



Policy Barriers to Prescribed Fire: Challenges and Opportunities Across the West

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Project Overview

- Importance of increasing application of prescribed fire
- JFSP call in 2016 to identify perceived policy barriers
- Past surveys findings
- Important to identify where the actual barriers lie and what are the lever points to overcome them, whether they lie in law, regulation, or agency policy and practice



Objectives and approach

- Identify the most significant policy barriers and priorities for change
- Find opportunities and mechanisms for overcoming policy barriers
- Legal and spatial analysis, interviews and case studies, policy and science delivery
- TODAY: Phase one (legal analysis and interviews across the West)



Interview goals and methods

- Interviews with state environmental quality agencies, federal land management agencies, and other key partners such as state forestry agencies and prescribed fire councils across the 11 western states
- Understand the primary barriers to doing more prescribed fire, and actionable opportunities to support increased application
- Case studies to follow



Today's Plan

- Air quality findings
- Other common barriers
- Time for questions and discussion



Key findings on air quality

- Air quality is a constraint, but people said it is not their primary barrier, particularly in the Intermountain West
- Air quality regulation most restrictive in WA, OR
- Air quality regulation interacts with other hurdles and is particularly challenging for landscape burning
- No interviewee suggested changes to federal law and all appreciated the role of regulation
- People often said other factors were higher priorities to address



In people's own words...

"We have worked really hard to communicate and build relationships with our air quality folks in Arizona and New Mexico. I think there are a lot of other things that come into play before air quality does, to keep us from implementing prescribed burns."

"The law doesn't impede burning, so much as some of the more practical realities on the ground. You don't have enough money, you don't have enough people, there's too much fire danger."



Air quality approaches: Montana

- Major open burners, such as FWS, USFS, BLM, NPS, must apply for and receive an air quality permit; one permit for the Forest Service for the whole season
- Montana/Idaho Airshed Group tracks burn requests and meets biannually to identify and resolve issues among burners and DEQs
- Key takeaways: Coordination groups that connect burners and interface with DEQs are effective in finding opportunities and limiting regulatory burden; local conditions can present challenges



Air quality approaches: Oregon

- Oregon Department of Forestry working on behalf of Oregon DEQ handles permitting
- Smoke management plan aims to limit intrusions of smoke into smoke sensitive areas, typically with stricter standards than the Clean Air Act NAAQS
- Revision of the Smoke Management Plan through a multi-stakeholder process (Washington also revising)
- Some expressed desire for more flexibility on intrusions (something we also heard in Washington)



Air quality approaches: New Mexico

- Permit-by-rule system, which is essentially a registration process under which burners must comply
- In Region 3, there is a dedicated air quality liaison position in the Forest Service for both New Mexico and Arizona; DOI agencies have a similar liaison
- The gray area of managing natural ignitions



Air quality approaches: Colorado

- Requires obtaining a permit for each burn plan through an application process; non-standard permits
- The Air Pollution Control Division (APCD) holds biennial meetings of stakeholders
- Forest Service also investing in smoke management positions and bringing together stakeholders



Air quality approaches: California

- 35 Air Quality Districts, overseen by CARB, handle permitting
- Air quality is a major consideration in some places, particularly in airsheds with competition
- California Fire MOU Partnership in place to diagnose problem more effectively and identify creative solutions
- People said they had strong and improving relationships with air regulators, partners, and CALFIRE



Other air quality regulation details

- State level variation in CAA implementation can matter
- Also important are systems of coordination and problem-solving groups/positions
- Regulating prescribed fire as an exceptional event not possible without legislative change



“Smoke is about communicating, not regulating.... It’s that direct dialogue that has kept the regulations flexible, and responsive to what the burners need to do”



Conclusions & recommendations

- No “silver bullet” and need for close coordination among air quality regulators and land managers
- Invest in monitoring and better data (smoke and burn day utilization)
- Training for smoke management and outreach
- On the horizon: landscape burning, natural ignitions, PM 2.5 standards, revisions in OR/WA



The most common barriers: Capacity and funding

- Limited capacity during burn windows due to competition from wildland fire, loss of seasonal staff, training and leave
- Staff for agreements, fire personnel on ID teams
- Lack of dollars for implementation and competition with mechanical thinning



The most common barriers:

Resource sharing

- Challenges finding capacity and efficiency entering into agreements
- Joint Powers Master Agreements, regional agreements across agencies
- Need for more nimble resource sharing among federal agencies
- Role of state agencies and partners



Common barriers:

Leadership and incentives

- Minimal internal incentives to implementing burns
- Structure of performance measures/targets
- Risk aversion at different levels
- Line officers and burn bosses can affect culture and local relationships
- Unique initiatives in some places (Region 3, Utah, San Juan, Montana BLM)

“I really don’t think there’s a lot of incentive to do prescribed fire. The incentive comes from the agency administrator and burn boss passion for doing what’s right on the landscape.”



Politics, risk aversion, and the public

- Media coverage and political attention on extreme wildland fire or escaped prescribed fire events restricts ability to apply fire
- Role for collaboration, media outreach, and early engagement of DEQ personnel



Other challenges

- Short burn windows, burn windows during the height of fire season
- Fuel types and topography
- Species conservation
- Cheatgrass
- Drought

“I think it’s all the different regulations on the landscape...trying to find that perfect time where you’re in prescription, the weather’s right, you’re in the right place at the right time, so the owls and the bugs are happy and the salamanders are happy...And then also I think third, on the list is the smoke management approval.”



General Recommendations

- Policy change not clearly indicated as a need, except for OR & WA, resource sharing, burns on private land
- Communication and local problem solving: air quality liaisons, local and state-level groups
- Improve leadership and incentives
- Explore resource sharing options/streamline agreements advice and processes
- Address the capacity challenge
- Creative outreach and use of collaborative partners



Observations

- Opportunity to get significantly more work done with some internal problem solving
- Innovative approaches to planning and “scaling up”
- Role of state and local collaborative problem-solving for this and other problems related to fire management
- Room to maneuver on air quality still critical but we need to be cautious about diagnosing problems and offering potential policy solutions



What are policy-makers considering?

- Interagency teams, more dedicated capacity
- Changing incentives and improving leadership
- Supporting work of communities of practice that are seeking solutions in specific locations
- Emphasizing the need for fuels organizations and fire ecologists on ID teams (maybe through oversight)
- Categorical exclusions at large scales and alternative policy narratives



Thank you!

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