Rural Voices for Conservation

Working together to find solutions to the ecological and economic challenges of the rural West.

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Center for Watershed & Community Health

Communities Committee of the 7th American Forest Congress

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Healthy Forests Restoration Act

Implementing new legislation for forest and rural community health

BRIEFING PAPER

The Healthy Forests Restoration Act of 2003 (HFRA) provides several new authorities to assist in implementing the National Fire Plan's (NFP) goal of reducing hazardous fuels. It also provides opportunities to bolster community-led efforts to plan and implement fire protection strategies. Many community-based forestry organizations have participated in NFP implementation. In this briefing paper, we use our field experience as community forestry practitioners to highlight key issues of HFRA implementation.

Summary of Needed Actions

1. *Appropriate cost-share funding dedicated to Community Wildfire Protection Plans in FY 2005 and fund them annually until all at-risk communities have community protection plans.*

2. *Develop procedures through the Wildland Fire Leadership Council to consult community interests when setting direction for policies and/or actions that affect communities.*

3. *Hold federal agencies accountable for use of the fuel treatment priority setting process developed as part of the 10-Year Comprehensive Strategy.*

4. *Formalize authorities to assure that small and local businesses can compete for fuel treatment contracts through the passage of the proposed Community Forest Restoration and Investment Act.*

5. *Restore funding for the Economic Action Programs (EAP) to support rural businesses that make value-added products using small diameter trees to create economic opportunity and reduce fuel treatment costs.*

6. *Dedicate funding to multiparty monitoring of fuel treatments at the project level.*

7. *Generate performance indicators for the NFP and HFRA with stakeholder involvement to provide accountability and build critical support for agency programs.*

Community Wildfire Protection Plans

Title I of HFRA uses Community Wildfire Protection Plans (CWPPs) as a key mechanism to identify areas and treatment methods for hazardous fuel reduction projects. The CWPPs are important for engaging communities and diverse interests in local collaborative efforts and will result in agreement about how to reduce wildfire risk to communities and municipal water supplies in the wildland-urban interface. However, community groups have three concerns regarding implementation of CWPPs.

First, the President's proposed budget does not identify funding for federal agency staff to participate in CWPPs, nor does it propose to provide cost-share grants to support communities creating CWPPs. The experience of community forestry groups with planning grants through the Forest Service's Rural Community Assistance Program (part of the Economic Action Programs) has demonstrated that these grants leverage much larger investments from communities and are essential to jump-start the planning process needed for HFRA to succeed. Without adequate funding, collaboration and community involvement on CWPPs will likely be dropped. We urge the federal agencies and Congress to find ways to clearly dedicate funds for CWPP efforts, including developing new budget line items for collaboration or community planning efforts.

Second, the implementing guidelines for CWPPs have not been publicly released and the process by which they were developed is not clear or transparent. Without direct involvement of community interests, it is likely that the guidelines will need to evolve and change as communities gain experience with them. A process to ensure that lessons learned on the ground are incorporated into the guidelines through an open learning process is therefore needed.

Third, many community fire plans were completed or started before the Healthy Forests Restoration Act was passed. Any such community plans that used a collaborative process should therefore be allowed to substitute for a CWPP.

Collaboration

HFRA and the NFP emphasize collaboration between federal agencies, local governments, and non-governmental partners, as well as collaboration at the local level. In addition, the Collaborative Forest Restoration Program (CFRP), authorized as P.L. 106-393 in the same year as the NFP, created effective mechanisms for collaboration on restoration projects in New Mexico.

The NFP was successful in fostering a broad range of place-based collaborative efforts that included communities as partners in land treatments. However, under the NFP, formal channels for communities to engage in policy-oriented collaboration at the national level are lacking. For example, the Wildland Fire Leadership Council (WFLC) includes the National Association of Counties but does not have any representation of unincorporated rural communities that are common in the West. HFRA implementation would be strengthened by broad collaborative efforts for shared learning and policy-dialogue at the national level.

Legislatively, HFRA has a stronger emphasis on collaboration than the NFP. Numerous fuel treatment and restoration projects implemented with local collaboration have shown that such efforts are usually less controversial and more successful than projects developed without collaboration. Collaboration takes more time at the initial phase of a project and needs funding, but can lead to more effective implementation, with less conflict and more leveraged resources. To foster more collaboration, the mechanisms for collaboration in the CFRP should be adapted in the HFRA implementing procedures. In addition, agency budgets should include funds for staff to participate in collaborative processes.

Priority Setting for Fuel Treatments

In the FY 2001 appropriation for the NFP, Congress instructed the agencies to identify high-risk communities. However, the process was poorly conceived and did not provide satisfactory results. As a result, there has been no consistent identification of treatment priorities under the NFP.

HFRA specifies that priorities for fuel treatments be developed in accordance with the process developed under the 10-Year Comprehensive Strategy. The State Foresters, USDA Forest Service and the Department of the Interior received guidance for this priority setting process in November 2003. HFRA also states that the annual program of work for Federal land should give priority to fuel reduction projects that protect at-risk communities or watersheds or that implement CWPPs. The weight given to recommendations made through CWPPs provides a significant incentive to communities to develop these plans. Thus, the stage is now set for meaningful priorities to be set in a collaborative manner, and the agencies should be held accountable for following the established procedures.

Contracting Authorities for Fuel Treatments

Contracting authorities in the NFP helped rural communities gain economic benefits from fuels reduction treatments. These authorities, provided by Congress in appropriations language, have allowed the federal agencies to: (1) give preference to service contractors who employ and train local workers; and (2) enter into contracts, grants, and agreements to perform treatments with non-governmental organizations, including youth corps and non-profits. The authorities were renewed annually with appropriations in FYs 2002-2004 and were included in the President's FY 2005 budget proposal. At the same time, however, the Administration's strong emphasis on government contracting efficiency favors large contracts with national vendors and is reducing opportunities for small and local businesses to gain contracts to reduce fuels in their communities. The NFP contracting authorities are therefore needed to ensure that portions of contracting opportunities are provided for small and local businesses.

Although continued authorization of the special contracting authorities in the NFP is helpful, community forestry groups believe that new contracting legislation is needed to specifically address the needs of small and local enterprises. Community-based Forest

groups are developing legislation that will enable businesses in rural communities to provide consistent, living wage employment in the woods.

Utilization of Small Diameter Wood

Finding economically viable uses of wood removed in fuels treatment is an essential strategy of the Healthy Forests Restoration Act. The NFP made investments in product research and development and in processing infrastructure through the EAP. However, NFP Economic Action Program appropriations declined from $12.5 million in FY 2001 to zero in FY 2004.

HFRA addresses the use of woody debris in Title II, with a focus on biomass. Although the authorization provides for useful and necessary programs, they do not specifically target small-scale, value-added manufacturing. Two actions are needed. First, funding should be restored to the EAP because it is the only program that helps communities to invest in value-added manufacturing. Second, research and development is needed to foster value-added manufacturing opportunities, as proposed in the Community Forest Restoration and Investment Act.

Multiparty Monitoring of Fuel Treatments

HFRA authorizes the Secretaries of the Departments of Agriculture and the Interior to perform multiparty monitoring of projects where there is strong stakeholder interest. Multiparty monitoring was first authorized as part of the USDA Forest Service's stewardship contracting pilot projects (P.L. 105-277) and again in the Collaborative Forest Restoration Program in New Mexico (P.L. 106-393). Multiparty monitoring should be an open, transparent process that helps rebuild trust in federal land management and diffuses conflicts between people with different values.

Monitoring in HFRA is required at the programmatic level, and multiparty monitoring is optional at the project level, but neither level is funded in FY 2004. The FY 2005 President's proposed budget proposes a 21% increase over the FY 2004 appropriation for Inventory and Monitoring. Community forestry groups believe that a substantial portion this increase should be dedicated to multiparty monitoring, as authorized by HFRA (see associated briefing paper on the Community-based Restoration Funding Package). In addition, monitoring should include monitoring of community impacts.

Performance Indicators and Accountability

In the 2001 Interior Appropriations Bill, Congress stressed the need for accountability when it funded the NFP for the first time. The agencies have been diligent in preparing annual reports for Congress. They developed the National Fire Plan Operations Reporting System (NFPORS) to track NFP accomplishments and expenditures, and adopted performance measures from the 10-Year Comprehensive Strategy. However, the agencies have not involved stakeholders in the process or shared their performance indicators or results broadly.

The NFP is a large and complex program and the lack of systematic measures to track progress toward NFP goals remains a major problem. HFRA adds further complexity by establishing new programs to expedite hazardous fuel reduction. Community forestry organizations feel strongly that consistent performance indicators be used for the two programs, and that the measures go beyond general acreage targets to provide meaningful information about progress to achieve NFP goals.

Relationship to Restoration and Next Steps

HFRA has the potential to strengthen the foundation built by the NFP by directing more resources to forest restoration, rural economies and cross-sectoral collaboration. However, focusing narrowly on hazardous fuels reduction will not restore our forests or rural economies. Forest restoration, sustainable forest management, and rural community revival requires a broader vision and commitment from Congress and the Administration. The next phase of the Healthy Forests Restoration Act should therefore direct resources to public land restoration and invest in value-added manufacturing and rural communities.

Who We Are

The Rural Voices for Conservation Coalition is comprised of western rural and local, regional, and national organizations that have joined together to promote balanced conservation-based approaches to the ecological and economic problems facing the West. We are committed to finding and promoting solutions through collaborative, place-based work that recognizes that the inextricable link between the long-term health of the land and well-being of rural communities. We come from California, Oregon, Washington, Idaho, New Mexico, and Montana.

For More Information

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