

United States
Department
of Agriculture

Forest Service



ENDANGERED SPECIES ACT AND WILDLAND FIRE POLICY

The US Fish and Wildlife Service issued on September 21, 1995, a memorandum [Subject: Endangered Species and Fire Policy Clarification] to its regional directors concerning “the relationship between wildfire suppression and the conservation of candidate, threatened and endangered species.”

Excerpts from the 1995 memorandum

1. “Of paramount importance is the safety of the firefighters. No constraints for protection of endangered species or their habitat will be considered if they place firefighters in danger. **FIREFIGHTER SAFETY COMES FIRST ON EVERY FIRE, EVERY TIME.**”
2. “Incident Management Teams are responsible for suppressing fires. Their expertise will provide the foundation for determining the type and intensity of response actions during a fire.”
3. “It is the responsibility of all concerned, (the) Fish and Wildlife Service and our cooperators, to protect life and property.”
4. “The EFSA (Escaped Fire Situation Analysis) is an accepted and effective means of identifying all resource considerations, including endangered species and their critical habitats. The EFSA identifies the appropriate suppression actions to be taken. Appropriate suppression actions can include the entire range of activities normally implemented – slurry, backfires, helicopters, line construction. If those actions may affect the endangered species, utilize the procedures of emergency consultation. However, **NEVER** delay the measures needed to protect the lives of fire crews waiting for that consultation. We would all like the time to fully weigh alternatives and gain expert opinions. In the case of wildfire suppression and fire crew safety, the expert opinions are on the fire line. If you have to wait until after the initial attack for the time to contact the Fish and Wildlife Service, by all means, then wait.”
5. “Helicopters – Under certain conditions, helicopters are used to implement bucket drops, personnel transportation, cargo delivery and retrieval, firing operations (burnout/backfire), and fire reconnaissance. When a known endangered species territory is in the area, attempts to avoid disturbance will be made. However, helicopter use will be directed under the constraints of safety for helicopter crew and ground personnel. Impacts to endangered species by helicopters during fire suppression activities have to be considered within the context of all other ground activities and the fire itself.