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# MERCATUS ON POLICY

## FIRE IN THE NATIONAL FOREST SYSTEM: California Solutions for a California Problem

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Of the 20 largest forest fires in the history of California, nine have occurred since 2000. In 2003, the Cedar Fire in San Diego County, the largest fire ever in California, burned 273,000 acres and destroyed almost 5,000 structures.<sup>1</sup>

In 2007, Southern California burned again. At one point, the fires forced one million people to evacuate their homes temporarily.

These increases in forest fires are part of a nationwide trend. Since the 1970s, the average acreage burned per year in the United States has risen from around three million to seven million, and experts project further increases.<sup>2</sup>

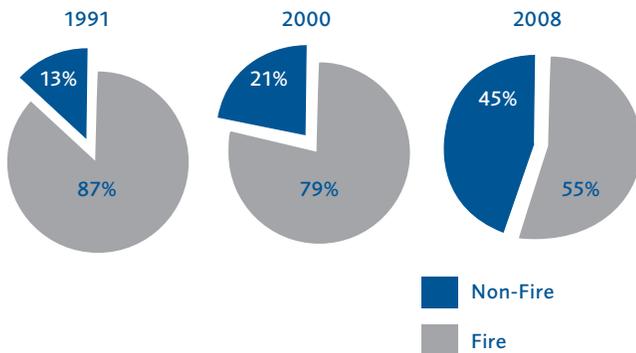
The rapidly growing fire problem is partly the result of the severely overstocked condition of the national forests in the West. As wood grows and accumulates, it eventually has to come out in some way. In the national forests, annual new forest growth approximates 20 billion board feet per year nationwide. Tree mortality removes 10 billion board feet per year. Timber harvests and mechanical wood removals take out another three million board feet per year. Prescribed burning eliminates one billion board feet annually, but all this leaves six billion board feet that is very likely to burn in a forest fire some day.<sup>3</sup>

The current unchecked forest wood growth literally adds fuel to the future forest fire flames.

The amount of burnable materials is not the only factor behind rapidly rising suppression costs. Forest fires that burn in the Wildland-Urban Interface (WUI)—the space where the wilderness and human development meet—create the greatest dangers and cost the most to suppress. In 1990, San Bernardino County had a population of 1.4 million. By 2005, it had two million people, many of whom lived in the WUI. In Placer County, which stretches from Sacramento up the mountains towards Lake Tahoe, the population increased over this same period from 172,000 to 317,000 and the number of homes from 78,000 to 137,000.<sup>4</sup>

### EFFECT OF WILDLAND MANAGEMENT ON AGENCY BUDGET

Over the past 18 years, the Wildland Fire Management portion of the Forest Service budget has increased from 13 percent to 45 percent. Though the largest component of the Wildland Fire Management account is Fire Suppression, it also includes Preparedness, Hazardous Fuels Reduction, and other budget line items.



Source: U.S. Forest Service, Department of Agriculture, Fiscal Year 2008, President's Budget, Overview (Washington, DC, February 2007), p. 3.

More frequent and larger forest fires in places where people increasingly live are imposing rapidly growing costs on federal and state governments. After all, most forest fires in the West burn on federal land. In 2006, there were 20 forest fires in the United States that cost \$10 million or more per fire to suppress. Eleven were in California, and all but one involved federal land. Fires in California accounted for 55 percent of the total large fire suppression costs nationwide,<sup>5</sup> which reflects the fact that 21 percent of the state is national forest land managed by the U.S. Forest Service.

In 2006, the U.S. Forest Service spent \$1.5 billion nationwide for emergency fire suppression and more of this in California than any other state. Fully 45 percent of the total proposed Forest Service budget for 2008 was committed to forest fire prevention and suppression.<sup>6</sup>

Fighting forest fires, rather than meeting recreational, timber, grazing, or other needs, is rapidly becoming the central management task of the Forest Service. At the state level, the California Department of Forestry and Fire Protection has an annual budget of more than \$800 million, much of it for preventing and fighting forest fires.<sup>7</sup>

### THE POLICIES THAT SHAPE THE TREND

UNTIL THE 1970s, the official Forest Service policy—as made famous by the “Smoky Bear” campaign—focused on putting out fires immediately, before they could grow, and did little to alter forest conditions. Since then, treating the forest to limit the spread of forest fire has received much greater emphasis as a matter of declared policy, but large areas of California and other Western states are still overstocked with small flammable trees and exposed to severe fire hazards.<sup>8</sup> The primary means of excess fuels removal are prescribed burning and

mechanical wood removal, but the public often perceives the former as too dangerous—especially where many people live nearby—and the latter is expensive and often encounters environmental opposition. A shortage of Forest Service funds means that it will be a long time before forest treatments are undertaken in many areas. Hence, while not officially stated as such, the *de facto* policy is to wait until fires start before taking action and then to pour large resources into suppression, while encouraging individual owners to protect themselves by removing vegetation and otherwise fire-proofing their homes.

While efforts to prevent fires have had limited effectiveness, governments are devoting large sums of money to improving suppression capabilities (e.g., more fire trucks, airplanes, strategic ponds, etc.). If we continue along the current path, many large forest fires will inevitably burn in the future, and we will spend many billions of federal and state dollars to put them out.

Another part of the problem is that the Forest Service has become a less effective management agency. Today it is an agency in an advanced state of “paralysis by analysis.” The preparation of paper documents (e.g., environmental impact statements, formal land use plans, etc.) consumes large parts of its budget, leaving few budgetary and personnel resources for solving problems on the ground.<sup>9</sup> In addition, the Forest Service has shifted from a philosophy of “multiple-use management” to one of “ecosystem management,” which emphasizes the achievement of a certain “natural” condition of the land.<sup>10</sup>

Unfortunately, defining “natural” has been difficult and divisive and has left the Forest Service without meaningful management goals.

In 2002, the Forest Service published its own analysis of the problem, *The Process Predicament*, stating that “unfortunately, the Forest Service operates within a complex and confusing statutory, regulatory, and administrative framework that has kept the agency from effectively addressing rapid declines in forest health” throughout the national forest system.<sup>11</sup>

Roger Sedjo, the longtime director of the forestry program at Resources for the Future, declares that “economic optimization and economic modeling play little if any role in ecosystem management” and that the result is an “absence of an operational objective under ecosystem management.”<sup>12</sup> The Forest Service no longer has a mission that its employees can understand and pursue.

### THE SOLUTION: DECENTRALIZATION

FIRE POLICY INVOLVES fundamental value choices. A scientist or professional expert cannot make these choices alone.

While science and expertise should inform the choice, ultimately it is a complicated value choice, and fierce conflicts among the defenders of the contending values have left the Fire Service confused and disorganized at the national level.

The solution to this problem lies in decentralization.<sup>13</sup> Given the current impact of forest fires on Californians and the major role that the national forests play in California forest fires, the state cannot wait for the U.S. Forest Service to get its act together. The state must act.

For forest fires, there are three broad national Forest Service decentralization alternatives:

1. allow local California communities a greater role in providing funds, setting spending priorities, and making fire management decisions for the nearby national forest lands;
2. create state fire districts following the model of air and water districts already found in California and include national forest lands within those districts under their oversight with respect to fire prevention and suppression; or
3. transfer fire management responsibility entirely to the state and local level.

The first policy alternative would allow local communities to expedite excess wood fuels removal by the Forest Service. When solely dictated by Forest Service spending and other priorities, this process could take decades to complete for a community.<sup>14</sup> However, by allowing communities to cost-share, the Forest Service could better meet the needs of at-risk communities. In effect, localities would pay the federal government for some part of the fire measures they desire, and the Forest Service would facilitate those steps by linking priority to community funding: the higher the community's funding, the higher the Forest Service's priority for fire prevention treatments on the surrounding lands. For example, if the local communities pay 100 percent of the costs of fuels treatment, the project would become a Forest Service immediate priority.

A variation on this idea would be community-based fire management, allowing local communities to finance and coordinate fire prevention efforts on nearby national forest lands. A community would pay 70 percent for excess fuels reductions leaving the federal government 30 percent, and the community would not just move to the top of the Forest Service priority list, it would have the legal authority to take actions on its own—in consultation and coordination with the Forest Service—to implement the fire prevention plan using its own contractors. This alternative would include a waiver that would substitute state environmental and planning laws and

## CONSOLIDATED LOCAL FIRE DISTRICTS (CLFD)

- Many California forests thoroughly intermix national forest, state, and private landholdings.
- Working with the Forest Service, the Consolidated Local Fire District (CLFD) develops a fire management plan for surrounding lands in all ownerships.
- The CLFD may tax local private property owners.
- The CLFD pays 70 percent (perhaps with state assistance) of the cost of fire control. The federal government pays 30 percent.
- The CLFD plans and administers excess fuels treatments and other fire preventative measures on all surrounding lands, including national forest lands.
- The federal government grants a waiver from federal Environmental Impact Statement (EIS), National Forest Management Act (NFMA) planning requirements, and associated federal legal challenges, on national forest lands.
- The CLFD must comply with all California state and local environmental and other regulations on all lands.

regulations for the current federal rules relating to fuels treatments and other fire prevention measures in the national forests nearby.

A second broad policy alternative would involve creating a local fire district, perhaps similar to a current special-purpose irrigation district in California. A community—or group of communities acting together under state oversight—would create a special forest fire district that would develop a specific fuels treatment plan. Like the community-based plan, such a structure would include a federal waiver that would put the fire district under the state's environment and planning laws and regulations, taking the place of the current federally mandated procedures. ( See “Consolidated Local Fire Districts”.)

In major metropolitan areas, it might be desirable to create a larger forest fire district, following a model along the lines of the South Coast Air Quality Management District found in Southern California. Such a metropolitan fire district would have broader authority to take action to limit forest fire risks and to suppress those fires that break out. It would have jurisdiction with respect to the forest fire control and management actions on national forest lands within the metropolitan district. ( See “Metropolitan Fire Districts”.)

A third alternative would simply devolve all Forest Service functions relating to forest fire prevention and suppression to the state and local governments in California. Under this option, the problems of taking efficient fire suppression measures, effective fire prevention, and deciding total fire funding levels would rest solely in the hands of state and local

## METROPOLITAN FIRE DISTRICTS (MFD) (E.G., LOS ANGELES AND SAN DIEGO)

- Major metropolitan areas may require large cross-jurisdictional fire management.
- Working with the Forest Service, a Metropolitan Fire District (MFD) develops consolidated fire management plans for national, state, and private forest lands.
- The MFD may tax local property owners.
- The MFD pays 80 percent (perhaps with supplemental state funding), the federal government 20 percent.
- The MFD plans and administers fuels treatments and other fire preventative measures on all metropolitan lands.
- The federal government grants a waiver from federal EIS, NFMA (Planning) requirements, and associated federal legal challenges.
- The MFD must comply with all California state and local environmental and other regulations on all lands.

authorities. Congress would create a block grant to transfer current federal funding for forest fire prevention and suppression in California to the appropriate state and local bodies.

## CONCLUSION

FORTY FIVE PERCENT of the land in California is federal land.<sup>15</sup> Currently, the federal land management system is unable to accomplish critical management tasks at a reasonable cost and in a timely fashion. Californians have too much at stake to allow this pattern of ineffective management of the national forests to continue. California needs the authority to solve its own forest fire problems, including on large areas of national forest lands that adjoin state and private lands. The U.S. Congress should act to give the State of California the necessary legal authority.

## ENDNOTES

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