WILDFIRE REVIEW REPORT

WHITEWATER-BALDY COMPLEX and LITTLE BEAR FIRES
New Mexico - May thru June 2012

INTRODUCTION

This review was conducted at the request of Congressman Steve Pearce, Second District, New Mexico, to identify those factors which may have precluded earlier containment and control of the subject wildfires and to recommend actions that could enhance opportunities for the earlier containment and control of future wildfires.

The on-site review was from August 13 to 20, 2012 with followup inquiries by phone and email thereafter. Numerous U. S. Forest Service Line Officers and key Staff personnel were interviewed together with officials and members of the local community.

The review was done by Roger Seewald, a retired U. S. Forest Service employee representing the Chief of the Forest Service and William A. Derr, also retired from the Forest Service, representing Congressman Pearce as a Legislative Fellow. Both reviewers have extensive backgrounds in wildland fire suppression and related investigative matters.

The decisions and actions taken by those officials responsible for the containment and control of these wildfires were consistent with current National Fire Policy and Protocols, available firefighting resources, and specific on the ground conditions. If a more aggressive National Fire Policy had been in place with enhanced firefighting resources and if hazardous fuel conditions had been mitigated through sound forest management practices, these wildfires could have been more easily contained and controlled. Appeals and court actions and a protectionist rather than a multiple use policy by the Administration were additional constraints.

OVERVIEW

Whitewater-Baldy Complex Fire:

Lightning started the Baldy Fire on May 9, 2012. The U. S. Forest Service took no action to suppress the Baldy Fire at the origin area in spite of predictions of increasing fire danger conditions and due to firefighter safety concerns regarding steep and inaccessible terrain. Further, the fire was allowed to burn to accomplish management objectives. The Forest Service monitored the fire from aircraft and ground observations thru May 16th when the lightning-caused Whitewater Fire was discovered which may have been an undetected holdover from the earlier lightening storm. By May 16th the Baldy Fire had grown to 758 acres. By May 23rd these fires had merged and burned 70,578 acres and were named the Whitewater-Baldy Complex.

Aggressive initial ground fire suppression attack and the use of aerial firefighting resources by the Forest Service on the Whitewater Fire were constrained by firefighter safety concerns. Some progress was achieved in containing the fire in the early stages with limited resources. As the fire burned into heavy unburned fuels driven by high winds, it rapidly grew in size and precluded the capability of firefighting resources to effectively contain it. As the fire merged with the Baldy Fire, it soon became a major conflagration where containment was impossible. When finally controlled, nearly 300,000 acres of valuable watershed had burned with an estimated cost of $100 million for fire suppression, resource, and other damages.

Little Bear Fire:

The Little Bear Fire was caused by lightning on Monday, June 4th. Initial suppression action was by a two-man Mescalero Reservation Helitack Crew who attempted to contain the fire the first evening until about 10 PM. The following morning a 20-person Forest Service Hot Shot Crew spent the next four days attempting to contain the fire with some success working day shifts only rather than on a 24 hour basis. On Friday, spotting from a large burning tree within the burn area ignited fuels outside the fireline. High winds caused the spot fires to merge and escape before suppression action could be safely accomplished. Air Tanker resources were not used before the escape of the fire and helicopter use was minimal.

When controlled this fire burned 44,000 acres and destroyed over 250 homes. The overall estimated cost of suppression, resource, and other damage costs is $100 million. Members of the local community felt that this fire should have been contained and controlled in the early stages and expressed their views in public meetings and thru the press.

DISCUSSION

In recent years the Forest Service has experienced an increasing number of major fires burning hundreds of thousands of acres on the Nation's National Forests. These fires, like the two referenced above, have destroyed natural resources such as valuable watersheds, stands of merchantable timber, wildlife habitat, and private property. They have severely affected local economies, released excessive amounts of carbon, and caused serious public health hazards due to air pollution. The continued delivery of clean water is no longer assured. Billions of dollars have been spent on fire suppression and related damage costs on these major fires which could have been saved had greater investments been made in pre-suppression measures including the reduction of hazardous fuel accumulations and more aggressive fire suppression tactics.

Some of the factors that have contributed to an alarming increase in major wildfires are:

(1) A warming climate cycle.

(2) Fuel buildups due to tree mortality from disease, and a virtual cessation of harvesting of valuable forest products.

(3) Insufficient fire prevention, detection, and fuel reduction programs.

(4) Diminishing wildland fire suppression expertise and experience within the Forest Service,

(5) Reduced aerial and ground firefighting resources, and

(6) An ambiguous National Fire Policy.

If this serious loss of the Nation's natural resources is not reversed, the Western Forests as we have known them will virtually disappear in the coming years. A return to sound forest management practices, free of political constraints, can reverse this trend.

The legislative mandate from Congress when the National Forests were created included direction in the Organic Act to the Forest Service to protect these valuable natural resources from the ravages of wildfires so that the delivery of valuable goods and services, including clean water, to the American people would continue in perpetuity. Subsequent legislation established the principles of sustained yield and multiple use management of these resources.

The Forest Service has been significantly curtailed in its efforts to carry out its original mandate from Congress and subsequent related legislation by a variety of special interest environmental groups who continually challenge sound forest management practices by appeals and court action. The Equal Access to Justice Act has facilitated this effort by providing taxpayers dollars to some of these groups wherein the primary beneficiaries are the attorneys who bring actions against the Forest Service.

This inability of the Forest Service to implement sound forest management practices helped create some of the "Perfect Storm" conditions which allowed the Whitewater-Baldy Complex Fire and Little Bear Fire and numerous other fires to escape early containment and control. When the responsible harvesting of forest products and thinning of hazardous fuels are precluded by appeals & court injunctions, access roads are closed, and unreasonable restrictions placed on fire suppression actions within Wilderness Areas, early containment and control of wildfires is significantly hampered which drastically damages overall forest health.

Regarding ambiguous National Fire Policy, the following elements endorsed by the Forest Service have had a profound influence in contributing to the increase in major wildfires:

(1) The elimination of the time-honored 10 AM Control Policy dating back to 1935 which established the objective of planning and providing the necessary resources to control a wildfire by 10 AM the following day. This policy ensured that aggressive direct initial and extended attack was taken on all wildfires with sufficient resources thereby enhancing the probability of early containment and control the following day. Since this policy was eliminated, the Forest Service has been less effective in gaining early containment and control of wildfires. The 10 AM Control Policy also significantly reduced the overall cost of wildfires.

(2) The introduction of the practice of reintroducing fire on the landscape to accomplish management objectives by allowing unplanned fires to burn has often resulted in escapes and more significantly created a belief by many Forest Service managers that fire is a positive change agent on the landscape thereby reducing their sense of urgency to control a wildfire during fire season when the risk of escape is greatest.

(3) Not assigning firefighters to fires at night due to safety concerns when containment and control opportunities are often the most effective and firefighter safety concerns can be appropriately addressed.

(4) The use of "burn out" firefighting tactics in lieu of direct fireline construction adds total burned acres and often escapes planned perimeters thereby further increasing total burned acreage by 100 percent. This tactic creates serious pulmonary damage and related health costs to local residents.

Aspects of the above elements may have influenced decisions and actions on the Whitewater-Baldy Complex Fire and Little Bear Fire wherein sufficient resources were not allocated to the fires in the initial stages. In the case of the Baldy Fire, allowing it to burn as a management tool was ill-advised given the predictions of adverse weather and fire danger conditions. Also, the "values at risk" do not seem to have been taken into account in the decision process involving allocating sufficient resources to these fires nor the need for swift and aggressive suppression action.

Firefighter safety must always be taken into account in these situations by those directly involved in the specifics of each fire. This was a key consideration by management in the subject fires. Whether these fires could have been contained and controlled in the early stages without compromising firefighter safety is a judgement call at this point. However, it appears that a more timely and aggressive approach with additional ground and aerial firefighting resources could have been taken while providing for firefighter safety which would have increased the probably of earlier containment and control and shortened the time frame of exposure of danger to firefighters.

RECOMMENDATIONS

(1) The original mandate contained in the Organic Act providing direction to the Forest Service on the management of the National Forests needs to be reaffirmed by Congressional action and subsequent legislation which conflicts with the intent of the Organic Act should be revised to compliment the Organic Act's original intent.

(2) The Equal Access to Justice Act should be revised to remove unreasonable constraints on the Government and place a greater financial obligation on the plaintiffs to meet their burden of proof.

(3) Forest Service National Fire Policy should undergo a comprehensive review which addresses the concerns expressed in the Discussion portion of this report. Also, the 2013 Fire Response Protocols are difficult to interpret and are ambiguous regarding direction concerning unplanned fires. The review should have participation from the National Association of Forest Service Retirees (NAFSR) and other fire service agencies.

(4) The Forest Service should provide complete answers to Congressman Pearce's letter of June 19, 2012 requesting information and statistics regarding wildfire occurrences. A review of this data will assist in assessing the extent of wildfire impacts on the National Forests and National Fire Policy ramifications.

(5) The importance of the National Forest System as a function of the Nation's overall productivity, and National Security dictates that this valuable resource to the Nation is properly protected and managed. This and the destructive nature of wildfires and the related cost to the Nation must be accurately displayed to the Administration, OMB, Congress, USDA, and the American people so that there is public support for sufficient appropriations for protection and management the National Forests for the benefit of the American people. The Forest Service should include in their reporting the total cost of wildfires wherein studies show is calculated to be 12.7 times the cost of fire suppression when related damage to natural resources, other improvements, and property are included. Investments to ensure the proper protection and management of the National Forests will return significant dividends when compared to losses incurred had sufficient appropriations not been provided.

(6) The Forest Service must demonstrate a willingness to refocus its priorities in protecting the National Forests from the ravages of wildfires by supporting a comprehensive, scientific, and objective review of its National Fire Policy. The Forest Service must develop enhanced fire prevention and detection measures and increase the reduction of hazardous fuel loading on the National Forests as a component of its National Fire Policy.

(7) All unplanned fires during fire season regardless of cause and/or location should be immediately suppressed using all available resources consistent with the aforementioned 10 AM Control Policy. The use of pre-planned prescribed fire as a management tool is encouraged when sufficient safeguards are taken to ensure containment and control. The standards for the use of prescribed fires must be adhered to including an approved burn plan any time an unplanned fire is allowed to burn to accomplish management objectives and approved in advance by the Regional Forester.

(8) Further efforts are needed by the Forest Service to define the specific needs of future fixed and rotor wing aerial firefighting needs, requirements, cost effectiveness, and availability. Although numerous studies have been conducted in recent years, presently there does not appear to be a consensus among the affected parties as to the proper mix and use of this potentially valuable resource. The cost of $60 to $100 million for a single new large air tanker reportedly being considered is inappropriate from a cost benefit perspective.

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The enclosed reports by Roger Seewald and Doug Boykin provide a detailed account and analysis of the subject fires. Their conclusions support the actions of the Forest Service relative to their on-site decisions and actions without addressing the underlining factors presented above concerning how these fires could have been dealt with more effectively. In addition, other related reports are enclosed which provide valuable background to the matters discussed herein.

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Enclosures:

1) Seewald Report
2) Boykin Report
3) Forest Service Wildland Fire Response Protocol - 2013
4) Loveridge Report - Forest Service Fire Suppression Policy
5) Campbell Report - Whitewater Fire
6) The Full Cost of New Mexico Wildfires Report - January, 24, 2013
7) Pope Reports on Risk Analysis and Project Accomplishments - Gila NF