



**Office of the Secretaries**  
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## **Federal Agencies Announce Guidelines to Aid Wildfire Prevention and Restoration of Healthy Forests and Rangelands**

WASHINGTON--The U.S. Department of Agriculture and the Interior Department issued field guidelines today designed to help land-managers reduce wildfire threats on public lands. The guidance titled, "Interim Field Guide for Implementing the Healthy Forests Initiative and Healthy Forests Restoration Act," will be used to address the issues managers will need to consider while reducing hazardous fuels and planning forest and rangeland restoration projects.

"The Bush administration is committed to protecting communities, wildlife habitats and municipal watersheds from catastrophic fires," said Agriculture Secretary Ann M. Veneman. "This guide will help field managers conduct fuels reduction and restoration projects in a more effective and timely process."

The 56-page field guide will help improve analysis of certain forest and rangeland restoration projects. Specifically, projects that have already been determined to be necessary by states, tribes, and local communities will qualify for enhanced National Environmental Policy Act review if they occur on one or more of the following types of areas: at-risk communities in the wildland-urban interface; high-risk municipal watersheds; areas that provide habitat for threatened and endangered species; and areas that are susceptible to insect infestation or disease epidemics.

"Severe drought and overgrown areas have contributed to unhealthy forests, rangelands and some of the worst wildfire seasons we have ever had," Interior Secretary Gale Norton said. "The field guide explains all the tools available to process urgently needed treatment projects that will help avoid catastrophic wildfires and save lives and property, while complying with environmental laws."

The field guide will provide the USDA Forest Service, Bureau of Land Management, National Park Service, Fish and Wildlife Service and Bureau of Indian Affairs with general direction on the implementation of hazardous fuels reduction projects under the President's Healthy Forests Initiative and the Healthy Forests Restoration Act of 2003.

President Bush launched his Healthy Forests Initiative in August 2002, with an objective of improving administrative procedures that were delaying the preparation and implementation of needed hazardous fuels reduction and forest and rangeland restoration projects. The administration and a bipartisan

majority in Congress supported the Healthy Forests Restoration legislation and were joined by a variety of environmental conservation groups. President Bush signed into law the Healthy Forests Restoration Act of 2003 to reduce the threat of destructive wildfires while upholding environmental standards and encouraging early public input during review and planning processes.

The legislation is based on sound science and helps further the President's Healthy Forests Initiative pledge to care for America's forests and rangelands, reduce the risk of catastrophic fire to communities, help save the lives of firefighters and citizens and protect threatened and endangered species.

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## **Healthy Forests Initiative/Healthy Forests Restoration Act March 2004**

The **National Fire Plan** was launched after the devastating 2000 fire season, when more than 8.4 million acres burned. Americans began to realize the problem posed by years of fuel accumulating in the nation's forests. The National Fire Plan laid the foundation for a long-term program to reduce fire risk and restore healthy, fire-adapted ecosystems.

Since then, other efforts and initiatives have supplemented the general direction of the National Fire Plan. What follows are descriptions of some of those efforts.

The **Ten-Year Comprehensive Strategy** and Implementation Plan, a collaborative product of the Western Governors' Association, Federal agencies, Tribes, interest groups, and local officials, calls for more active forest and rangeland management. The Plan outlines how to protect communities and improve the environment through restoration projects.

In August 2002, President Bush, while visiting the Squires Peak Fire Area in Oregon, announced the **Healthy Forests Initiative** (HFI). HFI concentrates on accelerating unnecessary delays and removing barriers to forest and rangeland restoration activities. It carries out some of the provisions of the Ten-Year Comprehensive Strategy and Implementation Plan, including the following:

### **Healthy Forests Restoration Act**

The **Healthy Forests Restoration Act** (HFRA) provides BLM and Forest Service land managers with legislative tools to expedite forest and rangeland restoration projects. HFRA aims to expedite the preparation and implementation of hazardous fuels-reduction projects on Federal land and assist rural communities, States, and private landowners in restoring healthy forest conditions on State and private lands.

Title I of HFRA deals with hazardous fuels treatment on Federal and adjacent private lands. The Act is meant to support and conform to community-based wildfire planning, watershed planning and related ongoing efforts under the National Fire Plan and Comprehensive Strategy.

The Act focuses on Federal lands:

- Near communities in the wildland urban interface
- In high-risk municipal watersheds
- In watersheds that provide habitat for threatened and endangered species where catastrophic wildfire threatens the survival of the species
- In areas where insect and disease epidemics are destroying ecosystems and increasing the threat of catastrophic wildfire

HFRA requires that projects be planned and conducted in a manner consistent with applicable land and resource management plans. It also limits the acreage available for authorized hazardous fuels-reduction projects to twenty million acres, with no “sunset” clause.

The Act provides more timely judicial review of forest health projects and ensures that courts consider both short- and long-term effects of such projects before issuing injunctions to stop them.

In addition, the Act contains the following Titles:

- Title II: Helps communities more effectively use wood, brush and other plant materials removed in forest health projects as a fuel supply for biomass energy.
- Title III: Authorizes a program to support community-based watershed forestry partnerships that address critical forest stewardship, watershed protection and restoration needs at the State and local level.
- Title IV: Directs additional research focused on the early detection and containment of insect and disease infestations.
- Title V: Establishes a private forestland easement program focused on recovering forest ecosystem types and protecting valuable wildlife habitat.

## **National Environmental Policy Act Compliance under HFI**

### **Environmental Assessment Guidance**

The Council on Environmental Quality issued new guidance for preparing concise environmental assessments for fuels treatment projects. The Departments of Agriculture and Interior are implementing this guidance for high-priority forest health projects.

### **Two new Categorical Exclusions**

New procedures that meet the requirements of the National Environmental Policy Act (NEPA) would allow high-priority fuel treatments (e.g., prescribed fire and thinning) and past fire restoration (e.g., reseeding and planting) projects to proceed without the need for further individual analysis and lengthier documentation. The new procedures are limited to projects of a certain size and must be outside environmentally sensitive areas. The procedures also require experts to identify fuels treatment projects in collaboration with State, local, and Tribal governments, landowners, and other stakeholders. Both categorical exclusions must be consistent with agency procedures and resource management plans.

### **Hazardous Fuels Treatment (thinning and prescribed fire) Categorical Exclusion**

To qualify, fuels treatment projects must be:

- Collaboratively selected
- Consistent with resource management plans
- Outside wilderness areas and Wilderness Study Areas
- Fewer than 1,000 acres of mechanical treatment
- Fewer than 4,500 acres of prescribed fire treatment
- In the wildland urban interface or
- In Fire Condition class 2 or 3 in Fire Regimes I, II, or III
- Free of herbicide or pesticide use
- Without new permanent roads or other infrastructure
- Part of timber sales that have hazardous fuels reduction as their primary purpose.

### **Post-Fire Rehabilitation Categorical Exclusion**

This provides a common categorical-exclusion “floor” for all Federal land-managing agencies. To qualify, a rehabilitation project must:

- Take place only after a wildfire
- Be smaller than 4,200 acres

### **Stewardship Contracting**

Congress extended the authority to conduct stewardship contracting to BLM and expanded Forest Service’s ability to enter into such contracts. Stewardship contracts focus on desirable results on the ground that improve forest and rangeland health and provide benefits to communities. Under the stewardship contracting guidelines, Federal agencies may enter into long-term (i.e., up to 10 years) contracts with small businesses, Tribes, communities, and non-profit organizations to reduce wildfire risk and improve forest health. In addition, contractors, community groups, and others may keep vegetative material as partial payment for their service while improving environmental conditions and adhering to applicable environmental regulations. Stewardship contracting is intended to help stretch fuels-reduction dollars by capturing the value of materials removed such as biomass, timber, or small-diameter trees as part of fuels-reduction projects.

### **Full Force and Effect Regulations**

The BLM has added regulations allowing the agency to make wildfire management decisions effective immediately when the BLM determines that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or when public lands are at immediate risk of erosion or other damage due to wildfire. The regulations also expedite administrative review of such decisions.

### **Endangered Species Act (ESA) Compliance**

The U.S. Fish and Wildlife Service (FWS) and NOAA Fisheries issued guidance to improve consultation under the ESA as required by NEPA. Under the new

guidance, agencies will consider the net benefit of hazardous fuels treatment by adopting a long-term view of impacts when consulting on fuels treatment projects under ESA's Section 7, which directs all Federal agencies to use their existing authorities to conserve threatened and endangered species. Currently, long-term threats to habitat such as catastrophic wildfire do not receive the same level of consideration as short-term disturbances that result from fuels treatment. This guidance is intended to help agencies better balance the long-term benefits against short-term impacts.

In December 2003, final joint counterpart regulations for Section 7 consultation were published. The new regulations eliminate the need to conduct informal consultation and set aside the requirement to obtain written concurrence from FWS for those National Fire Plan actions that the Action Agency determines are not likely to adversely affect any listed species or designated critical habitat.