a process for local definition of Wildland Urban Interface (WUI). Until then a simple rule may be needed to focus our attention on the areas within 1/4 to 1/2 mile from the edge of the houses. Risks in WUI are very locally associated with the pattern of subdivision, roads (i.e. one way roads vs. two-way), local fire management capability, local topography and weather, and types of fuel.

5. We must work from zones of agreement. We must build trust and credibility. There is broad consensus, not only among scientists and managers, but across a diverse public that
 - The priority should be protecting towns, and
 - Fuels management is needed. We can substantially reduce fire intensity and reduce fuel loads without cutting the large and old trees
 - Local communities should be involved in prioritizing areas for treatment.
6. We should empower local people and communities to work collaboratively with state and Federal land management agencies. I support the collaborative framework in the Western Governors' Association Implementation plan for the 10-year comprehensive strategy (<http://www.westgov.org/wga/initiatives/fire/implement-plan.pdf>). I am part of two collaborative efforts that have been very successful:
 - The first resulted in a forthcoming paper summarizing current science and outlining principles for forest restoration in ponderosa pine forests. The paper is jointly coauthored by scientists from 4 universities, 2 environmental groups, and 1 state and 2 Federal Government agencies (Allen, C.D., M. Savage, D.A. Falk, K.F. Suckling, T.W. Swetnam, T. Schulke, P.B. Stacey, P. Morgan, M. Hoffman, and J. Klingel. In Press. *Ponderosa pine ecosystems: A Broad Perspective. Ecological Applications.*)
 - The Collaborative Forest Restoration Program (<http://www.fs.fed.us/r3/spf/cfrp/index.html>), a USFS program has "given the pen" to local communities and organizations who compete for grants. These communities have many creative ideas for reducing fire risk and restoring forests on state, tribal, city, and Federal lands. These are small-scale, community-based efforts that result in local jobs and local benefits.
7. We must identify the thresholds of stand density and other conditions beyond which thinning must precede prescribed burning. In forests below this threshold, reintroducing fires could be done without long-term effects that are unacceptably adverse. Knowing this could help us identify the minimal level of thinning needed.
8. Monitor and evaluate effectiveness. We don't have all the answers, and yet we must begin fuels management. Thus, we must invest in monitoring to ensure we learn as we go.
9. Address planning "gridlock", but not by limiting public involvement and environmental regulations.

Fuels management within the urban-interface

The first problem is how to protect people and towns. This can be addressed with fuels management within the urban-interface, a relatively narrow zone in the vicinity of houses and other structures. There is strong scientific consensus, based upon empirical studies, fire behavior modeling, and much anecdotal experience, that reducing fuels will alter subsequent fire behavior. Foresters call the needed prescription "thin from below" because it removes the smaller trees while leaving the bigger trees. The small trees and surface fuels contribute most to crown fire risk, as they provide "ladders" for the fires to climb from the surface into the tree crowns. The larger trees can and should be left as long as the crowns of individual trees or the crowns of groups of trees are separated. Where possible, treatments should be accomplished in ways that will minimize the impacts of treatments on soils and watersheds, and on wildlife habitat.

Let me emphasize a key point. We can significantly reduce the risk of high intensity fires without thinning to very low densities, and without removing old and large trees. It is the smaller trees, those 8 to 10 inches in diameter or less, which contribute the most to ladder fuels. In fact, heavy thinning can increase fuel loading, especially in the short term, because of the slash that is created when the branches and twigs are left behind. The goal of fuels management in the urban-interface should be to create defensible space and ensure that when fires burn through the forest, they burn as surface fires.

Without subsequent burning, however, fuels will accumulate on the forest floor. Seedlings establish, needles fall and grass grows that will fuel fast-running surface fires unless these are burned. Logging doesn't reduce these fuels. Neither does grazing, since it doesn't remove the pine needles that rapidly accumulate and fuel fires in ponderosa pine forests. It also eliminates critical surface fuels needed for low intensity fires to spread.

Repeat treatments will be required. However, they are likely to get easier as forest conditions change. Public attitudes may change once they see that treated forests can be attractive and fire-safe.

These treatments will modify fire behavior, but they will not eliminate large fires. However, treatments can increase the likelihood that the things we value, including natural, economic and cultural assets, will survive large fires. Fire suppression can be more effective when there is defensible space around towns. Homeowners must also take responsibility for maintaining fire-safe buildings and home sites.

Restoring forest health, integrity and resilience.

Restoration is needed, particularly in the dry forests at low elevation that support ponderosa pine. Restoration includes more than reducing crown fire risk, for there is strong scientific evidence that the overall ecosystem health has declined in the forests that once supported frequent surface fires.

Many people ask if thinning to reduce fire risk will also restore forests. The short answer is that thinning the small trees from ponderosa pine–Douglas fir forests can be a first step in ecological restoration. However, unless fires return to the forests, the benefits of thinning are short-lived. Large and old trees and snags must be left standing, even if they are diseased, dying or dead. They are important to many wildlife species and ecosystem functions. They also provide “insurance” because they often survive surface fires and can speed post-fire recovery. The forest must be structurally diverse and non-uniform. Most critically, fires must occur relatively frequently but at irregular intervals. Further, thinning can reduce over-crowding, and thus increase the health and vigor of the remaining trees, but only if it is done very carefully to minimize roads, soil compaction, introduction of weeds, and damage to residual trees.

“Do we know what restored forests look like?” Yes, at least for ponderosa pine/Douglas-fir forests. Earlier this summer, I sampled in forests that had burned 5 to 7 times since 1943. The forests were structurally diverse, with many old and large trees and snags, and scattered small trees. The forests are relatively open. Most strikingly, the trees are not evenly spaced. There are denser clumps interspersed with openings. Grasses, shrubs, and forbs are abundant, vigorous, and diverse. Native species predominate. These forests support a diverse array of wildlife (birds, rodents, mammals, and insects).

The forest I sampled is in the Rincon Wilderness in Arizona, but restored forests exist outside of wilderness areas. West of Spokane, Washington, the Spokane Indians manage their pine forests with fire while achieving jobs and protecting wildlife and cultural values. There are many new forest restoration projects in NM, including one in the Jemez Mountains in New Mexico, not far from the Cerro Grande fire. You can also visit Ponderosa Pine State Park near McCall, Idaho.

There is strong scientific agreement that restoration is needed in the fire-adapted forests at low elevations, such as ponderosa pine, that historically burned in frequent, low-intensity fires. Such forests have burned extensively this year, often with severe ecological effects and threats to people. These forests, now mostly classified as being in condition class 3, have been greatly altered by past management practices, including logging, fire suppression, and intense livestock grazing. These forests are dense with small trees, but they have few old and large trees and low biological diversity. Both human and forest communities are increasingly vulnerable to intense crown fires. Protecting communities and restoring more natural, resilient conditions to ponderosa pine forests will require reintroducing low-intensity surface fires.

Traditional approaches to management, such as logging the old and large trees or suppressing all fires, will perpetuate the problem. An approach that mimics the natural system in ways that are sensitive to, but not driven by social, political and economic pressures, appears to be the best solution to achieve both ecological sustainability and social acceptance. Here, we must be very strategic in focusing active forest management and prescribed burning efforts where they will do the most good within landscapes. Where fuels must be reduced before fires can be reintroduced, those fuels treatments must be very limited to the minimum necessary we will only need to treat a small percentage of the landscape to accomplish that. Unfortunately, we don't yet know how to do this very effectively, so it is critical that we initiate pilot projects and monitor them carefully to learn from them about what will make our efforts more effective.

There is much less scientific agreement on the restoration treatments needed in other forest types that historically supported mixed severity and stand-replacing fires, such as subalpine fir or western white pine forests. Restoring fire as a process is critical. However, most such forests are less “out-of-whack” than the dry forests at low elevations that support ponderosa pine.

Fire management must be more than fire suppression.

This is not the first big fire year, nor will it be the last. Excluding fires forever is not an option. Fires will inevitably occur when we have ignitions in hot, dry, windy conditions. If there is enough fuel available, fires will burn intensely. It is one of the great paradoxes of fire suppression that the more effective we are at fire suppression, the more fuels accumulate and the more intense the next fire will be. Therefore, fire management must include more than fire suppression.

Fire and land management must be grounded in an understanding of the complexity and diversity of forest ecosystems, and must recognize that fire is ecologically important.

In all forests, fires consume fuels, recycle nutrients and encourage new plant growth, but the frequency, effects, and ecosystem resilience (i.e., the time for recovery) varies greatly. Fires also alter the structure and composition of forests. Thus, fires are an integral part of many forest ecosystems, and they play important ecological roles.

“Gridlock” and “analysis paralysis”

Many people feel that the land management agencies are in a planning gridlock because of NEPA, ESA, and other regulatory acts. Most of the inability to effectively get the plans done, decided and implemented is due to internal agency problems. In particular, 1) poor decision making and planning project management by agency line and staff officers (i.e. lack of good team coaching), 2) lack of training/education in the regulatory act planning process; and 3) lack of training/education in recent science of social and ecological systems, and associated restoration. This must be addressed, but not by limiting public involvement and environmental regulations.

Conclusion

We do need aggressive fuels management including BOTH prescribed fire and thinning from below, IN THE WILDLAND–URBAN INTERFACE.

We must work with communities and collaborate across agency boundaries to identify zones of agreement. Build consensus on what treatments are acceptable and where, so that we can move ahead.

We must think beyond fire suppression to fire management, adapting our management to the complex and diverse forest conditions.

Be prudent, and acknowledge the limitations of our knowledge. There is broad scientific and management consensus on the need for and approach to treatment in the urban-interface. Beyond the urban-interface, there is some agreement on how to restore ponderosa pine forests. There is less agreement on how to restore forests that historically supported mixed and stand-replacing fire regimes at longer intervals. Luckily, many, but not all (e.g. whitebark pine forests) of those forests are not in condition class 3 because they are less “out-of-whack”.

We must be patient. The fire risk problem took decades to develop. Solving it will take time. “Impatience, over-reaction to crown fire risks, extractive economics, or hubris could lead to widespread application of highly intrusive treatments that may further damage forest ecosystems” (Allen et al. In Press).

In dry forests, restoring ecological integrity will require thoughtful planning to ensure management that is ecologically appropriate and socially acceptable. Fire suppression, thinning, prescribed fire, and other treatments have their place in managing forests, but they are not cure-alls for all circumstances. We need all of these tools and more to manage public lands. There is an emerging consensus among groups with widely divergent viewpoints that thinning small trees to reduce fire risk is both useful and needed within the urban-interface. It would be a mistake to ignore this and go back either to business as usual or to a total fire suppression mentality.

I extend my sympathy to the people who have lost their homes, and to the many others whose lives have been disrupted by fires. We owe it to those people and to those of future generations to learn from recent and past fire events. We must work proactively together to address the fuels and fire risk problems, and to manage our natural resources in ways that will sustain the health and integrity of both our forest and human communities.

Thank you. I welcome your questions.

References cited

Allen, C.D., M. Savage, D.A. Falk, K.F. Suckling, T.W. Swetnam, T. Schulke, P.B. Stacey, P. Morgan, M. Hoffman, and J. Klingel. In Press. Ponderosa pine ecosystems: A Broad Perspective. Ecological Applications.

Government Accounting Office. 2002. Wildland Fire Management: Improved Planning Will Help Agencies Better Identify Fire-Fighting Preparedness Needs. GAO-02-158. March 29, 2002. Available on <http://www.gao.gov/>.

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In fire-adapted ecosystems, like the ponderosa pine-Douglas-fir forests that grow at low elevations in the West, periodic fires—

- Reduce accumulated forest debris and thin the small trees, thereby reducing the risk of intense crown fires and protecting human lives and important resources such as public and private property, timber, water quality, fish and wildlife habitat, and long-term air quality;
- Recycle nutrients and water tied up in forest litter, thereby naturally fertilizing surviving plants;
- Rejuvenate grasses and shrubs, thereby improving wildlife foraging;
- Often enhance structural and species diversity
- Enhance the survival of large trees currently threatened by competition from dense small trees and by crown fires fueled by the small tree ladder fuels
- Restore the natural role of fire as an ecological process and the historical structures and function of fire-dependent ecosystems where fires has been suppressed, thereby maintaining natural forests.

Mr. TANCREDO. Mr. Long.

**STATEMENT OF MICHAEL LONG, ASSOCIATE DIRECTOR,
FLORIDA DIVISION OF FORESTRY**

Mr. LONG. I am Michael Long. I am the Assistant Director of the Florida Division of Forestry, Department of Agriculture and Consumer Services. I am here today on behalf of the National Association of State Foresters to present a little different perspective as the eastern perspective of the wildland fire problem.

Today, there are a little over 1300 State and local government firefighters from the east providing assistance in the west.

To talk a little bit about Florida's problems, we protect 26 million acres of land. One of our greatest challenges is the diversity of landowners and the difference in their land management objectives. Protecting private property from wildland fire is a major challenge for the Wildland Fire agencies in the east.

Our National Wildfire agenda must not be dictated only by the Federal Land Management policies and ownership. As a part of the total wildfire manager program, in Florida we issue about 68,000 burning authorizations per year which accomplishes about two million acres of prescribed burning in our State.

In addition to that, we still respond to 5,700 wildfires which burn a little over 225,000 acres annually.

Fire departments in our state respond to about an equal number that they keep much smaller and that we never have to take action on. Because of our ever-increasing population and the desired living styles, all the fire agencies in Florida must come together to work together on a daily basis. We have about 10 days a year that we do not fight fires somewhere in the State of Florida.

Our work to deliver rural community fire assistance funding, National Fire Plan funds, Federal excess property to the rural fire departments is critical to our ability to handle fire under normal conditions.

The last 4 years has found Florida under anything but normal conditions. We are much like the west today. The extreme drought coupled with severe weather produced fire behavior conditions that

were almost impossible to deal with. The wildland urban interface issues we faced even on small fires demanded tremendous resources. The real danger was firefighter safety, as we have heard mentioned here earlier today.

Our personnel were taking extreme risks to save communities and homes. The smoke you see experienced here for a few days was commonplace for months in our State in the last four fire seasons. That smoke translated into something I haven't heard, and that is smoke and highway fatalities.

You have the ability to plan and mitigate the effects of prescribed fire smoke, but not so with wildfires. The fuel loading conditions in eastern coastal plains are such that if you do not prescribe burn every three to 4 years you lose the hazard reduction effect, which means we have a continual problem which is much greater and more costly.

It is important to note that if communities at risk were required to be adjacent to Federal lands as some have proposed, most land owners in Florida would not receive the assistance they need and the fire hazard would escalate.

We are starting to see benefits from fire-wise communities. Future developments must be built with an understanding of wildland fire and its role in the vegetative community where the developments are being built. We cannot just build and expect the Fire Service to protect the resident.

The Cooperative Forestry Assistance Act of 1978 recognized fire as a national problem and provided direction to the Secretary of Agriculture to provide assistance in the prevention and control of rural fires and non-Federal forestland.

When the conditions become right for extreme fire behavior no portion of this country is immune from devastating wildland fire. There seems to be a tendency to want to address wildland urban interfaces issues only on lands adjacent to Federal lands. I strongly feel that to do so is to neglect the vast majority of other communities throughout the Nation that may be at equal or higher risk.

There is little Federal land to the east for the urban interface to be adjacent to, yet there are numerous subdivisions, home divisions, and business communities at extreme risk. I think there is an obligation to provide assistance to these citizens also.

I do not disagree that there is a need for fuel reduction in the West. We need to be able to use brush removal, thinning, harvesting and safely prescribed fire. But these activities do not start and stop on a magical line.

There are countless acres of private ownership that have just as extreme a forest health issue and just as severe as those on Federal lands. The current markets and recent closure of pulp and paper mills will only reduce a landowner's ability to remove smaller diameter products. If we are to be successful to reduce the fuel hazards, we must find ways to utilize that material.

The Federal Excess Property Program, this program has helped both State and local agencies obtain equipment and materials that allow for the development of additional wildland firefighting capabilities that would not otherwise be available.

Many forestry agencies, aviation programs rely primarily on Federal excess property. I have enclosed a picture of Florida's most re-

cent acquisition, a military gunship that now fights fire. That aircraft would have cost us over \$2 million. To demilitarize it and put it in service has only cost us around \$300,000.

Forest communities need your assistance. Earlier this year Congress passed and the President signed the 2002 Farm Bill, however, no funding was included in the President's budget request for Fiscal Year 2003 because at that time the program was not authorized by Congress. We have to take action to correct that.

The National Fire Plan, the Ten-Year Comprehensive Strategy and the Implementation Plan for the Ten-Year Comprehensive Strategy must be pulled together and address all the issues and address it from a good manner.

I wanted to thank Chairman McInnis for his support in establishing the Wildland Fire Leadership Council and for recognizing the need to include States as full partners in that council. I think we all have to work together if we are to solve the problem.

A definition of wildland urban interface must be based on or near forestlands nationwide, regardless of land ownership. Our problems to solve wildland urban interface issues will only be complicated if for some reason we try to give the sense that it is only a problem adjacent to Federal land.

We have to strengthen the State and local fire departments and the ability to get Federal excess property. That is the backbone to our ability to provide fire protection to our citizens and keep those fires small.

The National Association of State Foresters realizes that a healthy forest condition is a primary key to reducing a wildland fire problem. The return of fire to fire-adapted ecosystems in a safe and prudent manner will reduce the threat of unwanted wildland fire intrusion into the wildland urban interface.

We realize that is not possible everywhere and that even under the best vegetative management programs when the conditions become right for extreme fire behavior, there will be fires that reach catastrophic portion. The best we can do is to maintain a balance that makes those instances an exception rather than the norm, as it seems to be with the conditions of our nation's forest today.

I would like to take this opportunity to thank you for the opportunity to be here to testify. I would be willing to answer any questions.

[The prepared statement of Mr. Long follows:]

**Statement of Michael Long, Assistant State Forester of Florida,
on behalf of the National Association of State Foresters**

Introduction

As the Assistant Director of the Florida Division of Forestry of the Florida Department of Agriculture and Consumer Services, I am pleased to have been invited here today to testify. Over the past thirty-five years, I have been involved in wildland fire management across this nation serving on the National Wildfire Coordination Group, National Fire Weather Advisory Group, National Association of State Foresters, Southern Group of State Foresters, and Florida Fire Chief's Association committees. Most recently, I had the privilege of serving as the Eastern State Representative on the development of the 10-Year Comprehensive Strategy Implementation Plan.

Wildland fire management is not a regional phenomenon, it is a national problem. The objective of protecting the public and the resources are the same with similar issues but there are also some distinct differences.

As large fires continue to burn across the west, I am here today to present the eastern state perspective to the wildland fire problem. The one thing that must be remembered is that no matter where or when, if there is major fire activity the fire community pulls together and shares resources to help those with the problem. As an example, today there are numerous state and local government firefighters from the east providing assistance to the west.

Florida's Fire Management Challenges

The Florida Division of Forestry protects nearly 26 million acres of land. One of the greatest challenges is the diversity of the landowners and the differences in their land management objectives. We must deal with the wildland fire issues on lands owned by Federal agencies, state agencies, county governments, city governments, corporations and private citizens. We are similarly situated with many other states in the southeast. Indeed, protecting private property from wildland fire is a major challenge for wildland fire agencies in the east. Our national wildfire agenda cannot be dictated by Federal land management or ownership.

As part of the Division's total wildland fire management program, we issue around 68,000 prescribed burning authorizations to various landowners for agricultural and silvicultural purposes burning approximately 2 million acres annually. In addition we respond to an average of 5,700 wildland fires burning over 225,000 acres annually. The local fire departments respond to about that many more smaller wildland fires that we never have to take action on.

The Division has the responsibility for prevention, detection, and suppression of wildland fires within the state. We are not funded or equipped anywhere near the level needed to do the job in a satisfactory manner during years with above normal fire occurrence. Because of the ever increasing population and their desired living styles, all the fire agencies of Florida must be able to come together and work together on any given day as there are only about ten days in any year that the division does not respond to fires some where in the state. Our work to deliver rural community fire assistance funding, national fire plan funds and Federal excess property to the rural fire departments is critical to our ability to handling fire under normal conditions. This expands to bringing in resources from the Southeastern Forest Fire Compact and, if needed, additional resources through our agreements with the U.S. Forest Service and the Interior Agencies when conditions become extreme.

The last four years found Florida much like the west today, under anything but normal fire conditions. The extreme droughts, coupled with severe fire weather, produced fire behavior conditions that were almost impossible to deal with. The wildland urban interface issues we face, even on small fires, demand tremendous resources, and when you are experiencing 100 new fire starts per day, you soon run out of resources with which to respond. The fire conditions were so extreme that we were forced to evacuate communities and even an entire county. Our 1998 fire season mirrored what happened in Colorado and Arizona this year. It is not uncommon to lose or damage a home or two in the urban interface but during these four years it was a weekly event to lose structures. The real danger was firefighter safety. We had personnel taking great risks to save communities.

The fuel loads and conditions in the Eastern Coastal Plains are such that if you don't prescribe burn an area every three years you lose the hazard reduction effect. The effort to utilize our fuels mitigation teams to reduce the risk to communities is extremely complex when working on non-governmentally owned lands. We have many more communities at risk other than those adjacent to government-owned lands. By necessity we have developed a risk assessment that allows for developing a prioritization for treatment. There is legislation in Florida that allows us to treat private lands as long as the owner does not file an objection. This gives us an advantage over some states when it comes to fuel hazard reduction and mitigation efforts. It is important to note, however, that if communities at risk were required to be adjacent to Federal lands (as some have proposed), most landowners in Florida would not receive the assistance they need, and our fire hazards would escalate.

We are starting to see benefits from the FIREWISE Community Program. Counties are adopting ordinances and for the first time one county placed the firewise principles into its revision of the County Comprehensive Plan. This plan has not been approved by the State Division of Community Affairs but should be soon. That will set the stage for others to follow and encourage firewise development in the state. Future developments must be built with an understanding of wildland fire and its role in the vegetative community where the development is being built. We cannot just build and expect the fire service to be able to protect the residents.

Wildland Fire is a National Issue

The Cooperative Forestry Assistance Act of 1978 recognized fire as a national problem and provided direction to the Secretary of Agriculture to provide assistance in the prevention and control of rural fires to non-federal forestlands. You only have to look at the fire activity over the past year to see how that national direction was reached. There was major fire activity in Florida, Kentucky, Virginia, Tennessee, South Carolina, New Jersey, and Pennsylvania as well as now in the west. Earlier they predicted drought conditions for the Northeast this fall. This could produce fires in that portion of the country like that of the Long Island Fire.

In addition, the year-to-date statistics show that, as of July 8, nearly half of all the acreage burned (1.5 million acres) has burned on lands under the protection of state and local agencies. By contrast, the next largest acreage burned so far this year (860,000 acres) is on USDA Forest Service lands. The Interior agencies (BIA, BLM and the Fish and Wildlife Service) account for another 200,000 to 350,000 acres each. These facts highlight to what extent wildfire is an interagency issue that requires excellent coordination among Federal, state and local fire agencies. The National Fire Plan is an important vehicle to help achieve this goal.

When the conditions become right for extreme fire behavior no portion of the country is immune from the devastation of wildland fires. There seems to be a tendency to want to address wildland urban interface issues on lands only adjacent to Federal lands. I feel strongly that to do so is to neglect the vast majority of other communities throughout the nation that may be in areas of equal or higher risk. There is little Federal land in the east for the urban interface to be adjacent to, yet there are numerous subdivisions, homes, businesses and communities at extreme risk. There is an obligation to provide assistance to these citizens that far exceed the numbers of Americans and communities in the Western United States adjacent to Federal lands.

The National Fire Plan Addresses All Lands

I do not disagree that there is a need for fuel hazard reduction in the west, including brush removal, thinning, harvesting, and where it can be safely used, prescribed fire. But these activities cannot stop or start at some magical line. Such treatments should be easier where Federal agencies own and manage the land and it is easier to seek funds to treat these lands. However, there is also an obligation to give consideration to the other role of the U.S. Forest Service, to provide assistance on non-federal land. Wildland fire cannot distinguish between untreated fuels on Federal lands and those on non-federal lands, nor can it identify property boundaries. The health of our forestlands is in jeopardy. There must be a new and different approach to returning them to more natural conditions that also recognize the dynamic nature of renewable natural resources.

There is a need to strengthen the preparedness and hazard reductions capabilities of the nation, not just focus on one portion. If we neglect the east, at some point the fuels, weather and drought conditions will again line up and wildland fires will be devastating beyond belief in the Eastern United States. The east has no vast areas where it will be appropriate or beneficial to allow fires to go unattended or unmanaged and all new fires will need immediate attention. If left to burn, they will be destructive in loss of homes and, potentially, lives in highly populated areas.

There are countless acres of land in private ownership that have forest health issues just as severe as those on Federal lands. The current markets and recent closures of pulp and paper mills will only reduce landowners' ability to remove smaller diameter products. If we are to be successful at reducing hazardous fuels, we must find ways to utilize the materials. This is one of the goals of the 10-Year Comprehensive Strategy Implementation Plan.

The National Fire Plan and the 10-Year Comprehensive Strategy, along with the recently adopted implementation plan, must come together at some point. The 10-Year Comprehensive Strategy recognizes the need to collaboratively develop successful solutions. In the east, most of the Federal natural resource-based agencies having responsibility for wildland fire work in close cooperation with state forestry agencies. If we are to be successful nationally at reducing the threat and damage from wildland fire, it will be necessary to provide the help to strengthen this partnership.

The wildland fire that took place in Florida and Georgia on the Okefenokee Swamp provides a prime example of what can be done with a total fire management program like ours in Florida. The understanding and cooperation between Federal and state agencies and private landowners as the fire-use team managed the fire could only happen because of years of working together on wildland fire suppression, building trust and understanding for improved overall fire management.

Federal Excess Personal Property: Transfer for Fire Fighting

In addition to the issues I have already discussed, state forestry agencies face one critical problem which requires your help. For years, state forestry organizations have made excellent use of the Federal Excess Property Disposal Program, managed by the U.S. Forest Service. This program has helped both state and local fire agencies to obtain equipment and materials that allowed for the development of additional wildland fire fighting capabilities that would not have been otherwise available. The main thrust of these local fire fighting units and their role in the national fire program is their capacity for quick initial attack to keep fires small. Without these local units, the nation would face significantly more fires that would reach national attention.

The priority for screening and acquisition of excess property by state forestry organizations is constantly being reduced. This leads to both less equipment and poorer quality of equipment being available. The "exchange sales" concept for Federal disposal that is currently preferred by the Department of Defense may sound good on the surface, but it depletes the availability for vehicles that can go into the fire program.

Many state forestry agencies' aviation programs rely primarily on Federal excess aircraft. This is especially true of the helicopter programs. Without the ability to obtain Federal excess helicopters, many states, including Florida, would have little or no aerial fire suppression capability. These are critical to saving structures when working urban interface fires.

In many states, budgets are being sharply reduced, making this a critical time to strengthen the ability to utilize Federal excess equipment in the wildland fire program and to help keep the loss of service to a minimum. To fix this problem, we need language that would move the Forest Service/States screening potential higher on the priority agency list. This simple change would improve the ability of the states to acquire, repair and prepare equipment for use by rural fire departments. To maintain this vital program, NASF believes it is imperative that the U.S. Forest Service and states maintain eligibility to acquire Federal Excess Property for distribution to local fire departments.

This Committee could help by urging your colleagues to adopt language in the Defense Appropriations Bill that I have attached at the end of my statement.

Fire Assistance to Communities Needs Federal Funding

Forest communities also need your assistance. Earlier this year Congress passed, and the President signed, the 2002 Farm Bill. This new law includes a critical program for Community and Private Lands Fire Assistance (CPLFA) that was initially funded with \$35 million under the National Fire Plan in Fiscal Year 2001. It was funded again in Fiscal Year 2002 at a reduced level of \$ 12.5 million. However, no funding was included in the President's budget request for Fiscal Year 2003 because, at the time, the program was not authorized by Congress.

Inclusion of the CPLFA in the Forestry Title of the 2002 Farm Bill is a significant step forward for community fire protection, but it can only help if Congress provides the necessary funding. The Farm Bill authorizes funding of \$35 million per year from 2002 through 2007 and continued funding thereafter in 'such sums as are necessary'. However, neither the House nor Senate Fiscal Year 2003 appropriation bills for Interior and Related Agencies currently provide this funding.

The CPLFA in the Farm Bill provides for cooperation between the Secretary of Agriculture and State Foresters to: (1) aid in wildfire prevention and control; (2) protect communities from wildfire threats; (3) enhance the growth and maintenance of trees and forests that promote overall forest health, and (4) ensure the continued production of all forest resources through the conservation of forest cover on watersheds, shelterbelts, and windbreaks. The program would augment Federal projects that establish landscape level protection from wildfire; expand outreach and education programs to homeowners and communities about fire prevention; and establish space around homes and property of private landowners that is defensible against wildfires. At a time when fire constitutes such a significant threat to communities, we must now continue the State-Federal partnership initiated through the National Fire Plan and 10-Year Comprehensive Strategy by funding the CPLFA. Therefore, I encourage the Chairman and Members of the Committee to help secure funding for the CPLFA when the House completes it work on the Fiscal Year 2003 Interior Bill.

Conclusion

The length and severity of the current fire season as it moves across the nation urgently demonstrates the need for a collaborative approach to dealing with the fire management program. The National Association of State Foresters is committed to

working as a full partner with our Federal counterparts to address and increase our role and responsibility for wildland fire on a national level and provide assistance where needed.

The challenges that lie ahead necessitate that the National Fire Plan and the 10-Year Comprehensive Strategy must be pulled together and addressed with the realization that wildland fire is a National issue and crosses boundaries well beyond that of Federal land ownership. On behalf of the NASF, I thank you, Chairman McInnis, for your support in the establishment of the Wildland Fire Leadership Council and for recognizing the need to include states as full partners in the council. This council, with representation from the primary Federal agencies with wildland fire responsibility and with the addition of Governors, the National Association of State Foresters, Counties and Tribes, is a step toward achieving a National Total Fire Management Program. The council members must remember that while they represent their own agencies, they are expected to serve as statesmen and address the national problem—not limit their consideration to issues within or adjacent to their agencies boundaries.

The definition of Wildland/Urban Interface must be based on a set of conditions that exist on or near forestlands nation-wide, regardless of landownership. The concept that you are not at risk unless you are adjacent to Federal lands is counter-productive and only adds to the complexity for those states trying to mitigate the wildland fire problem where there is little Federal land.

We must strive to strengthen the state and local fire departments' ability to obtain and utilize Federal Excess property. This is the backbone of the fire program for many of the small rural volunteer fire departments. Without Federal Excess Property vehicles, the volunteer firefighters across the country would have no vehicles in the department and thus no fire department. I would urge you to consider making this program a priority for the U.S. Forest Service and support language that would raise the screening level for state forestry agencies. This will strengthen both the state and local fire department programs.

It is critical that funding be secured for Community and Private Lands Fire Assistance. The state and local volunteer fire departments understand the importance of having funding available to improve protection capabilities and expand and promote outreach to the communities we protect. The mitigation work and education needed to improve fire tolerant design in residential developments is essential in the future if we are going to reintroduce fire into our forest and maintain the forest in a healthy condition while protecting our citizens.

An investment in strengthening the response capabilities of state and local agencies not only improves the wildland fire effort but strengthens the first response capabilities for other emergencies. In most cases, these agencies are called to respond to emergencies such as hurricanes, tornadoes, floods, oil spills, domestic disturbances, etc. You receive a multiplier effect on the protection you are providing the citizens and communities of the nation when you help build the capabilities of the state and local agencies.

The National Association of State Foresters realizes that a healthy forest condition is the primary key to reducing the wildland fire problem. The return of fire to fire-adapted ecosystems in a safe and prudent manner will reduce the threat of unwanted wildland fire intrusion into the wildland urban interface. We realize this is not possible every where and that even under the best vegetative management programs when the conditions become right for extreme fire behavior, there will be fires that reach catastrophic proportion. The best that we can do is to maintain a balance that makes those instances an exception rather than the norm, as it seems to be with the conditions of the Nation's forest today. Even under such conditions, however, I should point out that the National Fire Plan has already achieved success in providing better initial attack capabilities (through funding and firefighting training) this year than we have had in years past.

Thank you for this opportunity to testify on this extremely important subject. I will be happy to entertain any questions you may have.

Attachment

(a) Transfer Authorized. (1) Notwithstanding any other provision of law and subject to subsection (b), the Secretary of Defense may transfer to the USDA Forest Service personal property of the Department of Defense including aircraft and aircraft parts, that the Secretary determines is

- a. Suitable for use by the Forest Service for use in the Federal Excess Personal Property program for rural and wildland fire-fighting; and
- b. Excess to the needs of the Department of Defense.

(b) Conditions for Transfer. The Secretary of Defense may transfer personal property under this section only if

- a. The property is drawn from existing stocks of the Department of Defense;
 - b. The recipient accepts the property on an as-is, where-is basis;
 - c. The transfer is made without the expenditure of any funds available to the Department of Defense for the procurement of defense equipment; and
 - d. All costs incurred subsequent to the transfer of the property are borne or reimbursed by the recipient.
- (c) Consideration. Subject to subsection (b)(4), the Secretary may transfer personal property under this section without charge to the recipient agency.

[The photograph supplied by Mr. Long follows:]



The aircraft is a demilitarized US Army AH-1F "Cobra" attack helicopter converted for forest fire fighting. The cost to the state for the conversion was approximately \$300,000 as compared to a cost of \$2,000,000 for a new aircraft of comparable capability.

Mr. TANCREDO. Let me go back to Dr. Bonnicksen for a moment and have you help us understand a little bit about the difference between the criteria established for a prescribed burn in a forest and/or any sort of mechanical treatment.

When is it appropriate to use one as opposed to the other?

Dr. BONNICKSEN. Most of our forests are actually beyond the condition where you can just put a prescribed burning in to the forest without prior treatment. This problem started 150 years ago, so with so many layers and the canopy and so much, 40, sometimes 200 tons of fuel on the ground in logs, dead trees and other things, you just don't put a fire through there.

In fact, any fire that you would put through that would kill a tree more than about three inches in diameter is likely to be uncontrollable. So, you need mechanical or hand thinning in most cases before you can use prescribed fire.

That means that really, and that is one of the reasons I had a calculation as high as I did, I assumed that most of the forest would have to be pre-treated and then burned in the initial phase of restoration.

Mr. TANCREDO. Why would you have to burn after pre-treating? I mean, if you are coming in and working at it mechanically, why wouldn't you just finish it that way?

Dr. BONNICKSEN. Well, it depends a lot on your goals. For one thing, prescribed fire can reduce some of the remaining fuels, for example, the litter and duff that accumulates that you can't remove with mechanical means.

But it also, from an ecological point of view can stimulate the growth of fire-adapted plants that are part of that forest and which could support a variety of wildlife as well. So, it does play an ecological role.

The problem is that I seriously doubt that we will ever again be able to use prescribed fire on a scale that would be necessary to actually sustain our forests in a relatively fire-resistant condition.

If you look at the history and all the journals of the explorers and settlers, you will find that they almost universally talk about the pall of smoke that hung over the mountains. You couldn't see the top of the mountains. You couldn't see the valley below. You were always in smoke. In some cases, it was actually driving people a little nuts when they were out there in your log cabins.

Even the Blue Mountains in Oregon are named the Blue Mountains because of the haze of smoke that sat over them all summer long, historically. I don't see that ever happening again. If we prescribe fire, use it on the 4.9 million acres a year we would have to use it on to sustain a fire-resistant forest, the whole West would be in a pall of smoke for three to 4 months out of the year.

I don't see that as happening. So, we are going to have to find an alternative. The only real alternative in most cases is going to be hand and mechanical thinning. If you pay the kind of money required to do that, we won't do it. We have to fight a war. We have to take care of our senior citizens, which I am becoming one, rapidly. We just don't have \$60 billion to do the initial treatment and \$30 billion every 15 years afterward to do the maintenance treatments.

If we don't get help from the private sector, and we can't get that help if they don't make a profit.

Mr. TANCREDO. Mr. Hubbard, hearing what we have just heard about the efficacy of prescribed burn as opposed to mechanical treatment and that as time goes on we will use prescribed burn less and less as a treatment for the land or a management tool, then what happens, I guess? Should we not be concerned?

I guess we go back to the issue of the appeals process. But when you consider that prescribed burns are almost always done in the categorical exclusion area, I mean they are excluded from the opportunity to have someone appeal, then the numbers become even more important when you talk about the number of appeals that have been filed because they are really on the mechanical part.

If we are now looking at the mechanical treatment as being the best way to do it, considering what Dr. Bonnicksen has just said, I mean, where does that leave us? Do you share my concern, I suppose I should say, about this issue of appeals?

Mr. HAYWORTH. Of course, yes, I share your concern. We do have some agreement that between land managers and between environmental interests that the interface deserves attention.

The argument continues to be what is the interface, how far out into the wildland do you go? What kind of treatment are you proposing? Does it involve any commercial activity? There are a number of questions that we don't have resolution to. I suggest that we find a way, a mechanism and approach, separate from the process we use with NEPA that brings us to some common ground locally.

Without that, I think those challenges have to use the mechanisms that are available to them, which is NEPA appeals litigation and that takes too much time. There is more of a sense of urgency in the interface. We are going to have to find a way of doing it. I am not proposing rewriting the laws, but I am proposing finding some local solutions that we can come to terms with.

Mr. TANCREDO. Thank you. I am glad to see my colleague from Colorado, Mr. Udall, has returned. Your earlier comment about getting up there to look at how the Hayman Fire, in particular reacted at those places where there have been controlled burns, the Polhemus Burn, I think, someone referred to earlier, was used as a buffer.

You can actually, and perhaps you have done this, but I had the opportunity several weeks before the Hayman Fire erupted, I had the opportunity to go up to the High Meadows Fire and see exactly what happened.

It is dramatic. It is amazing to me. If there is anyone out there who really wonders about whether or not treatment can actually control the process of a fire, control the spread of a fire, they should go there. Because it is almost like a line was been driven right down. I think it was thinning activity on one side and where that High Meadows Fire came up to it, came down out of the trees and turned for about another 20 yards and was out. It was just amazing how clear that was to see.

So, that just said to me, there is a way to manage this forest. We really can do something about these horrendous fires. It is dis-

heartening to think that we have had such a difficult time trying to actually get those efforts under way.

Mr. Inslee.

Mr. INSLEE. Thank you, Mr. Hubbard, I appreciate your comments about how dry the forest is in your State. As I understand it, it is like 100-year levels as far as 100 year lows. That's what I have heard. Is that about right?

Mr. HUBBARD. That's correct.

Mr. INSLEE. As far as your planning, you know the White House just issued a report about global warming about 3 weeks ago now. That report concluded that the western United States is going to have more frequent and more prolonged and more severe droughts in the near future as a result of global warming. Is that something you are planning on? Is that something you think we should plan on in our planning process?

Mr. HUBBARD. Yes, absolutely. The Governor of Colorado called a special session this week to deal with fire, among other things, fire and drought, because we do anticipate this problem. Regardless of what the snow pack is or the amount of precipitation, we still have a forest that is standing there dry that won't take up more moisture.

So, the drought tends to increase the frequency of ignition. Then the forest, in its dryness and its density, takes over the fire behavior. So, we expect to be fighting large fire in the west for the foreseeable future and we are going to have to deal with that.

In the National Fire Plan, I suggested that there wasn't enough balance in the appropriation and I still believe that. But what I would ask Congress is to see if there are ways of increasing the appropriation because you don't want to take away from the fire-fighting preparedness, because we know we are going to be fighting fire.

Mr. INSLEE. I want to ask you about the Hayman Fire. What I have been told on the Hayman Fire, the perimeters of this fire are this brown line. This blue little crosshatched area here, just a couple of little patches right here, are the areas where there was an appeal filed for a proposed project by the Forest Service.

I am told that the fire started in the South and generally worked up to the North. Have I got that right so far?

Mr. HUBBARD. Yes.

Mr. INSLEE. And I am told that of the area that is burned, only about 2 percent of the total area that is burned were in areas that potentially could have been subject to treatment, but for an appeal.

From those facts, can we pretty much conclude—and let me tell you, there is kind of a debate going on in the public—some people argue that the reason Colorado is on fire this year is because there were a couple of appeals filed on a couple of proposed treatment plans.

Others argue that, look this was an explosive situation because of the lack of humidity. We have had enormous fires which overwhelm by a factor of almost 100 the area that was subject to potential treatment and that the predominant reason that we have had these fires are huge drought, abundant fuel, 98 percent of which we wouldn't have got to even if no one had ever filed a single appeal in the United States.

What is your thinking on that assessment of the cause of the Hayman Fire?

Mr. HUBBARD. Several factors. First, I would advocate that strategic treatments do affect fire behavior and allow us to deal with fires in a more effective manner. Hopefully, if those treatments are in the right place in the landscape, we will catch fires before they become big.

If they are in the right place on the landscape, we will keep the fires out of subdivisions.

Now, whether these treatments were in the right place of whether they affected the behavior of the fire, if they had been in place, is hard to say. I know that the prescribed burn did affect the behavior of the fire and did enormous good in protecting further spread of the fire and protecting life and property.

The trick is, we know we have a forest that is ready to burn. So, where and how do we do the treatment?

Mr. INSLEE. Right, and on that prescribed burn, there was no appeal on that prescribed burn, is that right?

Mr. HUBBARD. That's correct.

Mr. INSLEE. Well, on this fire, I just want to make sure I understand. This thing had burned for miles and miles and miles before it even got to some particular area up here where there was an appeal, is that right? This was on the northern rim of the fire.

Mr. HUBBARD. Yes, that is right.

Mr. INSLEE. Mr. Pearson, the tenor I get from your testimony is that things are going pretty well in your neck of the woods as far as fuel reduction programs. The community accepts what the Forest Service has been proposing by and large.

Yet, in other areas, in fact, you made reference in your written testimony to the Ward Lakes Fuel Reduction Project which combined a Light on the Lands Fuel Reduction effort around the boundary of extensively developed and fire-prone private lands with the Skinned Horse Project, an old Shelterwood timber sale and road building proposal that the GMUG hearings twice withdrawn from consideration after public opposition.

I just wonder if you can elaborate why you think in your neck of the woods these fuel reduction programs are going through without appeals with public consensus and where other areas of the community has not accepted them?

Mr. PEARSON. Down on the San Juan, the San Juan has done a really excellent job of reaching out to the community and has created focus groups actually in each of the main communities on our forest, the area around Pegosa Springs, Durango and Cortez. They have involved the chiefs of the local fire departments which are frequently all volunteer fire departments, home owners associations, the Forest Service and other interested members of the community.

They have really worked through the process to involve everybody who potentially has an interest to figure out what is the best use of the limited resources that are available. They have come to the conclusion that spending that money around subdivisions and towns is the way to go.

The next forest north of us is the Grand Mesa Uncompadre Gunnison. That is a mouthful, so that is why we call it the GMUG. Up there, there was a timber sale that had been proposed a number

of years that had been stymied a couple of times on the top of the Grand Mesa.

That has now been intermingled with a fuels reduction project. The Grand Mesa is probably one of the wettest places in the State. It's densely pocketed with lakes. Much of this timber sale was proposed in old growth Spruce that was surrounded by lakes in very wet marshy areas. I don't think anyone would really characterize that as reducing fire danger.

There are some cabins and sort of resorts along the highway in some places and they had a fuels reduction project proposed to thin out some of the trees within a couple of hundred feet next to those structures, which I think everyone feels is entirely appropriate. But mingling those two, you know, cutting old growth Spruce trees surrounded by lakes and wet marshy areas is not going to inspire a lot of confidence in the public that that is really a fire reduction project.

Mr. INSLEE. If I may make one comment, Mr. Chair, you know, your comment gives me a lot of hope. We could have a vigorous fuels reduction in this country that can do a lot of good for people if we can get the Forest Service to understand the priorities of making sure No. 1 we protect property and No. 2, that we have real fuel reduction programs rather than these disincentives or these disguised incentives for commercial timber.

I hope that we can work with all of you to devise a system that can actually do that. Thank you for your travel. I appreciate all your testimony.

Mr. TANCREDO. Thank you, Mr. Inslee.

The question about the Polhemus burn not being appealed, well, of course, it was burned, categorical exclusion can't appeal, right? So, naturally there was no appeal there. But there are problems nonetheless with trying to get that done, even a controlled burn.

If I am not mistaken, that particular burn was either postponed, there was some problem, I remember, with the State Department of Health and air quality issues. It is indeed ironic that—what was that? Was that about 8,000 acres, Jim? An 8,000 acre controlled burn, the smoke from that is considered to count against the air quality standard in the State of Colorado and therefore it is programmatic in getting it done. You have to wait until all the conditions are right and it is postponed and postponed.

But the smoke from a 150,000-acre fire started in this case by man, doesn't count. Is that correct?

Mr. HUBBARD. That's correct. We land managers scratch our heads once in a while about the rules we live with. But we live with them. Dr. Bonnicksen is right. The problem with Bohemus is for that size of burn and that kind of a place and that type of timber, it took a long time. It took a month or more to achieve that burn.

You can't put smoke in the air that long without smoking in community and getting the problems that go with that. So, that type of activity is going to be limited in the future.

Mr. TANCREDO. Mr. Udall.

Mr. MARK UDALL. Thank you, Mr. Chairman. I neglected earlier to ask for unanimous consent to include my opening statement in the record.

Mr. TANCREDO. I am sorry, we can't accommodate you.

Mr. MARK UDALL. I knew you would be a tough taskmaster here today.

Mr. TANCREDO. Of course, without objection.

[The prepared statement of Mr. Mark Udall follows:]

**Statement of The Honorable Mark Udall, a Representative in Congress
from the State of New Mexico**

Mr. Chairman, I appreciate your scheduling this hearing today.

For more than two years, I have been saying that there is an urgent need for the Forest Service and other land managers to work to reduce the risks to our communities from catastrophic wildfires. Along with our colleague from Colorado Springs, Representative Hefley, I have introduced legislation to speed up those efforts. And I have joined you in sponsoring other legislation to improve the government's ability to respond to the fire emergency that now confronts Colorado and other states.

I looked forward to this hearing because I thought it would be a valuable opportunity to learn how things are going, not only in terms of the immediate situation but also with respect to efforts to lessen the chances that future fires will again endanger so many lives and homes.

However, I am concerned that instead the hearing will focus on finger-pointing and charges that one group or another has placed our forests and communities at risk. As I have said before, I think the time, energy and resources spent on the "blame game" could be better used to build understanding—among the public and in the agencies—and support for properly-focused steps to reduce the threats to our communities.

We already know a lot. We know that a century-long policy of fighting every fire has yielded too many small trees and too-thick underbrush, making forests tinder boxes. We know that recurrent periods of drought in arid States like Colorado make the danger worse. And we know that as more people choose to live among our fire-prone forests, the threat to lives and property is ever more acute.

We also know what we need to do. We need to thin out the small-diameter trees and the underbrush, using controlled fires as well as chainsaws and other tools. Homeowners need to help by trimming trees, keeping firewood away from buildings, providing access for fire trucks, and using fire-resistant building materials. Our local governments need to require or at least encourage these "defensible space" practices.

I have consistently supported such efforts. But experience shows that unless we can get people involved, have full consideration of all points of view, and build consensus, progress can and will be slowed by disagreements—that's the real "paralysis" threat. So, I think we should stop finger-pointing and start building support for action to reduce the risks to our communities and to start restoring forests ecosystems.

That's why I have urged the Forest Service to convene an impartial, broad-based panel to review the Hayman fire, examine how it behaved, and to try to develop a consensus about what it can teach us. I think this could help build a consensus and reduce conflicts—and so speed up progress.

Also, right now, we need to get our priorities straight. The danger of forest fires is widespread, but the risks to life and property vary from area to area. We need to focus on the areas where those risks are greatest—the "red zones," where homes and developments adjoin or are intermingled with fire-prone forests, and where fuel-reduction projects are most likely to have broad public support. There are more than 6 million "red zone" acres in Colorado alone. Treating them and similar areas elsewhere will take decades and million of dollars—we can't afford to waste time and money with projects in other areas, especially if the result is increased controversy and litigation.

I think we also should try to involve private enterprise. Fire protection must not become an excuse for excessive cutting, but a carefully-designed fuel-reduction program could involve making economic use of small trees and brush removed from the forests. That would be better than letting this material go to waste. We shouldn't subsidize uneconomic mills, but we may be able to develop markets for some of it, for example to supply biomass refineries that could make fuels and other products that now come from coal, oil, and natural gas. That holds the promise of enabling us to reduce fire risks, promote economic opportunities, and enhance energy security all at the same time.

I hope that this hearing will be a chance for us to find ways to move forward together, and not an exercise in escalating conflicts.

Mr. MARK UDALL. I do look forward to viewing some of these landscapes with my colleague, Mr. Tancredo. We had an opportunity to tour the Walker Ranch area west of Boulder where a fire occurred, a small fire, thankfully, but nonetheless, a significant fire I think two summers ago.

There had been, as I know, Jim, treatments in that area and you can see the dramatic difference in how the fire acted.

Let me, if I could, direct a couple of questions to my good friend, Jim Hubbard, from the State of Colorado. It is great to see you here.

Over the last couple of years you have been very generous in providing me with the benefit of your expertise and especially when I worked with Mr. Hefley to develop our original bill to expedite the removal of fuels from the Red Zones. As we did that, we really tried to emphasize the importance of consultation, getting people involved, working to build this consensus that we need to reduce conflicts and then make sure those resources go to the ground to get the work done.

Do you still feel like that is a good way to proceed?

Mr. HUBBARD. Absolutely. The San Juan is a good example of why.

Mr. MARK UDALL. Great. That is going to continue to be the instrument I am going to play. I am going to continue to push that we find this common ground because I think there is a lot of common ground Federally we just look to the future and not look so much to pointing fingers.

The original bill that I mentioned and Congressman Hefley and I worked on had provisions to protect roadless areas and limit the size of trees that would be cut in the fuel reduction projects. I remember that you might have felt that those restrictions weren't absolutely necessary. You still thought the bill would help reduce the most urgent risks to communities in our State's Red Zone.

Do you still believe that it would be an important piece of putting the puzzle together?

Mr. HUBBARD. Anything we can do is going to be useful because we have six million acres in Colorado at high risk. So, I will take what acres I can get. But I would recommend that we work out those differences within a local setting. There are reasons for making different decisions and that we take those into account in that local decision.

Mr. MARK UDALL. Let me move to the urban wildland interface. I now see where some people call it the UWI. I don't know if I can get that out without stumbling over it. But the Red Zones, the urban wildland interface, it seems to mean different things to different people. In Colorado I think we have a pretty clear idea of where those are and we have a definition that works for us.

I think we referenced in the Udall-Hefley bill, those Red Zones, and tried to provide a definition. Isn't it true that most, if not all the Hayman Fire was in the Red Zone?

Mr. HUBBARD. Yes.

Mr. MARK UDALL. I think that that suggests we need to continue to have this discussion about where we ought to target these efforts. The Polhemus burn was an example of a strategic activity

that perhaps helped to bring that fire down and helped to reduce what was still a pretty large and catastrophic fire.

Mr. HUBBARD. Representative Udall, one of the issues in defining the interface, as you have run into, is that some believe that it is just the individual property ownership. Some believe that it doesn't go beyond the subdivision. Some believe that if we are in the wildland that is experimental and some believe if we get into the roadless area we shouldn't even be considering it.

Hayman is a good example. You do have to look at the landscape context. The Red Zone that protects those subdivisions that we evacuated in that immediate vicinity is important, but you can't stop a Hayman just with a fuel break between that kind of a fire and the subdivision. So, we do have to look at that context. And you are right. Our Red Zone definition goes out into that area and now we have to debate with people about how far, what kind of practices? Where do we do that and come to some terms of agreement.

Mr. MARK UDALL. Mr. Pearson, thank you for making the long trip from southwestern Colorado. I am please to hear at least we are getting a little bit of monsoon rain down your way. Hopefully, it will continue throughout the rest of the summer. Not too much, particularly when it comes to intensity because we have erosion problems that we face.

I have read your testimony with great interest. I want to thank you for the time you put into it. I know the 5 minutes restricted you to the point where you didn't express the points you made in the Hayman fire section. If you would like to speak to that briefly, I would appreciate it because I think you make some good points in your testimony.

Mr. PEARSON. Thank you, Mr. Udall. I think Mr. Inslee touched on some of those in pointing out on the map that much of the area in conflict was on the northern perimeter of the fire and it took quite a while to ever get near there.

There were a couple of appeals on that project. It is interesting that the second round of appeals were by both the conservation community and the timber industry as well. It got back to this issue of diameter limits. But I think much of that project, there were 17,000 acres altogether that were proposed for treatment and 12,000 acres were not all that controversial and were approved relatively quickly and actually are starting to be implemented this spring before the fire occurred.

The remaining 5,000 acres occurred in roadless areas where there was some concern and controversy. I think ultimately that was worked out in the last couple of months. But as the map indicated, even if those projects had been undertaken, it really wouldn't have had much effect on the course of that fire, we don't think.

Mr. MARK UDALL. Mr. Chairman, if you might indulge me for just one more comment, because I think you would agree with me. Actually, I want to make two comments. I would point out that this is so important to Congressman Tancredo and myself and those of us in Colorado that this day we normally have a Colorado delegation lunch where we do work on Colorado's concerns and issues when it comes to Congress.

Sometimes we even have a good meal as well, don't we? But Tom and I felt it was crucial to hear the rest of the panel and to hear your points of view. So, we are still here.

Dr. Bonnicksen, I really appreciate your testimony. I am going to reread what you put together because your experience is wide ranging and you bring a historical perspective. You say it is a cynical ploy to just work in the narrowly defined Red Zones, but that certainly isn't motivating me.

I think I am looking toward some policy options that would reduce the danger and respond to people who are worried about property and life being threatened.

I think this is why Congressman Tancredo would agree with me that we would be cynical to say, boy, we want to get into those Red Zones and we are going to ignore the force in between the Red Zones of the more general ecosystems.

So, if you will work with us in that regard and continue to provide us with your expertise, it will be very, very helpful.

I wanted to make that point, though. Thank you.

Mr. TANCREDO. Thank you, Mr. Udall. What do we do? I know we want to say we want to concentrate the time on the Red Zones and the wildland urban interface, and therefore stay away from the roadless areas. But what happens when they are one and the same or at least connected, which I think has been the case recently?

Mr. HUBBARD. That is where the difficult comes in. I don't think with our current process that we are going to get past that point. I think the roadless areas equal an automatic appeal. Sometimes we can work that out and sometimes we can't. But in all cases it costs us valuable time in implementing practices.

We are not treating the entire landscape. We are treating strategic pieces of it. That is why I keep saying I think it is really important for us to sit down locally and agree on what our guidelines are going to be, what is going to be acceptable and focus the money we have where it will buy us the most.

Mr. TANCREDO. Dr. Bonnicksen, what about you? What do you think about staying out of the roadless areas.

Dr. BONNICKSEN. Well, as a forest historian and as a person who has dedicated his life to understanding the history of our forests and trying to recreate to the extent we can those forests, because they were magnificent historically, staying out of the roadless areas would be a disaster, an ecological disaster.

The reason for that is that the forests have already changed after a century and a half. They are no longer anything like they were historically. We can, of course, use mechanical, fire and other means to get them back to something like they were historically.

But if we cannot touch them, we are going to get forests like nothing you have seen so far other than in Arizona and the Hayman fire. We are talking about gigantic fires that strip the landscape of the very trees that we seem to care the most about.

For example, in the 2000 fire we lost almost 200,000 acres of Ponderosa Pine. I am talking about magnificent forests that were patchy and diverse historically. The very first time, in fact, that the Ponderosa Pine was described there in the Bitter Root by Lewis and Clark. But we lost that.

We now have no chance whatsoever of restoring it, at least not for the next 200 years, and we would have to start now. Well, that's what is going to happen in all of these roadless areas. We are going to lose what trees are there, the opportunity to restore them and in place of that, we are going to get these huge blackened landscapes created by monster fires, which will inevitably, of course, fill in with young trees and create new monster fires that are even bigger as those fires spread to the adjacent areas.

So, we are just setting ourselves up for not only a continuing disaster of mammoth proportions with fire, but we are also losing the very forests we say we care the most about.

Mr. TANCREDO. Ms. Morgan, did you want to comment?

Ms. MORGAN. If I may.

Mr. TANCREDO. Sure.

Ms. MORGAN. I would disagree and in fact have experienced just a couple of months ago of sampling in areas in roadless and wilderness areas that had burned as many as five to seven times since 1943. Those forests were not only structurally diverse, they were remarkably beautiful with many old and large trees, snags. The birds like them. There were scattered clumps of small trees and they were relatively open and much more heterogeneous.

I think Dr. Bonnicksen makes a point that a lot of our forests outside of wilderness areas have become much more uniform. But right now our most common fire management decision in wilderness areas and in roadless areas is to suppress fires.

In many cases we could save ourselves some money, put fewer people at risk and accomplish ecological objectives without being as—if we were not quite as aggressive in fire suppression in those areas.

Then, I would like to add that to ignore the broad consensus that we have is a mistake. I think there is broad consensus for doing the treatments in the urban interface. That is pretty straightforward. I think there is some agreement on how to restore Ponderosa Pine forests, but I think there is much less on how to restore forests to that resiliency he is calling for outside, in other forests than the Ponderosa Pine forests outside of the urban interface.

Thank you.

Mr. MARK UDALL. Mr. Chairman, may I respond just briefly, since she was responding to me?

Mr. TANCREDO. OK. We will let Mr. Udall wrap this up.

Mr. MARK UDALL. I think the key point was that she mentioned that the forest she sampled in had been burned five to seven times. That means in fact that it had been disturbed frequently enough to retain at least some of its original diversity.

That is not the case for most of our forests. They have not been burned five to seven times over the last century. They have not been burned at all.

Mr. TANCREDO. Mr. Udall?

Mr. MARK UDALL. Mr. Chairman, a short request and if I can make a comment.

I would like to ask unanimous consent that all Members be able to submit questions for the record.

Mr. TANCREDO. Without objection.

Mr. TANCREDO. You know, this is a kind of unique experience we have here. We can stay here all day if we want to. It is certainly very interesting to me. The staff probably wouldn't vote for that.

Mr. MARK UDALL. I think this is very helpful and interesting because this is substantive at this point, I am finding. The need to make political points isn't quite so obvious right now.

I appreciate what Dr. Morgan, Dr. Bonnicksen and Mr. Hubbard are saying about the different kinds of forests. I think we have more educational work to do. We have talked a lot today about ponderosa forests with Douglas Fir and the draws and the moist areas.

But we have not really talked, although there are some similarities, about pinon, juniper forests. We have not talked about the high alpine forests. Mr. Pearson talked about how aspen acts when it is subject to fire. We have not talked about the Yellowstone experiences with lodgepole.

So, we do have some more work to do to educate ourselves and educate the public about the different characteristics of these different kinds of forests and the similarities.

Dr. Morgan, you also talked about some of the results we are seeing in some wilderness areas where fire hasn't been suppressed to the extent that it has in other areas and that they seem in some cases to be healthier than similar kinds of forests that may have been impacted by human activity. I think we could do more with the science in understanding all of these dynamics.

Dr. Bonnicksen also talked about roadless areas. Again, we have different kinds of roadless areas. We have some that are ponderosa in nature. Some are pinon and juniper and others that are high alpine roadless areas. So, we have to be cognizant of these different characteristics.

The roadless areas, as they are now being managed, of course don't disallow all activity. What they do disallow is road building. There are ways that I think we can look at these various roadless areas and how we manage them within the confines of that policy.

Dr. Bonnicksen, again, I want to learn more about the history. The native people certainly didn't have vehicles when they were managing these forests and the way they were managing them, at least the way they were interacting with them.

So, I think there are some ways to be more creative in how we respond to the fuel load increases in these roadless areas.

I thank the Chairman—that sounds pretty good, Tom—I thank the Chairman for his indulgence. Again, just one last appeal, as I said in my opening statement. The West is full of conflict and tragedy resulting from that conflict in its past.

But also, we have a rich history of collaboration and achievement. I think we are big enough in the west and we have enough vision to come together to create a healthier set of forests and therefore communities that are healthier in turn

Thank you, Mr. Chairman.

Mr. TANCREDO. Thank you, Mr. Udall.

Especially let me thank our panel for their indulgence here and time. You know, there has been a consistent drumbeat of concerns expressed by certainly members of the Committee and many other folks around the country about the calamities that are occurring in

our forests, certainly the Colorado and Arizona experience being the most traumatic.

Nowhere have I heard anyone suggest that it is the result of some conspiracy by the environmentalists that these fires started. That has certainly never been my position or thought and I have never heard anybody say anything like that.

It is a result of the status of the forests today. There is no two ways about it. The drought, the load, the suppression efforts of 100 years. We all recognize that that is why we are having fires.

Our concern is what we can do to make them less severe, less harmful. I do not believe that these are "healthy" fires, the ones we are looking at here. When we look at what happens when Mr. Hubbard explains this hydrophobic phenomena, I just cannot consider that to be a healthy way of forest management or forest growth.

So, our task is to figure out how to deal with it. No. 1, can we? Is it possible for a society to actually manage their forests in a way so as to minimize these catastrophic fires and go back to a historical forest setting like the one Dr. Bonnicksen explained?

Is that possible for us and if so, how do we achieve it? Now that I have this great power here called a gavel, I could not leave this hearing without suggesting that I would certainly hope that every member of this panel especially, and my colleague, Mr. Udall, look carefully at the concept of charter forests as one way, just one way, of doing just that.

So, thank you all very much. The members may have additional questions for the witnesses and we ask that you please respond to these in writing. The hearing record will be held open for 10 days for these responses.

If there is no further business coming before the Committee, we stand adjourned.

[Whereupon, at 12:54 p.m., the Subcommittee was adjourned.]

[Additional material submitted for the record follows:]

[The prepared statement of Mr. Flake follows:]

Statement of The Honorable Jeff Flake, a Representative in Congress from the State of Arizona

There is good reason for us to be concerned about the recent fires in Arizona and other western states. The inability to contain those fires was aggravated by the actions of extreme environmentalists those of the solar-powered chain saw type.

In the past several years, these environmental extremists have prevented the U.S. Forest Service from implementing forest management plans. There have been many frivolous lawsuits, and a widespread concert of effort that has massively depleted the agency's budget. In the Southwestern region alone (Arizona and New Mexico) 15 decisions to implement mechanical fuel treatment methods were appealable. Of those 15, 11 were actually appealed (73%) and two were litigated. This reduction in financial ability equates to a reduction in measures that would prevent fires.

The Forest Service and other agencies have been unable to thin out forests to prevent what inevitably happened this year a chaotic and powerful inferno fire that got out of control because of bad policy. The bad policy consisted of allowing these groups to help prevent the removal of small trees and underbrush that lay all over the ground, serving as fuel for the inferno that we all just witnessed a short time ago in Arizona.

What is the solution? The environmental groups tell us to thin the woods only so far in the interface, the area barely beyond the reach of human homes and no farther. One group in Arizona even suggested this should only be done with solar

powered chain saws. I know my way around a hardware store pretty well. I've never seen the solar powered chainsaw section.

The solution is to halt ridiculous law suits, get rid of claims that are based on false science, and allow the Forest Service and other agencies, both state and Federal, to fulfill their functions of thinning out the crown- fire-producing fuels of the forests.

As we speak Arizona has a small fire burning on the Coronado National Forest. Although it is completely contained, yesterday's fire report indicated 85 fire starts in the Southwest region and over 46,000 lightning strikes occurred throughout the Southwest Area during the past 24-hour period. Our fire season has only begun.

Given that the fire season has only begun, the Forest Service and the Committee need to think long-term, plan for the future and rethink how current policy should be changed to prevent these frivolous delays.

[The prepared statement of Mr. Herger follows:]

**Statement of The Honorable Wally Herger, a Representative in Congress
from the State of California**

As gravely predicted by experts, large-scale catastrophic fires are currently widespread throughout several western states. Deservedly so, Arizona and Colorado have received much of the media attention, but other areas face similar threats. In California, we are bracing for what could be another devastating season.

Over 3 million acres of our forests have burned so far this year, almost two and a half times the 10-year average and approximately 1 million acres more than at this time in 2000, which was at the time the worst fire season in several decades. Hundreds of homes have been destroyed. People have fled their communities. This could be the most costly and destructive fire season for which records have been kept.

Chasing some myopic and foolish vision of forests that are free of all human activity and intervention, the radical environmentalists have utilized lawsuits, threats of lawsuits, appeals, procedural delays and political pressure to smother good forest management. Several weeks ago, Forest Service Chief Dale Bosworth testified to the Congress that his agency is being strangled by what he called "analysis paralysis." I was stunned and alarmed to learn that the Forest Service now spends up to 40% of its time in "planning and assessment," in other words complying with layer upon layer of environmental process to defend against the inevitable legal challenge. It is a game of dither, delay and stall. Regrettably, as it currently stands, the rules of the game our inflexible environmental laws are in the radical environmentalists' favor.

As a result, our forests are incredibly unhealthy and literally choking from an unnatural accumulation of forest fuels. Some areas are up to 10 times denser than historically. Now we are seeing fires of catastrophic size and intensity, which in many cases simply cannot be controlled, leaving charred forests that may not recover for a century. Despite spin to the contrary, these fires are not natural. They are not inevitable. They are not environmentally healthy. They are a very serious threat to public health and safety.

We're not going to prevent forest fires, but by implementing a fire protection and fuels reduction strategy, setting aggressive goals, and giving our local land managers the tools and flexibility they need, we can reduce the size and intensity of these fires, and give our firefighters a fighting chance. This isn't just theory. The successes of thinning are being proved in practice. There are a number of examples in the area of Northern California that I represent.

Such a plan already exists in Northern California and is ripe for aggressive implementation. In 1998 Congress overwhelmingly supported full-scale implementation of the Quincy Library Group plan, a locally developed, bipartisan forest health project conceived by a small local group in Quincy, California.

This diverse group of environmentalists, ranchers, timber industry representatives, labor, local officials and concerned citizens united behind the common goal of combating the growing threat of wildfire. They developed a plan that is based on good science, politically balanced and fiscally responsible. Through an environmentally sensitive strategy of fuel breaks and thinning across the pilot project landscape, their project will significantly reduce the threat of catastrophic forest fires with a 3 dollar return for every 1 dollar invested, while injecting an astounding \$2.1 billion into rural economies. Their plan is good for people. It is good for forests. And it is good government. Moreover, it is proof positive that there are cost-effective solutions out there that can bridge traditional partisan differences on forestry issues.

But this, like many other fuel reduction projects, has been scuttled. Far from being real world problem solvers, the radical environmentalists have opposed these kinds of viable projects. Their alternative is the "controlled burn," even though the sheer density of our forests, past escapes at Lewiston and Los Alamos, and stringent air quality limits make that solution impractical, if not impossible, under current conditions.

The Clinton Administration did everything it could to make the QLG project fail. It continues to languish from a number of poison pills that were placed in the Record of Decision. Now THIS Administration has the opportunity and the resources to make it happen and to use it as a model for aggressively treating at-risk forests across the West. But it must demonstrate the leadership that will be necessary.

The scope and seriousness of this danger demand immediate attention to the root of the problem. It's time that the Administration, in the name of protecting public health and safety, work with Congress to remove the tools of obstructionism by expediting, streamlining even temporarily waiving the well-intentioned but paralyzing laws, regulations and processes that are hindering management and enabling the radical environmentalists. These groups will be effectively placed in the corner while Congress and the Bush Administration get to the serious work of protecting the public.

[A letter submitted for the record by Barry T. Hill, Director, Natural Resources and Environment, U.S. General Accounting Office, follows:]



July 9, 2002

The Honorable Scott McInnis
Chairman, Subcommittee on Forests
& Forest Health
Committee on Resources
House of Representatives

Subject: Forest Service: Scope and Methodology Used to Determine Number of Appeals and Legal Challenges of Fiscal Year 2001 Fuel Reduction Projects

Dear Mr. Chairman:

Last summer, on the basis of your Subcommittee's request, we reviewed certain issues related to efforts of the U.S. Department of Agriculture's Forest Service to reduce accumulated hazardous forest fuels. At that time, the Congress had appropriated more than \$205 million to the Forest Service for fiscal year 2001 to be used to reduce these accumulated fuels. In an effort to put as much of these newly appropriated monies on the ground as quickly as possible in fiscal year 2001, the Forest Service identified and funded those hazardous fuel reduction projects for which it had completed the necessary environmental analyses.

Concerned that appeals and litigation were delaying the implementation of these projects, your Subcommittee asked us to identify (1) the number of hazardous forest fuel reduction projects for which the Forest Service had completed the necessary environmental analyses and funded implementation in fiscal year 2001, (2) the number of these projects that had been appealed or litigated, and (3) who had appealed or litigated the project decisions.

We provided your Subcommittee with a report transmitting this information.¹ In summary, we reported that as of July 18, 2001, the Forest Service had completed the necessary environmental analyses to implement 1,671 hazardous fuel reduction projects in fiscal year 2001. Of those projects, subsequently 20 (about 1 percent) had been appealed, and none had been litigated. Appellants included environmental groups, such as the Forest Conservation Council, and individuals.

¹U.S. General Accounting Office, *Forest Service: Appeals and Litigation of Fuel Reduction Projects*, GAO-01-1114R (Washington, D.C.: Aug. 31, 2001).

Many areas of the nation are gripped with severe drought this fire season, making the excessive fuel build up on the national forests that we have written about for years even more dangerous. The combination of these conditions raises the potential that the 2002 fire season will be one of the worst fire seasons on record. In this context, the issue of what impact appeals and litigation have had on hazardous fuel reduction projects will likely be raised. As such, you asked us to provide you with information clarifying how we developed the data contained in our August 31, 2001, report.

In developing data for that report, we obtained from Forest Service headquarters a list of planned hazardous fuel reduction projects, by national forest, which the Forest Service had identified for implementation in fiscal year 2001. We then called each of the Forest Service's nine regional offices and asked them to identify whether any of the hazardous fuel reduction projects that were planned to be implemented in fiscal year 2001 had been appealed or litigated, and if so, the identity of the appellant or litigant.

There are a number of methodological issues that we would like to clarify. First, since the Subcommittee's concern at that time was to determine whether appeals or litigation were delaying projects that had already completed the environmental analysis phase and were to be implemented, we only obtained the appeals and litigation information that affected these projects during fiscal year 2001. We did not obtain any information on appeals and litigation that may have occurred earlier in the development of these projects. Enclosure II to our August 31, 2001, report lists the projects that were to be implemented and were appealed in fiscal year 2001, and the status of those projects as of mid-July 2001. Second, when obtaining the number of hazardous fuel reduction projects for which the Forest Service had completed the necessary environmental analyses, we did not determine the nature of the environmental analyses. That is, we did not determine which of the 1,671 hazardous fuel reduction projects the Forest Service determined were within a categorical exclusion from an environmental evaluation under the National Environmental Policy Act and which ones were not within such a categorical exclusion.² When the Forest Service determines the project qualifies for a categorical exclusion, the project is not subject to administrative appeal. Finally, because your Subcommittee asked us to provide the requested information as quickly as possible, it was agreed with the Subcommittee's staff that we would not verify the information that the Forest Service provided to us.

As arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 2 days after the date of this report. At that time, we will send copies of this report to the Chairman and Ranking Minority Member, Subcommittee on Forests and Public Lands, Senate Committee on Energy and Natural Resources; the Ranking Minority Member, Subcommittee on Forests & Forest Health, House Committee on Resources; interested congressional communities; and the Chief, Forest Service. This report is also available at no charge on GAO's home page at <http://www.gao.gov>.

Please call me at (202) 512-3841 if you or your staff have any questions about this report. Key contributors to this report were Chester Janik and Marcia McWreath.

Sincerely,



Barry T. Hill
Director, Natural Resources
and Environment

²A categorical exclusion is a class of actions that an agency has determined has no significant environmental impact, and accordingly for which the agency does not conduct environmental analyses under the act (40 C.F.R. 1508.4).

[A map of Hayman Fire, Pike National Forest, submitted for the record follows:]

