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DATE: June 21, 2022 **AGENDA DATE:** June 28, 2022

TO: Del Norte County Board of Supervisors

FROM: Randy Hooper, Assistant County Administrative Officer

SUBJECT: Fostering Opportunities for Resources and Education Spending through Timber Sales (FORESTS) Act

RECOMMENDATION FOR BOARD ACTION:

Approve and authorize the Chair to sign a letter of support for HR 8091, the "Fostering Opportunities for Resources and Education Spending through Timber Sales (FORESTS) Act".

SUMMARY:

The FORESTS Act was introduced on June 15th in the United States House of Representatives. According to the authors, among other things this bill would:

- **Establish Forest Active Management Areas (FAMA)** within each National Forest Unit and set an annual volume requirement for timber production within each FAMA to help manage areas that are identified as overstocked and suitable for commercial harvest.
- **Encourage Collaborative Forest Management Projects** by prioritizing local collaboration including planning, decision-making, and management processes with input from multiple interested parties representing diverse interests.
- **Cut Regulatory Red Tape** by categorically excluding the designation and management of Forest Active Management Areas from the National Environmental Policy Act of 1969 (NEPA). It will also reform the litigation process to allow projects negotiated by collaboratives to utilize arbitration instead of judicial review.
- **Support Timber Communities** by giving counties in which a project is conducted 25 percent of the revenues generated by a management project in a FAMA. Additionally, the bill allows for communities to benefit from timber receipts resulting from stewardship contracts within their county.

DISCUSSION/JUSTIFICATION:

The 2022 Legislative Platform adopted by the Board includes language supportive of more proactive forest management practices on federally managed lands in Del Norte County. As the Board is aware, the vast majority of Del Norte County is composed of publicly owned land, of which the majority is federal forestland managed by the United States Forest Service (USFS), specifically the Six Rivers (SRNF)[1]. In recognition of the increasing need for proactive forest management, including landscape level fuels treatment, the USFS released a Wildfire Crisis Strategy plan in January of this year which places fuels buildup as major driver of the wildfire

[1] As well as a minor amount of the Klamath National Forest.

crisis across the west. In that document, 29 High-Risk Firesheds (HRF) were identified throughout the western United States. While the SRNF was not identified as a HRF, we know from recent history, that it is very susceptible to wildfire, as evidenced as recently as 2020 with the Slater Fire which started on the Klamath National Forest, before spreading onto the SRNF and the Rogue-Siskiyou National Forest and burning around 160,000-acres with fuels composed primarily of timber and brush.

The FORESTS Act builds upon the strategies identified in the Wildfire Crisis Strategy by requiring specific actions within designated FAMA's through a collaborative process that includes local stakeholders. As previously noted, the Wildfire Crisis Strategy plan names fuel accumulation, along with other factors such as climate change, as a driver in the wildfire crisis across west. While the solutions to the problem of the accumulation of fuels may not be complicated, it is frequently federal policies which hamper proactive management of forest landscapes from occurring. One of those sets of regulations that frequently delay the implementation of landscape level maintenance is the National Environmental Policy Act (NEPA). In recognition of the complications created by NEPA, the FORESTS Act includes language that Categorically Excludes the designation and management of FAMA's under NEPA review. The FORESTS Act also streamlines projects for compliance with the Endangered Species Act and establishes arbitration as the process to address disputes that may arise in the implementation of projects developed with the collaborative process. Once projects are initiated the FORESTS Act proposed to return a share (25%) of the timber revenue to the States for payments to the counties in which the projects are initiated. The Act also includes language prohibiting States from withholding payments to counties. The Act goes on to include several other measures and concludes with a section prohibiting the closure of Forest Service roads and trails without adequate and appropriate public involvement.

ALTERNATIVE:
Do not authorize letter or provide alternative direction.

FINANCING:
Forest active management revenues generate from timber sales.

OTHER AGENCY INVOLVEMENT:
United States Forest Service.

CHILDREN'S IMPACT STATEMENT:
This section meets 1 of the following outcome measures for children in Del Norte County:

☐ Children ready for and succeeding in school.

☐ Children and youth are healthy and preparing for adulthood.

☐ Families are economically self-sufficient.

☐ Families are safe, stable and nurturing.

☒ Communities are safe and provide a high quality of life.

☐ No impact to Children as a result of this action.

ADMINISTRATIVE SIGN-OFF:

☐ AUDITOR:

☐ COUNTY ADMINISTRATIVE OFFICER:

☐ COUNTY COUNSEL:

☐ PERSONNEL:

☐ OTHER DEPARTMENT:

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June 28, 2022

The Honorable Dianne Feinstein
331 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Alex Padilla
112 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Jared Huffman
1527 Longworth House Office Building
Washington, DC 20515

Re: HR 8091 (FORESTS Act) - SUPPORT

Dear Senator Feinstein, Senator Padilla, and Representative Huffman:

On behalf of the Del Norte County Board of Supervisors, I write to inform you of our *strong support* for HR 8091 The Fostering Opportunities for Resources and Education Spending through Timber Sales (FORESTS) Act, recently introduced in the House by Representatives Cathy McMorris Rodgers and Dan Newhouse, and ask that you support the legislation.

The legislation matches several of Del Norte County's priorities from the past two-plus decades with regard to forest management. These include, among other things proposed by the FORESTS Act:

- Establishes Forest Active Management Areas (FAMA) within each National Forest Unit and set an annual volume requirement for timber production within each FAMA to help manage areas that are identified as overstocked and suitable for commercial harvest.
- Encourages collaborative forest management projects by prioritizing local collaboration including planning, decision-making, and management processes with input from multiple interested parties representing diverse interests.
- Categorically excludes the designation and management of Forest Active Management Areas from NEPA review. It will also reform the litigation process to allow projects negotiated by collaboratives to utilize arbitration instead of judicial review.
- Provides counties in which a project is conducted 25 percent of the revenues generated by a management project in a FAMA. Additionally, the bill allows for communities to benefit from timber receipts resulting from stewardship contracts within their community.
- Prohibits the decommissioning of road and trails without public involvement.

We appreciate that there are many conflicting viewpoints with respect to forest management but, we

appreciate your willingness to hear our thoughts regarding the beneficial aspects of the FORESTS Act. We hope you will lend your support to the bill and help to encourage its passage.

Thank you for your support on this and other issues of importance to Del Norte County.

Regards,

Gerry Hemmingsen
Chairman

CC: The Honorable Mike Thompson
The Honorable Doug LaMalfa
The Honorable Anna Eshoo
The Honorable Jimmy Panetta
Chief Randy Moore, United States Forest Service

~116H4057

.....

(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land, while also reducing Forest Service management costs, by ensuring that such counties have a dependable source of revenue from timber sales conducted on National Forest System land, to reduce payments under the Secure Rural Schools and Community Self-Determination Act of 2000 to reflect such counties receipt of timber sale revenues, to strengthen stewardship end result contracting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. RODGERS of Washington introduced the following bill; which was referred to the Committee on _____

A BILL

To restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land, while also reducing Forest Service management costs, by ensuring that such counties have a dependable source of revenue from timber sales conducted on National Forest System land, to reduce payments under the Secure Rural Schools and Community Self-Determination Act of 2000 to reflect such counties receipt of timber sale revenues, to strengthen

stewardship end result contracting, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Fostering Opportunities for Resources and Education Spending through Timber Sales Act of 2022'' or the ''FORESTS Act of 2022''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. PURPOSES.

The purposes of this Act are as follows:

(1) To restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land.

(2) To ensure that such counties have a dependable source of revenue from National Forest System land.

(3) To reduce Forest Service management costs while also ensuring the protection of United States forest resources.

(4) To reduce the frequency and severity of catastrophic wildfires on Federal lands.

TITLE I—FOREST ACTIVE MANAGEMENT AREAS

SEC. 101. DEFINITIONS.

In this title:

(1) ANNUAL VOLUME REQUIREMENT.—

(A) IN GENERAL.—The term ''annual volume requirement'', with respect to a Forest Active Management Area, means, the annual vol-

ume of national forest materials from such Forest Active Management Area that, subject to an adjustment pursuant to section 102(e)(2), is equal to or greater than—

(i) the allowable sale quantity established in the applicable forest plan for such Area,

(ii) divided by 10.

(B) EXCLUSIONS.—In determining the volume of national forest materials or the sustained yield of a Forest Active Management Area, the Secretary may not include non-commercial post and pole sales and personal use firewood.

(2) BENEFICIARY COUNTY.—The term ''beneficiary county'' means a political subdivision of a State that, on account of containing National Forest System land, was eligible to receive payments for any of the fiscal years 2001 through 2015 through the State under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.).

(3) COLLABORATIVE PROCESS.—The term ''collaborative process'' refers to a planning, decision-making, and management process that, as deter-

mined by the forest manager of the unit of the National Forest System for which the process will occur and as confirmed by the Regional Forester—

(A) includes multiple interested persons representing diverse interests; and

(B) is transparent and nonexclusive or meets the requirements for a resource advisory committee under subsections (c) through (f) of section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125).

(4) COVERED ACTIVE MANAGEMENT PROJECT.—The terms ''covered active management project'' and ''covered project'' mean a project involving the management or sale of national forest materials within a Forest Active Management Area to generate forest active management revenues and achieve the annual volume requirement for the Forest Active Management Area.

(5) FOREST ACTIVE MANAGEMENT AREA.—

(A) IN GENERAL.—The term ''Forest Active Management Area'' means National Forest System land in a unit of the National Forest System that has been identified in the 5-year period preceding the date of such identification

as being overstocked based off of basal area or at risk of wildfire and suitable for timber production.

(B) EXCLUSIONS.—A Forest Active Management Area may not include National Forest System land—

(i) that is a component of the National Wilderness Preservation System;

(ii) on which the removal of vegetation is specifically prohibited by Federal statute; or

(iii) that is included within a National Monument as of the date of the enactment of this Act.

(6) FOREST ACTIVE MANAGEMENT REVENUES.—The term ''forest active management revenues'' means revenues derived from the sale of national forest materials in a Forest Active Management Area.

(7) NATIONAL FOREST MATERIALS.—The term ''national forest materials'' has the meaning given that term in section 14(e)(1) of the National Forest Management Act of 1976 (16 U.S.C. 472a(e)(1)).

(8) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given

that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), except that the term does not include the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(10) SUSTAINED YIELD.—The term ''sustained yield'' means the maximum annual growth potential of a forest calculated on the basis of the culmination of mean annual increment using cubic measurement.

(11) STATE.—The term ''State'' includes the Commonwealth of Puerto Rico.

(12) 25-PERCENT PAYMENT.—The term ''25-percent payment'' means the payment to States required by the sixth paragraph under the heading of ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

SEC. 102. ESTABLISHMENT OF FOREST ACTIVE MANAGEMENT AREAS AND ANNUAL VOLUME REQUIREMENTS.

(a) ESTABLISHMENT OF FOREST ACTIVE MANAGEMENT AREAS.—Notwithstanding any other provision of law, the Secretary shall establish one or more Forest Active Management Areas within each unit of the National Forest System.

(b) DEADLINE FOR ESTABLISHMENT.—The Secretary shall complete the establishment of Forest Active Management Areas not later than 60 days after the date of the enactment of this Act.

(c) PURPOSE.—The purpose of a Forest Active Management Area is to provide a dependable source of 25-percent payments and economic activity through sustainable forest management for each beneficiary county containing National Forest System land included within that Forest Active Management Area.

(d) FIDUCIARY RESPONSIBILITY.—The Secretary shall have a fiduciary responsibility to beneficiary counties to manage a Forest Active Management Area to satisfy the annual volume requirement established for that Forest Active Management Area.

(e) ANNUAL VOLUME REQUIREMENT.—

(1) DEADLINE FOR ESTABLISHMENT.—Not later than 30 days after the date of the establish-

ment of a Forest Active Management Area, the Secretary shall establish the annual volume requirement for that Forest Active Management Area.

(2) COLLABORATIVE ADJUSTMENT AUTHORITY.—

(A) IN GENERAL.—The Secretary shall make publicly available the annual volume requirement for a Forest Active Management Area.

(B) PETITION FOR ADJUSTMENT.—Not later than 30 days after an annual volume requirement for a Forest Management Area is made publicly available under subparagraph (A), a forest management collaborative located in the same Forest Service region as the Forest Active Management Area may petition the Secretary to adjust such annual volume requirement.

(C) DETERMINATION.—In the case of a petition under subparagraph (B), the Secretary shall make a determination on such petition not later than 60 days after receiving such petition.

(f) SIZE OF FOREST ACTIVE MANAGEMENT AREA.—

(1) MINIMUM SIZE.—Except as provided in paragraph (3), the Forest Active Management Areas

established within a unit of the National Forest System shall include not less than 50 percent of the National Forest System lands in that unit identified as commercial forest land capable of producing twenty cubic feet of timber per acre.

(2) REDUCTION PROHIBITED.—Except as provided in paragraph (3), once a Forest Active Management Area is established, the Secretary may not reduce the number of acres of National Forest System land included in that Forest Active Management Area.

(3) COLLABORATIVE ADJUSTMENT AUTHORITY.—The Secretary may reduce the number of acres of National Forest System land included in a Forest Active Management Area, including an acreage reduction resulting in the inclusion of a quantity of commercial forest land below the percentage required by paragraph (1) and section 101(5)(B), if the reduction is developed and agreed upon through a collaborative process.

(g) MAP.—The Secretary shall submit a map of all Forest Active Management Areas established under subsection (a) and a map of any Forest Active Management Area whose acreage is adjusted made pursuant to subsection (f)(3)—

(1) to the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives; and

(2) to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources of the Senate.

(h) RECOGNITION OF VALID AND EXISTING RIGHTS.—Neither the establishment of Forest Active Management Areas under subsection (a) nor any other provision of this title shall be construed to limit or restrict—

(1) access to National Forest System land for hunting, fishing, recreation, and other related purposes; or

(2) valid and existing rights regarding National Forest System land, including rights of any federally recognized Indian tribe.

SEC. 103. MANAGEMENT OF FOREST ACTIVE MANAGEMENT AREAS.

(a) REQUIREMENT TO ACHIEVE ANNUAL VOLUME REQUIREMENT.—Immediately upon the establishment of a Forest Active Management Area, the Secretary shall manage the Forest Active Management Area in the manner necessary to achieve the annual volume requirement for the Forest Active Management Area. Not later than

1 year after the date of the enactment of this Act, the Secretary shall commence covered active management projects to begin generating forest active management revenues.

(b) STANDARDS FOR PROJECTS WITHIN FOREST ACTIVE MANAGEMENT AREAS.—The Secretary shall conduct covered active management projects within Forest Active Management Areas in accordance with this section and sections 104 and 105, which shall serve as the sole means by which the Secretary will comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) and other laws applicable to the covered projects.

(c) USE OF COLLABORATIVE PROCESS.—The Secretary is authorized and encouraged to develop covered active management projects for a Forest Active Management Area through a collaborative process. The decision notice for a covered active management project shall describe the collaborative process by which the project was developed, including a description of—

(1) participation by or consultation with State, local, and tribal governments; and

(2) any established record of successful collaborative planning and implementation of forest management projects by the collaborators.

(d) USE OF CONTRACTORS TO PERFORM ENVIRONMENTAL ANALYSIS.—

(1) IN GENERAL.—As part of a covered active management project, or as a separate agreement or contract in connection with one or more covered active management projects, the Secretary may procure the services of persons who are not Federal employees to perform activities necessary to ensure project for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(2) APPROVAL REQUIREMENT.—Services performed under this subsection are subject to approval by the Chief of the Forest Service or other responsible official of the Forest Service.

(3) FUNDING SOURCE.—As provided in section 108(c)(2), the Secretary shall use forest active management revenues to cover the cost of services procured under this subsection.

(e) APPLICATION OF LAND AND RESOURCE MANAGEMENT PLAN.—

(1) MODIFICATION AUTHORITY.—The Secretary may modify the standards and guidelines contained in the land and resource management plan for the

unit of the National Forest System in which the covered active management project will be carried out as necessary to achieve the requirements of this Act.

(2) HARVESTING SYSTEM.—Section 6(g)(3)(E)(iv) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(g)(3)(E)(iv)) shall not apply to a covered active management project.

(f) USE OF ALL-TERRAIN VEHICLES FOR MANAGEMENT ACTIVITIES.—The Secretary may allow the use of all-terrain vehicles within the Forest Active Management Areas for the purpose of activities associated with the sale of national forest materials in a Forest Active Management Area.

SEC. 104. ENVIRONMENTAL ANALYSIS PROCESS FOR COVERED ACTIVE MANAGEMENT PROJECTS.

(a) ENVIRONMENTAL ASSESSMENT.—Except in the case of a covered active management project for which a categorical exclusion is available under subsection (e) or a Forest Active Management Area for which a programmatic environmental impact statement is in effect under subsection (f), the Secretary shall—

(1) publish advance notice of each covered active management project proposed to be conducted within a Forest Active Management Area; and

(2) complete an environmental assessment pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for the proposed covered active management project.

(b) NO ALTERNATIVE VERSION.—The Secretary is not required to study, develop, or describe any alternative to the proposed agency action.

(c) CUMULATIVE EFFECTS.—The Secretary shall consider cumulative effects solely by evaluating the impacts of a proposed covered active management project combined with the impacts of any other projects that were approved with a Decision Notice or Record of Decision before the date on which the Secretary published notice of the proposed covered project. The cumulative effects of past projects may be considered in the environmental assessment by using a description of the current environmental conditions.

(d) TREATMENT OF DECISION NOTICE.—The decision notice for a covered active management project shall be considered a final agency action and no additional analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) shall be required to implement any portion of the covered project.

(e) APPLICABILITY OF NEPA.—The designation and management of a Forest Active Management Area under

this Act shall not be subject to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

SEC. 105. EXPEDITED COMPLIANCE WITH ENDANGERED SPECIES ACT.

(a) NON-JEOPARDY ASSESSMENT.—If the Secretary makes a determination that a proposed covered active management project is not likely to jeopardize the continued existence of any species listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), the Secretary shall—

(1) prepare an explanation of the basis for the determination; and

(2) submit the determination and explanation to the Secretary of the Interior or the Secretary of Commerce, as appropriate.

(b) REVIEW AND RESPONSE.—

(1) IN GENERAL.—Within 30 days after receiving a determination made by the Secretary under subsection (a), the Secretary of the Interior or the Secretary of Commerce, as appropriate, shall provide a written response to the Secretary concurring in or rejecting the Secretary's determination.

(2) EFFECT OF REJECTION.—If the Secretary of the Interior or the Secretary of Commerce rejects

the determination made by the Secretary under subsection (a), the written response of the Secretary of the Interior or the Secretary of Commerce under paragraph (1) shall include recommendations for measures that—

(A) will avoid the likelihood of jeopardy to an endangered or threatened species;

(B) can be implemented in a manner consistent with the intended purpose of the covered active management project;

(C) can be implemented consistent with the scope of the Secretary's legal authority and jurisdiction; and

(D) are economically and technologically feasible.

(c) FORMAL CONSULTATION.—In addition to recommendations made under subsection (b)(2) when the Secretary of the Interior or the Secretary of Commerce rejects a determination issued by the Secretary under subsection (a), the Secretary of the Interior or the Secretary of Commerce, as the case may be, shall engage in formal consultation with the Secretary pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536). The Secretaries shall complete such consultation within 90

days after the submission of the written response under subsection (b).

SEC. 106. ADMINISTRATIVE REVIEW.

Administrative review of a covered active management project shall occur only in accordance with the special administrative review process and requirements established under section 105 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515), including the project-level predecisional administrative review process established in part 218 of title 36, Code of Federal Regulations.

SEC. 107. USE OF ARBITRATION INSTEAD OF LITIGATION TO ADDRESS CHALLENGE TO COVERED ACTIVE MANAGEMENT PROJECT DEVELOPED THROUGH COLLABORATIVE PROCESS.

(a) ARBITRATION PROCESS.—

(1) IN GENERAL.—In the case of a covered active management project that was developed through a collaborative process, any challenge to the covered project made after the special administrative review process required by section 106 shall be addressed using arbitration consistent with this section instead of through judicial review.

(2) WHO MAY SEEK.—Any person who sought administrative review for the covered project described in paragraph (1) and who is not satisfied

with the decision made under the administrative review process may file a demand for arbitration regarding the covered project in accordance with chapter 1 of title 9, United States Code.

(b) REQUIREMENTS FOR DEMAND.—The demand for arbitration under subsection (a)(2) shall—

(1) be filed not more than 30 days after the date on which the administrative review decision was issued; and

(2) include a proposal describing the modifications sought to the covered project.

(c) INTERVENING PARTIES.—

(1) REQUIREMENTS.—Any person that submitted a public comment on the covered active management project subject to arbitration may intervene in the arbitration—

(A) by endorsing the covered project or the modification proposal submitted under subsection (b)(2); or

(B) by submitting a proposal to further modify the covered project.

(2) DEADLINE FOR SUBMISSION.—A request to intervene in an arbitration must be submitted not later than the date that is 30 days after the date on which the demand for arbitration was filed.

(3) MULTIPLE PARTIES.—Multiple objectors or intervening parties may submit a joint proposal so long as each objector or intervening party meets the eligibility requirements of subsection (a)(2) or paragraph (1), whichever applies.

(d) APPOINTMENT OF ARBITRATOR.—The United States District Court in the district in which the covered active management project is located shall appoint the arbitrator to conduct the arbitration proceedings in accordance with this section and chapter 1 of title 9, United States Code.

(e) SELECTION OF PROPOSALS.—

(1) IN GENERAL.—The arbitrator appointed under subsection (d)—

(A) may not modify any of the proposals submitted with the demand for arbitration or a request to intervene; and

(B) shall select to be conducted—

(i) a proposal submitted by an objector or an intervening party; or

(ii) the covered active management project, as approved by the Secretary.

(2) SELECTION CRITERIA.—An arbitrator shall select the proposal that best meets the purpose and

needs described in the environmental analysis conducted for the covered project.

(f) EFFECT OF DECISION.—The decision of an arbitrator with respect to the covered active management project—

(1) shall not be considered a major Federal action;

(2) shall be binding; and

(3) shall not be subject to judicial review.

(g) DEADLINE FOR COMPLETION.—Not later than 90 days after the date on which the demand for arbitration is filed with respect to the covered active management project, the arbitration process shall be completed.

SEC. 108. DISTRIBUTION OF FOREST ACTIVE MANAGEMENT REVENUES.

(a) USE TO MAKE 25–PERCENT PAYMENTS.—The Secretary shall use forest active management revenues generated by covered active management projects to make 25-percent payments to States for payment to beneficiary counties.

(b) RELATION TO PAYMENTS UNDER SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.—Subject to the offset required by subsection (f) of section 102 of the Secure Rural Schools

and Community Self-Determination Act of 2000 (16 U.S.C. 7112), a beneficiary county may receive both—

(1) a share of the 25-percent payments made to a State under subsection (a); and

(2) a share of the payment for the State (known as the State payment) calculated under section 101(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111(a)) for which the beneficiary county made an election (or was deemed to make an election) under section 102(b)(1) of such Act (16 U.S.C. 7112(b)(1)).

(c) OTHER USES OF REVENUES.—After compliance with subsection (a), the Secretary shall use forest active management revenues—

(1) to make deposits into the fund established under section 3 of the Act of June 9, 1930 (16 U.S.C. 576b; commonly known as the Knutson-Vandenberg Fund), and the fund established under section 14(h) of the National Forest Management Act of 1976 (16 U.S.C. 472a(h); commonly known as the salvage sale fund) in contributions equal to the monies otherwise collected under those Acts for projects conducted on National Forest System land; and

(2) to cover the cost of project services procured under section 103(d).

(d) DEPOSIT IN GENERAL FUND OF THE TREASURY.—After compliance with subsections (a) and (c), the Secretary shall deposit remaining forest active management revenues into the general fund of the Treasury.

SEC. 109. ANNUAL REPORT.

(a) REPORT REQUIRED.—Not later than 60 days after the end of each fiscal year, the Secretary shall submit to Congress an annual report specifying the following:

(1) The annual volume requirement in effect for that fiscal year for each Forest Active Management Area.

(2) The volume of board feet actually harvested for each Forest Active Management Area during that fiscal year.

(3) The average cost of preparation for timber sales for each Forest Active Management Area during that fiscal year.

(4) The forest active management revenues generated from such sales.

(5) The total amount of 25-percent payments made to States under section 108(a) during that fiscal year for the benefit of beneficiary counties and

the amount of forest active management revenues distributed to each beneficiary county.

(b) FORM OF REPORT.—The information required by subsection (a) to be provided with respect to a Forest Active Management Area shall be presented on a single page.

(c) PUBLIC AVAILABILITY.—The Secretary shall make each annual report available on the website of the Forest Service.

TITLE II—TRANSITION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000 AND 25-PERCENT PAYMENTS

SEC. 201. PROHIBITION ON STATE RETENTION OF PORTION OF 25-PERCENT PAYMENTS MADE ON BEHALF OF BENEFICIARY COUNTIES.

(a) AMENDMENT OF ACT OF MAY 23, 1908.—The sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500), is amended in the first sentence by striking ''situated: *Provided,* That when'' and inserting the following: ''situated. Beginning on the date of the enactment of the FORESTS Act of 2022, the State or Territorial legislature may not withhold any of the amount paid under this paragraph

from distribution to the county or counties in which the national forest is situated. When''.

(b) CONFORMING AMENDMENT TO WEEKS LAW.—Section 13 of the Act of March 1, 1911 (commonly known as the Weeks Law; 16 U.S.C. 500), is amended in the first sentence by striking ''situated: *Provided,* That when'' and inserting the following: ''situated. Beginning on the date of the enactment of the FORESTS Act of 2022, the State legislature may not withhold any of the amount paid under this section from distribution to the county or counties in which such national forest is situated. When''.

TITLE III—STEWARDSHIP END RESULT CONTRACTING AUTHORITY

SEC. 301. MAXIMUM AUTHORIZED DURATION OF STEWARDSHIP END RESULT CONTRACTS.

Section 604(d)(3)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)(3)(B)) is amended by striking ''10 years'' and inserting ''20 years''.

SEC. 302. PAYMENT OF PORTION OF STEWARDSHIP PROJECT REVENUES TO COUNTY IN WHICH STEWARDSHIP PROJECT OCCURS.

Section 604(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)) is amended by adding at the end the following new paragraph:

''(4) PAYMENT OF PORTION OF STEWARDSHIP PROJECT REVENUES TO COUNTIES.—Of the monies retained under paragraph (2) from an agreement or contract under subsection (b), the Chief or the Director, as the case may be, shall pay 25 percent of the retained monies to the county or counties in which the project site is situated.''.

SEC. 303. USE OF CONTRACTORS TO PERFORM ENVIRONMENTAL ANALYSIS IN CONNECTION WITH STEWARDSHIP END RESULT CONTRACTING PROJECTS.

Section 604(b) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(b)) is amended—

(1) by striking ''The Chief'' and inserting the following:

''(1) PROJECT AUTHORITY.—The Chief''; and

(2) by adding at the end the following new paragraph:

''(2) RELATED PROJECT PREPARATION AUTHORITY.—

''(A) IN GENERAL.—As part of an agreement or contract under paragraph (1) for a stewardship contracting project, or as a separate agreement or contract in connection with one or more stewardship contracting projects,

the Chief or Director may procure the services of persons who are not Federal employees to perform activities necessary to ensure project for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

''(B) APPROVAL REQUIREMENT.—Services performed under this paragraph are subject to approval by the Chief, Director, or other responsible official of the Forest Service or Bureau of Land Management.

''(C) FUNDING SOURCES.—The offset authority provided by subsection (d)(4)(A) and receipts available for expenditure under subsection (e)(2)(B) may be used to cover the cost of services procured under this paragraph.''.

TITLE IV—OTHER MATTERS

SEC. 401. TREATMENT AS SUPPLEMENTAL FUNDING.

None of the funds made available to a beneficiary county (as defined in section 101(2) of this Act) or other political subdivision of a State under this Act shall be used in lieu of or to otherwise offset State funding sources for local schools, facilities, or educational purposes.

SEC. 402. DEFINITION OF FIRE SUPPRESSION TO INCLUDE CERTAIN RELATED ACTIVITIES.

For purposes of utilizing amounts made available to the Secretary of Agriculture or the Secretary of the Interior for fire suppression activities, including funds made available from the FLAME Fund, the term ''fire suppression'' includes reforestation, site rehabilitation, salvage operations, and replanting occurring following fire damage on lands under the jurisdiction of the Secretary concerned or following fire suppression efforts on such lands by the Secretary concerned.

SEC. 403. PROHIBITION ON CERTAIN ACTIONS REGARDING FOREST SERVICE ROADS AND TRAILS.

The Forest Service shall not remove or otherwise eliminate or obliterate any legally created road or trail unless there has been a specific decision, which included adequate and appropriate public involvement, to decommission the specific road or trail in question. The fact that any road or trail is not a Forest System road or trail, or does not appear on a Motor Vehicle Use Map, shall not constitute a decision.

Forest Service
U.S. DEPARTMENT OF AGRICULTURE

FS-1187a | January 2022

CONFRONTING THE WILDFIRE CRISIS

A Strategy for Protecting Communities and Improving Resilience in America's Forests

A CALL FOR DECISIVE ACTION

Wildfires have been growing in size, duration, and destructivity over the past 20 years. Growing wildfire risk is due to accumulating fuels, a warming climate, and expanding development in the wildland-urban interface. The risk has reached crisis proportions in the West, calling for decisive action to protect people and communities and improve forest health and resilience. It will take a paradigm shift in land management across jurisdictional boundaries to reduce risk and restore fire-adapted landscapes. In response, the U.S. Department of Agriculture, Forest Service is establishing a strategy for working with partners to dramatically increase fuels and forest health treatments by up to four times current treatment levels in the West.

TERMINOLOGY

Fireshed
Landscapes of about 250,000 acres in which an ignition can spread and expose communities to wildfire.

Forest Health
The resiliency of a forest and its ability to self-renew following drought, wildfire, beetle outbreaks, and other forest stresses and disturbances.

Fuels
Anything that can burn, including trees, grasses, dead leaves, and fallen branches.

Fuel Treatments
Various techniques to reduce the amount of fuel in a forest including thinning, prescribed burning, pruning.

Ignitions
How a fire is started. Ignitions come from lightning, campfires, and other natural and human sources.

Wildland-Urban Interface (WUI)
The private lands where homes adjoin or intersect with large areas of fire-adapted vegetation.

The destruction 1 month after the 2017 Sonoma County wildfires. Photo provided by Adobe Stock Images.

CONFRONTING THE WILDFIRE CRISIS

Under this strategy, the Forest Service will work with partners to engineer a paradigm shift by focusing fuels and forest health treatments more strategically and at the scale of the problem, using the best available science as the guide. At the Forest Service, we now have the science and tools we need to size and place treatments in a way that will truly make a difference. We will focus on key "firesheds"—large forested landscapes and rangelands with a high likelihood that an ignition could expose homes, communities, and infrastructure to wildfire. Firesheds, typically about 250,000 acres in size, are mapped to match the scale of community exposure to wildfire.

Our new management paradigm builds on the National Cohesive Wildland Fire Management Strategy, including efforts to create fire-adapted communities, and other collaborative strategies for cross-boundary treatments, including Cohesive Strategy projects and Shared Stewardship agreements. We will build on our long-standing work and relationships with U.S. Department of the Interior agencies. We will work collaboratively with States, Tribes, local communities, private landowners, and other stakeholders to adapt lessons learned into a coordinated and effective program of work. Our emphasis on fuels reduction work to mitigate exposure and impacts to infrastructure and communities will complement and support efforts to develop fire-adapted communities.

At the Forest Service, we have set up a Wildfire Risk Reduction Infrastructure Team to build on capacity in carrying out projects. Together with partners, we will plan project areas while building community support for conducting fuels and forest health treatments. Together, we will treat the firesheds at highest risk first and, then, move on to other western firesheds, accelerating our treatments over 10 years. Next steps will include building our workforce capacity in the Forest Service and with partners to accomplish the work at the scale needed and establishing the large multijurisdictional coalition needed to support the work.

Under this 10-year strategy, we will work with partners to:

- Treat up to an additional 20 million acres on National Forest System lands.
- Treat up to an additional 30 million acres of other Federal, State, Tribal, and private lands.
- Develop a plan for long-term maintenance beyond the 10 years.

USDA Forest Service Adaptive Management Services Enterprise Team, Fire Behavior Assessment Team assistant Katharine Napier uses binoculars to observe fire behavior during Cedar Fire operations in and near the Sequoia National Forest, Posey, CA, on Wednesday, August 24, 2016. USDA Photo by Lance Cheung.

Andrew Hostad, fire prevention supervisor on the Flagstaff Ranger District, observes the Camillo Fire's success in burning off forest fuels such as the pine needles carpeting the forest floor in this area. The 2015 Camillo Fire occurred southeast of Mormon Lake, near Flagstaff, AZ, on the Coconino National Forest. Fires such as this help remove down and dead forest fuels, increasing safety for communities and lessening the threat of severe wildfires in the area. USDA Forest Service photo by Deborah Lee Soltesz.

WILDFIRE CRISIS

strategy

+20 MILLION

Treating up to an additional 20 million acres of National Forest System lands.

+30 MILLION

Treating up to an additional 30 million acres of other Federal, State, Tribal, and private lands.

10 YEARS

Developing a plan for long-term maintenance beyond the 10 years.

The USDA Forest Service Law Enforcement and Investigations team was deployed for support after the 2018 Camp Fire swept through communities in northern California, including Paradise, Magalia, and Concow. USDA Forest Service photo by Tanner Hembree.

HOW DID WE GET HERE?

Wildfires rampaged across the West in 2021, and not for the first time. In 2020, 2017, and 2015, more than 10 million acres—an area more than six times the size of Delaware—burned nationwide. Nearly a quarter of the contiguous United States is at moderate to very high risk from wildfire. Over half of that area is in the West. In the past 20 years, many States have had record wildfires, and fires in two Western States (Alaska and California) have exceeded 1 million acres in size. In 2020, Coloradans saw all three of their largest fires on record. Fires larger than 100,000 acres have become so common that the National Interagency Fire Center has stopped tracking them as exceptional events. “Fire seasons” have become whole fire years, with a year-round workforce for wildland fire suppression and year-round planning and fieldwork in performing postfire recovery and in preparing landscapes for future wildfires.

In short, the Nation faces a growing wildfire crisis, especially in the West. This is a national emergency, and it calls for decisive action. In response, the Forest Service is proposing a comprehensive 10-year strategy for protecting communities and improving resilience in America’s forests.

A WILDFIRE CRISIS IN THE WEST

Over the last several decades, the growing wildfires in the West only gradually reached the crisis proportions we see today. At the Forest Service, we responded by working with other land managers and policymakers. Together, we are rethinking the Nation's approaches to wildland fire management. We have made advances in collaboration, increased funding for work to reduce wildland fire risk, and aligned actions with partners across landownership boundaries. Although the scale of the work never matched the scale of wildfire risk, we created a collaborative structure that we can build on with our partners to reduce wildfire risk.

However, annual funding for fuels and forest health treatments has been limited and uncertain, and patterns of placing treatments have never approached the scale of the needed work. Federal land managers have sized and placed their treatments based on available funding and social constraints (such as public aversion to logging or smoke) rather than on the needed location at the right scale. Treatments have been further limited by the challenge of coordinating funding and capacity to do the work across landownership boundaries.

A warning sign came in 1988 with the Yellowstone Fires, which burned much of Yellowstone National Park and adjacent national forest land on a scale not seen in decades, including almost 800,000 acres burned in the park alone. Severe fire years followed in 1994 and 1996, with growing fire sizes and suppression costs.

Then came the 2000 fire year, when 7.4 million acres burned across the Nation, the most in at least 17 years. The Nation responded with a National Fire Plan and a 10-Year Strategy and Implementation Plan, followed by passage of the Healthy Forests Restoration Act of 2003. All were designed to increase the Nation's capacity to restore forest health and reduce wildfire risk to homes, communities, and infrastructure. So was the Collaborative Forest Landscape Restoration Program, established by Congress in 2010. Work begun in 2008 by Federal, State, and other fire organizations led to adoption of the National Cohesive Wildland Fire Management Strategy in 2014; a strategy for restoring forest health, reducing wildfire risk, and increasing safe and effective wildfire response nationwide.

In 2018, the Forest Service launched Shared Stewardship agreements with States and other partners to reduce wildfire risk across shared landscapes. In the Omnibus Bill of 2018, Congress recognized the need for fundamental change in how the Nation approaches wildland fire management, followed by congressional testimony and "national visioning" to the same effect by Forest Service leaders and partners. After another historical fire year in 2021, Congress passed the Infrastructure Investment and Jobs Act. The new legislation invests about $5.5 billion in lands and resources entrusted to the Forest Service, as well many of the landscapes and watersheds managed together with Federal, Tribal, State, private and other partners. The new funding will help the Forest Service invest in the workforce, establishing a new firefighter job series, increasing firefighter salary base pay, and converting more than 1,000 seasonal firefighters to permanent positions.

A California wildfire burns near a residential area at night. Photo provided by Adobe Stock Images.

2000

Historic Fire Year—More than 7.4 million acres burned, the most in more than a decade.

National Fire Plan—A national plan with five goals, including reducing hazardous fuels through increased funding for fuels treatments.

2001

10-Year Strategy and Implementation Plan—Increased fuels treatments and implemented community wildfire protection plans. Updated in 2006.

2003

Healthy Forests Restoration Act—Extended the area of fuels treatments on Federal lands.

2010

Collaborative Forest Landscape Restoration Program—Funded large-scale projects nationwide to reduce wildfire risk.

2014

National Cohesive Wildland Fire Management Strategy—Outlined plan for restoring fire-adapted ecosystems, building fire-adapted communities, and responding to wildfire.

2018

Omnibus Bill—Provided off-budget fire funding in heavy fire years; stopped funding transfers from nonfire programs.

Shared Stewardship initiative—Provided for agreements with States to work with stakeholders across landscapes to reduce wildfire risk.

2021

Infrastructure Investment and Jobs Act—Provided billions for investment in our lands, helping protect communities and improve resilience in America's forests.

PLAY VIDEO A Better Way to Think About Wildland Fires.

Cars cross the Golden Gate Bridge as wildfires cause a smokey orange sky during the 2020 fire year in California. Photo provided by Adobe Stock Images.

WHY ARE WE IN CRISIS?

Many western landscapes are at grave and growing risk of extreme wildfire impacts due to a combination of accumulating fuels, a warming climate, and expanding development in fire-prone landscapes. Past land use practices, drought, and an overemphasis on fire suppression are also contributing factors. Each factor alone elevates the risk, but the layering of each factor on the next has increased the risk exponentially, reaching the crisis proportions we see today.

Dead and dying trees add to abundant fuels, creating a wildfire hazard. Photo provided by Adobe Stock Images.

FUELS BUILDUPS

Fire needs three things to burn: fuel, oxygen, and a source of ignition. Oxygen is in the air, and sources of ignition range from careless fire use (such as untended campfires) to lightning strikes, common in the West. Lightning can set a tree or brush on fire, but thunderstorms normally extinguish the fire with pouring rain. But the climate in much of the West is so dry that rain sometimes evaporates before it hits the ground, a phenomenon known as dry lightning. Dry lightning strikes can produce dozens of wildfires across a single landscape. Driven by high winds, the fires can quickly burn together to become a huge wildfire.

So both natural and human-caused ignitions are common across the West. What about fuels?

Fuels (grasses, shrubs, trees, and other burnable materials) are almost everywhere, but they have to be dry enough to burn. Wildfires are much more common in the West than in the East because the air is normally much less humid in summer. Air that is hot and dry sucks the moisture from fuels, which include not only live green trees and shrubs but also dormant grasses, dead shrubs, dead standing trees, and fallen trees and branches. When the live and dead fuels are tinder dry, they are primed to burn. All it takes is an ignition.

Ignition sources are common, so wildland fires were also common across America before settlement by nonindigenous peoples. American Indians ignited and managed fires to create habitat and support sustainable forests. Open landscapes with frequent ground fires supported more of the resources that native peoples needed. For example, large game such as deer, elk, and bison found more grasses and other plants to eat on prairies or in open woodlands with scattered trees than in dense forests. Frequent wildland fires kept such landscapes open, from the longleaf pine forests of the South to the oak savannas of the Midwest and the ponderosa pine woodlands of the West.

In the Northern Rockies, for example, American Indians selectively burned ponderosa pine woodlands to keep the old orange-bark trees widely spaced and free from wildfire risk. They used the sugar-rich inner bark from big ponderosa pines for food after peeling the bark away in vertical strips without harming the tree, and they used wildland fire to sustain the groves of old-growth pines.

Wildland fires in many landscapes were historically cool and low to the ground, rarely entering treetops and burning entire forests. Beginning in about 1911, Federal policy put an end to the use of ground fires to keep landscapes open. For more than a century, fuels have been building up due to a national policy of fire exclusion, sometimes called a war on wildfire. In 1935, the Forest Service adopted a policy of extinguishing all wildland fires by the morning after they were first detected. By the 1950s–60s, wildland firefighting had become so effective that the area burned each year had fallen to a fraction of its historical extent.

The Forest Service formally abandoned its fire exclusion policy in the late 1970s, but the effects remained. Heavy fuels caused so many dangerous wildfires that tens of thousands of wildland firefighters continued to turn out each year to suppress them—and the fuels continued to grow. It became a “Catch 22” of sorts: heavy fuels needed to burn to reduce wildfire risk; but the fuels posed so much risk that most wildland fires needed to be put out, adding more fuels and increasing the risk, year after year.

Fuel buildups have now reached crisis proportions. Photographs, before and after, comparing wooded landscapes over the last century illustrate the extent of landscape change. For example, an area near Cheesman Reservoir (which supplies water to Denver, CO) shows a historical landscape that was much more open than a century later, with far fewer trees because of frequent wildland fires. Across the West, ponderosa pine forests historically had 40 to 60 trees of all sizes per acre. Today, many of these same open woodlands have become dense forests with hundreds of trees per acre, including thickets that erupt into devastating wildfires when ignited by people or dry lightning. With such heavy fuel buildups, it’s no wonder that wildfire risks across the West are so high.

PLAY VIDEO Fuel Treatment Areas in California forests.

[Top] Dense forest with trees killed by bark beetles on California's Sierra National Forest in 2015. Such dead and dying trees can fuel more wildfires. USDA Forest Service Photo. [Bottom] Landscape changes near Colorado's Cheesman Reservoir over time. Frequent wildland fires historically sustained open ponderosa pine forests, but a century of fire exclusion produced dense forests. Devastated by the enormous Hayman Fire in 2002, the forests never recovered. By 2020, the landscape was dominated by shrubs. USDA Forest Service photos by Kauffman and Mark Finney. The 1896 image courtesy of Denver Water Board.

CLIMATE CHANGE

Climate change also drives the wildfire crisis by making the fuels problem worse. In turn, climate change is driven by rising carbon buildups in the atmosphere.

Carbon is essential to life. In various forms, carbon cycles through the atmosphere and through plants and animals (including humans) in natural processes. As part of the process, forests take up carbon from the atmosphere and store it in trees and soils. Wildfires, windstorms, and other forest disturbances then release the carbon into the atmosphere again; as the forest regrows, it takes up the lost carbon. The natural system is in balance.

But human activities have upset the balance. Fossil fuels—coal, oil, and natural gas—are concentrated forms of carbon stored eons ago deep underground. When people bring them to the surface and burn them for energy, they release carbon into the atmosphere additional to the natural carbon cycle.

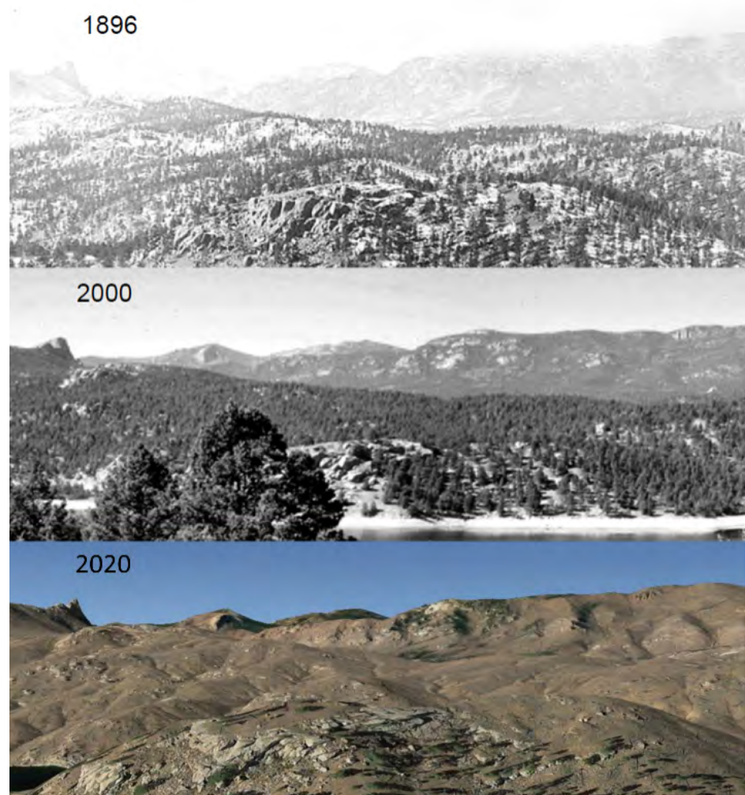
Carbon gases in the atmosphere act as natural heat traps. Growing concentrations of carbon gases in the atmosphere from fossil fuel emissions trap increasing amounts of heat near the surface of the planet, gradually raising temperatures over time. Rising temperatures change global climates, with effects that can be hard to predict or even to attribute directly to climate change. But scientists are now certain that humans are altering climate conditions worldwide, including in the United States, through carbon emissions from fossil fuels.

In the West, climate change is making the fire and fuels problem worse by reducing snow and rainfall and by increasing the frequency and scale of high winds and hot dry weather. Beset by warmer winters, western forests increasingly lack historical snowpack levels. Higher temperatures and drier conditions reduce the ability of trees and other vegetation to take up moisture overnight, resulting in the extreme flammability of forest fuels. Since the 1990s, firefighters and fire managers have reported shocking changes in fire behavior in the course of their careers, with unprecedented fire sizes and rates of fire spread.

Moreover, harsh winters no longer suppress bark beetles—native beetles that bore into trees and, in large numbers, can kill them. With more beetles and drier conditions, more forest trees lack the sap they need to eject the beetles from their bore holes. The result has been entire landscapes of dead and dying trees across tens of millions of acres in the West. The dead and dying trees can become ready fuels for more wildfires and more extreme fire behavior.

America's forests offset climate change by taking up carbon and storing it in wood and soils, and wood products from forest logging store even more carbon. In fact, America's forests and harvested wood products, including urban trees in cities and towns, take up almost 15 percent of the carbon dioxide that Americans emit each year.

But large and severe wildfires are threatening the ability of forests to store carbon in huge old western trees such as redwoods and giant sequoias. In 2020, for example, the Castle Fire in the southern Sierra Nevada of California destroyed 10 percent of the world's entire stock of giant sequoias. Severe wildfires, coupled with climate change, can also permanently eliminate forests from the landscape.
An area of ponderosa pine forest near Cheesman Reservoir in Colorado, severely burned by the 2002 Hayman Fire, never recovered and is now dominated by shrubs. Such changes reduce the capacity of forests to store carbon, protect watersheds, and sustain critical wildlife habitat.



Aerial view of houses burned down by the 2020 Almeda Fire in southern Oregon. Photo provided by Adobe Stock Images.

WILDLAND-URBAN INTERFACE

The wildfire crisis in the West also stems from the rising risk to lives, homes, communities, and infrastructure. The risk has been growing for decades as more and more people built homes and communities in fire-prone western landscapes, especially adjacent to the national forests. The private lands where homes adjoin or intersect with large areas of fire-adapted vegetation are called the wildland-urban interface, or WUI. Layered on top of a century of fuel buildups exacerbated by climate change, WUI growth has amplified wildfire risk in the West.

The WUI has been growing since the 1960s as people built homes in wildlands or bought homes in communities with wildlands nearby. Some people moved to the WUI to enjoy the scenic beauty and a sense of seclusion; others wanted to find more backyard wildlife and more opportunities for outdoor recreation. For similar reasons, many WUI homes and communities in the West are clustered around the national forests and other public lands. One in three homes in the United States is now in the WUI, and 70,000 communities are at risk from wildfire.

Both public and private lands in the West typically have fire-prone landscapes, putting the WUI at rising wildfire risk from fuel buildups and the effects of a changing climate. Each year, thousands of lives are put at risk from wildfires in the WUI, and scores of people have been killed in recent years. Smoke from wildfires now causes about 25 percent of all harmful human exposure to fine particulate matter (a form of air pollution) in the United States. Economic losses from wildfires have grown into the hundreds of billions of dollars each year.

Much of the rising economic loss comes from growing damage from wildfires to homes, communities, and infrastructure. By the 2000s, for example, wildfires were destroying hundreds of structures each year, mostly in the West; by the 2010s, the number was in the thousands—so high that Federal agencies began tracking the number. The running 5-year average annual number of structures destroyed by wildfires rose from 2,873 in 2014 to 12,255 in 2020, a fourfold increase in just 6 years.

In 2018, the deadliest and most destructive American wildfire in a hundred years destroyed Paradise, a California town of 27,000 in the Sierra Nevada. The fire, called the Camp Fire, took 85 lives and burned almost 14,000 homes. Given the wildfire trajectory in the West, vast parts of the WUI are now at risk from huge fires like Camp that can sweep for 10 to 30 miles or more across multiple landownerships and forest types within days or even hours. In fact, researchers have identified hundreds of communities at higher risk than Paradise—disasters waiting to happen. Fire simulations have revealed plausible extreme scenarios that expose almost 500,000 buildings to wildfire in a single year, reflecting both the increase of people in fire-prone landscapes and the elevated scale and intensity of wildfires. If the current trajectory holds, then tragedies like the Camp Fire will not be a once-in-a-lifetime occurrence.

DEVASTATION IN FIRE-PRONE LANDSCAPES

Research shows there are hundreds more communities at risk of devastating wildfires.

2013

The Black Forest Fire near Colorado Springs, CO, killed **2** people and **destroyed 509 homes.**

2018

The Camp Fire in Paradise, CA, killed **85** people and **destroyed almost 14,000 homes**

2020

The Labor Day Fires in Washington burned almost **300,000 acres and largely destroyed the towns of Malden and Pine City.**

2021

The Dixie Fire in California burned almost **a million** acres, killed **1** person, and **destroyed 1,329 structures**.

A forest hit by the 2021 Caldor Fire near South Lake Tahoe, CA. USDA Forest Service photo by Cecilio Ricardo.

HOW DOES THIS AFFECT FOREST HEALTH?

This is the new wildfire reality facing much of the West: it is nothing less than a forest health crisis. A healthy forest is resilient—capable of self-renewal following drought, wildfire, beetle outbreaks, and other forest stresses and disturbances—much as a healthy person stands a good chance of recovering from a disease or injury. Fire-adapted forests actually require frequent low-intensity wildland fire to stay healthy by keeping the number of trees and other plants in balance with scarce resources such as water, much as your own health depends on balances within your own body. Western fire-adapted forests at the lower elevations where most people live include ponderosa pine and mixed-conifer forests of pines, Douglas-fir, western larch, and grand fir.

Fire exclusion degrades such fire-adapted forests by upsetting balances in the natural system. Fuel buildups, coupled with climate change, can then alter the way a fire will behave when it inevitably returns. In overgrown ponderosa pine, for example, rather than culling vegetation close to the ground and restoring balance to the natural system, the fire can kill most vegetation and permanently alter the ecosystem. In a way, fuel buildups are a sign of forest sickness, and a high-intensity wildfire—instead of cycling needed fire through the system—can kill it.

In the process, a high-intensity wildfire can also threaten human lives and destroy entire communities. By using existing tools like community wildfire protection plans and creating defensible spaces, people can help forested landscapes stay healthy and resilient. Through the prudent acceptance and use of the right kind of wildland fire in the right places at the right scale, communities in the WUI will support fire-adapted forests across the landscapes they share. Without major changes in the way people choose to live with wildland fire in the West, the devastation of the 2020 fire year—with more national forest land burned than in any year since 1910, including 1 million acres in a single day—will become the new norm.

A prescribed burn area near Ashley Lake, Flathead National Forest, MT. After many years of fire exclusion, an ecosystem that needs periodic fire becomes unhealthy. Trees are stressed by overcrowding, fire-dependent species disappear, and flammable fuels build up and become hazardous. Prescribed fire can help alleviate these issues by reducing hazardous fuels, protecting human communities from extreme fires, minimizing the spread of insect pest and disease, recycling nutrients back to the soil, and more. USDA Forest Service photo courtesy of Geneva Thompson.

WHAT CAN WE DO ABOUT IT?

A degraded landscape needs treatment to restore forest health, much like an ailing patient needs treatment by a doctor. Land managers can increase forest resilience and minimize wildfire impacts through forest management activities based on sound science. The activities are called hazardous fuels treatments or fuels and forest health treatments because their purpose is to reduce dangerous fuel levels and restore forest health and resilience.

From 2002 to 2013, a mountain pine beetle epidemic in north-central Colorado left half of the mature lodgepole pines dead on the Dillon Ranger District, White River National Forest. The heavy loads of hazardous fuels elevated wildland fire risk to homes and critical infrastructure across Summit County. Beginning in 2011, the Forest Service signed a cooperative agreement with partners and stakeholders across shared landscapes to escalate fuels reduction projects. The partners have contributed millions of dollars in funding for fuels reduction projects to protect watersheds, conserve forests, restore aspen, and create defensible space near communities. USDA Forest Service photo.

FUELS AND FOREST HEALTH TREATMENTS

Typically, that means reintroducing fire to fire-adapted landscapes. But using fire in forests that are overgrown and unhealthy, whether in ponderosa pine or in mixed conifer, can invite disaster. Using fire and thinning together, however, provides the best opportunity for reducing risk and moderating fire behavior. With a risk-informed approach, a forest thinning is often needed first to reduce the number of trees to something approaching the historical level a century ago. Then a low-intensity surface fire can follow—what professionals call a prescribed fire, as in a prescription that a doctor might give, only in this case it's a prescription to reduce fuels and restore forest health.

In caring for the land, there is no substitute for wildland fire in fire-adapted forests. More than a century of research has shown that low-intensity fire reduces fuels across landscapes, slowing large wildfires and diminishing their severity. To restore forest health and reduce wildfire risk, a large multiorganizational workforce with expertise in proactive fuels and forest health management is needed for thinning forests, conducting prescribed fires, and using lightning fires and other "unplanned ignitions" to return fire to the land and restore forest health.

About half the land area of the National Forest System in the West is in wilderness areas, roadless areas, and other areas where forest thinning is restricted by law, regulation, or terrain. In these places, land managers can use prescribed fire as well as unplanned ignitions to reduce hazardous fuels and restore forest health. Most such landscapes are remote, and fires there usually have little or no impact on the WUI. However, a specialized workforce is still needed to carefully monitor the fires and put them out if they cross certain boundaries for safety.

PLAY VIDEO Misconceptions and Benefits of Fire.

A PARADIGM SHIFT IN LAND MANAGEMENT

In recent decades, the Forest Service has treated up to 2 million acres per year in the West, whether through forest thinning, prescribed burning, or other means. Many fuels treatments have worked, stopping a wildfire and saving homes. In 2011, for example, the Wallow Fire—the largest in Arizona history—was bearing down on the WUI community of Alpine, roaring through tree crowns in dense ponderosa pine and threatening homes ahead. When the fire reached a treated area, it dropped to the forest floor and started crawling through ground fuels, letting firefighters safely get in and control it. Hundreds of homes were saved. Many treatments in other areas have also moderated fire behavior, buying firefighters time to evacuate people and protect homes, communities, and infrastructure. By moderating fire behavior, treatments can also ensure that a wildfire benefits a forest ecologically rather than damaging soils, habitats, watersheds, and other elements of forest health.

Unfortunately, the scale and destructivity of today's largest wildfires have far outpaced the scale of efforts to protect homes, communities, and natural resources, a trend that will only worsen as fuels become drier under the effects of a changing climate. In short, the scale of work on the ground has not matched the need, and it will take nothing less than a paradigm shift to protect the Nation's western communities.

Accordingly, the Forest Service has established a strategy for confronting the wildfire crisis by dramatically increasing fuels and forest health treatments by up to four times current treatment levels in the West. Treatments are vital in America's eastern forests as well, and the Forest Service remains committed to sustaining the health, diversity, and productivity of all of America's forests by continuing our ongoing treatment levels nationwide, including in the South, Midwest, and Northeast. The plans for accelerated fuels and forest health treatment levels include these regions as well.

Forest Service Chief Randy Moore (third from left) discusses the fuels treatments that affected the 2021 Caldor Fire, South Lake Tahoe, CA. USDA Forest Service photo by Cecilio Ricardo

However, recent decades have shown that the Nation's greatest wildfire risk is in the West; accordingly, the focus of the new land management paradigm must be the Western United States. We need to thin western forests and return low-intensity fire to western landscapes in the form of both prescribed and natural fire, working to ensure that forest lands and communities are resilient in the face of the wildland fire that fire-adapted landscapes need.

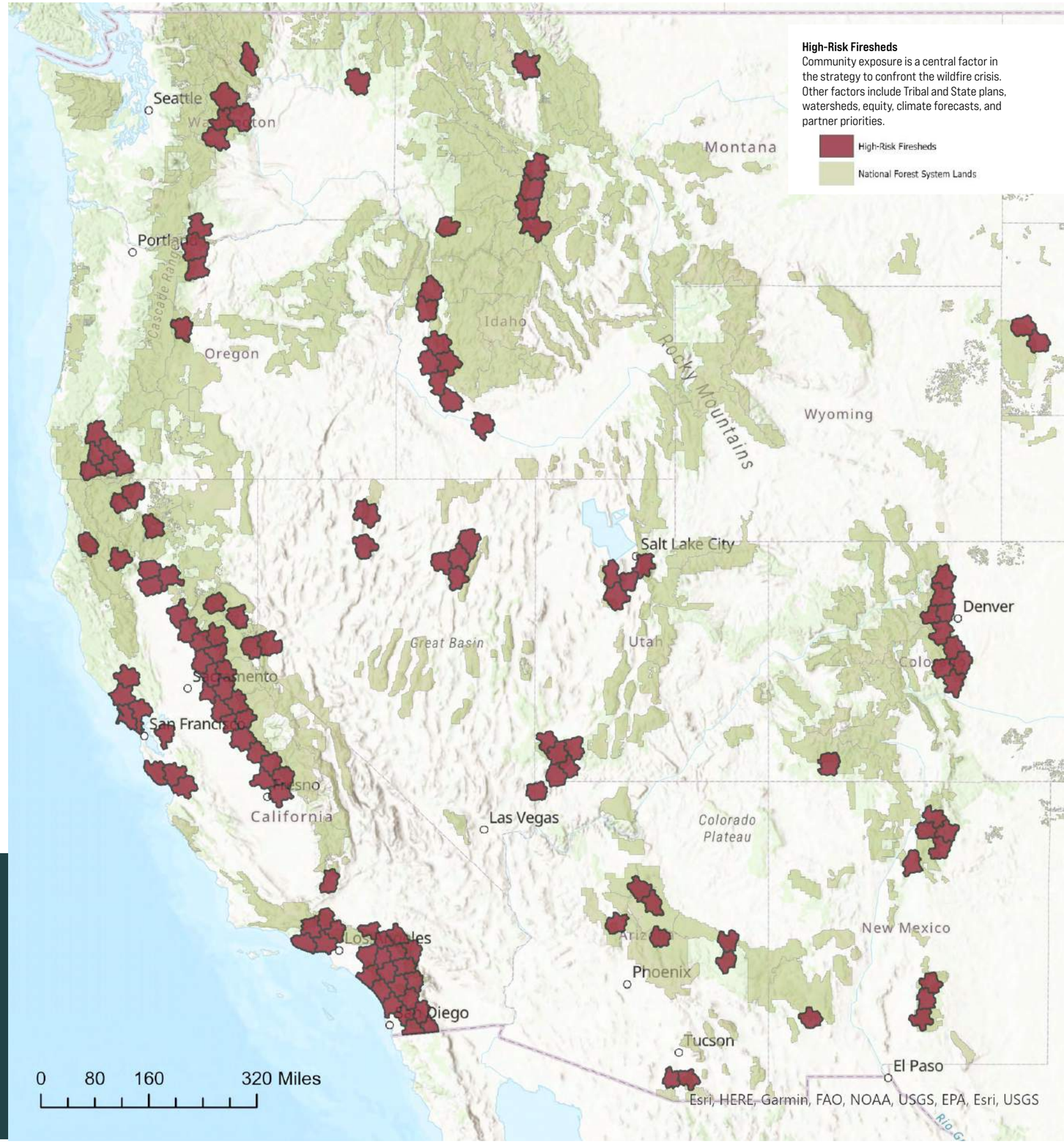
In short, we need healthier, more resilient forests in the West. Under the new land management paradigm, the Forest Service will work with partners in the West to focus fuels and forest health treatments more strategically and at the scale of the problem, using the best available science as the guide. The work will focus on key "firesheds"—large forested landscapes with a high likelihood that an ignition could expose homes, communities, and infrastructure to wildfire. Firesheds, typically about 250,000 acres in size, are mapped to match the scale of community exposure to wildfire. In order to reduce wildfire risk to communities, forest health, and other values, science suggests that fire-adapted conditions should be restored on 35 to 45 percent of a fireshed through a range of fuels and forest management activities, including mechanical thinning and prescribed fire, followed by maintenance treatments at intervals of 10 to 15 years. Many national forests in the South and elsewhere have successful prescribed fire programs that can serve as models.

The Forest Service's wildfire crisis strategy will target the firesheds at highest risk first—the firesheds most capable of generating large wildfire disasters and with the highest probability of fuels reduction success. The map shows the western firesheds at highest risk of community exposure to wildfires originating on all lands. The highest priority firesheds for treatment based on community risk are in fire-prone parts of Arizona, California, Colorado, Washington, Oregon, and other Western States. The bulk of community exposure to wildfire originates from a relatively small number of firesheds in specific locations.

As the map suggests, scientists have already located the communities at highest wildfire risk and the firesheds that are the source of highest community exposure to wildfire. By targeting the source of exposure in these specific areas and working with partners and stakeholders to set common goals across shared landscapes, strategic fuels management projects can reduce wildfire impacts not only on homes and communities but also on air quality, municipal watersheds, wildlife habitat, and other values at risk. We now have a strategy for better defining where and how to place treatments within a timeframe that will truly make a difference for the communities most at risk while also restoring healthy, resilient fire-adapted forests for the future.

Science has shown that our treated landscapes need to cross jurisdictions because wildfire risk is an all-lands problem affecting multiple landownerships across firesheds.

Treatments are vital in America's eastern forests as well, and the Forest Service remains committed to sustaining the health, diversity, and productivity of all of America's forests by continuing our ongoing treatment levels nationwide, including in the South, Midwest, and Northeast.



Under the wildfire crisis strategy, the Forest Service envisions greatly reducing wildfire exposure in the areas at highest risk by working together with partners to:

- Treat up to an additional 20 million acres on the National Forest System in the West (over and above the current level of treatments with appropriated funds, which will continue).
- Treat up to an additional 30 million acres of other Federal, State, Tribal, and private lands in the West.
- Develop a plan for long-term maintenance beyond the 10 years.

Some projects in high-risk firesheds are "shovel ready"—ready to go, lacking only the necessary funding to begin. The Forest Service will work with partners to identify and prioritize such projects, then launch them in years 1 and 2 of our 10-year strategy while also working with partners to build the needed workforce capacity and public support for treatments in years 3 through 10. After altering the wildfire trajectory in the most critical firesheds, the agency will move on in subsequent years to other western firesheds, accelerating treatments over the next 8 years.

A paradigm shift in land management calls for a corresponding shift in Federal funding. Past annual budgets for Federal land management agencies have neither resolved the forest health crisis nor diminished the rising severity of western wildfires. We need an off-budget solution, with reliable Federal funding for the fuels and forest health projects that are highest priority under the wildfire crisis strategy. Only then can we hope to restore healthy, resilient fire-adapted forests across shared landscapes in the West.

The investments in fuels and forest health treatments will create an estimated 300,000 to 575,000 jobs, protect property values and small businesses, and stimulate local economies. In time, as we alter the trajectory of wildfire in the West, we can bring down the Forest Service's annual wildfire suppression costs—which averaged more than $1.9 billion per year from 2016 to 2020—and devote the funds to further restoring forest health and reducing wildfire risk in fire-adapted forests nationwide.

A new land management paradigm comes with great expectations—and with the need to hold the agency accountable for success. Preconditions for success include:

- Building workforce capacity in Federal and State agencies as well as in local, Tribal, nongovernmental, and other organizations to coordinate and accomplish the work.
- Building a large multijurisdictional coalition, including broad public and community support for the work at the scale necessary to make a difference.

Forest Service employee assess impacts of the 2021 Caldor Fire near South Lake Tahoe, CA. USDA Forest Service photo by Cecilio Ricardo.

PLAY VIDEO National Cohesive Strategy.

COLLABORATIVE STRATEGY FOR ACCOMPLISHING THE WORK

Our new land management paradigm builds on two decades of collaborative work in rising to the challenge of wildland fire management. In times of crisis, Americans have traditionally joined together, rising to every challenge. Now we face the challenge of restoring forest and rangeland health and resilience by vastly expanding our collective capacity for hazardous fuels and forest health treatments. As a Nation, we already have collaborative strategies in place for cross-boundary treatments, including Shared Stewardship agreements, Joint Chiefs Landscape Restoration projects, and a network of projects under the Collaborative Forest Landscape Restoration Program.

The National Cohesive Wildland Fire Management Strategy gives us a common policy for addressing the challenge of wildland fire management through its three central goals: (1) restoring fire-adapted ecosystems on a landscape scale; (2) building fire-adapted human communities; and (3) responding safely and effectively to wildland fire. Under our new management paradigm, the Forest Service envisions full implementation of all three Cohesive Strategy components, working collaboratively through shared stewardship with States, Tribes, local communities, private landowners, and other stakeholders and as co-managers with our partner agencies at the U.S. Department of the Interior (DOI).

The Forest Service and DOI are the primary Federal organizations responsible for managing the Nation's Federal forests and rangelands. The four land management agencies in DOI—the Bureau of Indian Affairs (BIA), the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service (FWS), and the National Park Service (NPS)—together with the Forest Service are the Nation's Federal wildland firefighting workforce. Often indistinguishable from one another, employees from these Federal agencies work seamlessly together on the fireline. National Forest System lands and lands administered by the four DOI land management agencies frequently abut one another, and, as land management agencies, we endeavor to manage them together as one landscape. We have been partners at the National Interagency Fire Center in Boise, ID, since 1965 and together helped to co-develop the first 10-Year Strategy and the Cohesive Strategy.

Since 2002, DOI and USDA have co-chaired the Wildland Fire Leadership Council, an intergovernmental committee that supports the coordinated development and implementation of wildland fire management policy. Coordination is also occuring through the President's Wildfire Resilience Interagency Working Group (IWG), co-chaired by USDA, DOI, and the Office of Management and Budget. The IWG is bringing an all-of-Government approach to addressing the Nation's wildfire crisis, with participation and expertise from across the Administration, including the National Security Council; the Office of Science and Technology Policy; the White House Climate Policy Office; the Council on Environmental Quality; the National Economic Council; the Office of the Vice President; the

Incident command post near the Mendocino National Forest, CA. USDA Forest Service photo by Cecilio Ricardo.

Environmental Protection Agency; and the U.S. Departments of Commerce, Defense, Energy, Housing and Urban Development, Homeland Security, Health and Human Services, and Transportation.

This coordination creates new opportunities for problem-solving and allows Federal agencies to work with partners to bring additional resources to the table to address wildfire and postfire risks and protect people, communities, and natural resources. Additional collaboration will occur through the Wildfire Commission established by the Bipartisan Infrastructure Law and chaired by USDA, DOI, and the Federal Emergency Management Agency.

Through these collaborative efforts, we can restore fire-adapted ecosystems across shared landscapes by ramping up our fuels and forest health treatments in the right places at the right scale. In addition to fuels and forest health treatments, we are working together with other agencies to help support investments in fire-adapted communities and post-fire risk reduction, recovery, and reforestation. We share a commitment to consultation with Tribes and ensuring that equity is embedded in this work. Our combined efforts are a central part of addressing the climate crises and protecting areas important for ecosystem services, water, carbon, and wildlife, as well as other ecologic, economic, social, and cultural values.

By implementing projects at the scale of the actual wildfire risk, we can help communities prepare to live more safely with fire in fire-prone landscapes. For example, communities can use their community wildfire protection plans to identify areas at risk. Moreover, our treatments at scale will help wildland firefighters respond to wildfires more safely and effectively, as happened in 2021 on the Caldor Fire in California. The Caldor Fire blew right through scattered small treatments on the Eldorado National Forest, but an area of treatments at scale on the Lake Tahoe Basin Management Unit modified fire behavior enough for firefighters to keep the fire from burning into South Lake Tahoe. The fire perimeter closely aligned with the pattern of fuels treatments around the community.

At the Forest Service, we have worked with our partners to identify projects that are ready for action. These projects include those that will reduce the risk at the right place and pace with shared investment, as well as those that need attention to equity for historically underserved communities. In the first year under the 10-year strategy, we will launch these projects, as well as focus on coordinating with State and local agencies, communities, collaborative groups, nongovernmental organizations, private landowners, Tribes, and other partners and stakeholders to build the necessary workforce capacity and coalition support for complementary cross-boundary treatments across landownerships. For example, State partners can use their State forest action plans to help identify a full range of values at risk. In subsequent years, we will continue to work with our partners to identify values at risk and establish a shared approach to reducing risk. Working together, we can reset fire-adapted western landscapes for the future through a sustained investment over the next 10 years.

Bureau of Land Management fire crew working on a fuel break for the Hadweenzic River Fire in Alaska. Bureau of Land Management photo by Geoff Liesik.

Geronimo Interagency Hotshot Crew from the U.S. Department of the Interior, Bureau of Indian Affairs, San Carlos Agency in Arizona conducting a prescribed burn during the Big Windy Complex Wildlands Fire, OR, in 2013. USDA photo by Lance Cheung.

FIRE-ADAPTED HUMAN COMMUNITIES

In WUI areas like South Lake Tahoe, residents and communities can take additional steps to reduce wildfire risk by making homes and infrastructure more fire resistant. Networking with neighbors and learning through social media can help. The Forest Service is working with partners to help communities write community wildfire protection plans and to help homeowners prepare for wildfires by reducing fuels on their properties and creating defensible space around their homes. Forest Service partners include Firewise, local fire safe councils, the Fire Adapted Communities Learning Network, and the Ready, Set, Go! program.

Part of creating fire-adapted communities is recognizing social diversity: a one-size-fits-all strategy will not work. For example, evidence suggests that Hispanic populations in the West are twice as likely as other demographic groups to live in the areas most threatened by wildfires. Pinpointing specific cultural communities and engaging with them about opportunities to reduce wildfire risk will be key. The Forest Service can help gather and share local lessons while also monitoring the effectiveness of local initiatives in reducing community and homeowner risk, with a focus on continual learning.

At the core of the Cohesive Strategy is the vision of learning to live with wildland fire, which dovetails with the purpose of this new wildfire crisis strategy. In addition to creating defensible space around homes and other buildings, communities can support land managers in conducting fuels and forest health treatments at the pace and scale needed to reduce wildfire risk. Communication with people living in the WUI will be key. Through better communication, land managers can gain community support for using prescribed fire and managing unplanned ignitions to reduce long-term wildfire risks, despite short-term tradeoffs like temporary smoke in the air. Community groups can also play an active role in forest health collaboratives and in accomplishing fuels and forest health treatments across jurisdictions.

Many homes were at risk during the 2018 Taylor Creek and Klondike Fires on the Rogue-Siskiyou National Forest in Oregon. USDA Forest Service photo by Kari Greer.

PLAY VIDEO Fire Adapted Communities.

A Tahoe hotshot using a drip torch during a burn operation around Camp One. Ferguson Fire, Sierra National Forest, CA, 2018. USDA Forest Service photo by Kari Greer.

South Lake Tahoe, CA, locals cheer, yell, and blow horns to thank the firefighters for their support in protecting their homes from the 2021 Caldor Fire. The locals gathered for several days near the incident command post in South Lake Tahoe. USDA Forest Service photo by Cecilio Ricardo

WHY DOES IT MATTER?

At its core, the wildfire crisis in the West is a crisis of forest health, and protecting forest health is at the heart of the Forest Service mission—"to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations." Healthy forests meet basic human needs, like clean air for breathing, pure water for drinking, and opportunities for outdoor recreation and spiritual renewal.

Among other things, healthy forests store carbon and regulate natural processes such as wildland fire, building landscape immunity to its potentially devastating effects. Deprived of fire for far too long, many fire-adapted western forests are in poor and declining health. Degraded and overgrown, many are prone to disastrous wildfires that threaten lives, homes, communities, and natural resources, denying Americans the benefits they want and need from their forests.

Now we have an opportunity to restore America's fire-adapted western forests to health and resilience through a comprehensive program of fuels and forest health treatments under the Forest Service's new wildfire crisis strategy. This is a national emergency, and it should be treated like one by investing in treatments the way we invest in disaster response—but doing so before the disaster occurs.

The great ecologist Aldo Leopold, who started his career with the Forest Service, recognized that conservation is all about sustaining the health of the land—and that people are part of the land, no less than soils, waters, plants, and animals. People depend on healthy, resilient forests to meet basic needs for wood, water, wildlife, and more; and our fire-adapted western forests, the forested landscapes entrusted to our care as landowners and land managers, depend on us to sustain and restore their health and resilience.

That means returning wildland fire to the land. Ironically, the wildfire crisis in the West—the excess of fuels, smoke, extreme wildfires, and lives, homes, and communities at risk—is actually a deficit of the right kind of wildland fire across western landscapes. We need a new land management paradigm across the West devoted not to shrinking the area burned each year but to making it grow through the right treatments in the right places at the right time and at the right scale.

At the Forest Service, we are committed to meeting the urgency of this moment. Building on existing relationships and creating new partnerships, we will accomplish the work in the right places and at the right pace and scale to meaningfully change the trajectory of wildfire risk to people, communities, and natural resources and restore forest health and resilience. We look forward to working with Federal, Tribal, State, local, nonprofit, and other partners. Working together, we will make a collective impact by building the multijurisdictional coalition and investing in the conditions necessary for success.

NEXT STEPS: ANSWERING THE CALL

At the Forest Service, we are committed to meeting the urgency of this moment. We will build on existing relationships and create new partnerships to place fuels and forest health treatments in the right places and at the pace and scale needed to change the trajectory of wildfire risk to people, communities, and natural resources and to restore forest health and resilience. We look forward to working with Federal, Tribal, State, local, nonprofit, and other partners to build the multijurisdictional coalition needed for success.

The Sierra Hotshots captain directs crew members during a burn operation near Jerseydale on the Sierra National Forest during the 2018 Ferguson Fire in California. USDA Forest Service photo by Kari Greer.

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WILDFIRE CRISIS

strategy