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Sample Op-Ed

Establishing a Colorado fire plan: Collaboration critical

By Jim Hubbard

At the close of the 2000 fire season, 3,569 wildfires had burned more than 167,000 acres in Colorado and destroyed 74 homes and structures. We all breathed a sigh of relief that the fires of 2001 were not as large and devastating. But the risk is far from over.

Those of us who respond to wildfires - the U.S. Forest Service, Bureau of Land Management, other federal agencies, the Colorado State Forest Service, counties and local fire departments - feel only a temporary reprieve. Fires don't respect property lines so cooperative response efforts are critical. We know that restoring the condition of the land so that fire can function more naturally will take the same cooperative efforts across ownerships and jurisdictional boundaries. As caretakers of public and private forests, we face grave risks. While fire is a natural process in forest and grassland ecosystems, its ability to function naturally has been influenced by changing public values and management policies. Decades of aggressive fire suppression, in combination with drought cycles, past management practices and other influences, have left many of Colorado's forests with a heavy buildup of fuels, i.e., insect-infested and disease-killed trees, forests choked with dense growth, and grass and shrublands overwhelmed by fire-prone invasive weeds. The situation is further complicated by the massive influx of people from urban cities into previous wildland areas. This zone where people and wildland fuels meet is the wildland-urban interface - or, in Colorado, the 'Red Zone.'

Restoring fire to a more natural function in Colorado's forests and grasslands will require a variety of tools: prescribed burning, thinning of forest fuels and use of natural fire to achieve resource benefits. In many places, the successful reintroduction of fire cannot go forward unless we begin by reducing vegetative fuels through thinning, thereby reducing the risk of out-of-control fires.

The public has a responsibility to decide how and where these tools are implemented. Many options are available, but it is up to the public to explore the tradeoffs and values involved in issues such as where to thin fuels for protection of people and resources, where to allow prescribed burning, and how to plan and respond to the related smoke and air quality impacts.

One thing is certain: Without timely action, current forest conditions will continue to support wildfires that can be costly to local, state and federal governments as well as to the health of surrounding natural resources.

Through the National Fire Plan, citizens and governments have taken steps to reduce the risks from wildfire to communities and the environment. States and the U.S. Forest Service received funds through their state and private forestry programs to target work with landowners. The Colorado State Forest Service and the U.S. Forest Service are working along with other federal, state and local partners to implement landscape-scale projects across public and private boundaries.

Reducing the threat of wildfire to people and natural resources will require sustained effort and public investment. Colorado has recently completed a report on the condition of Colorado's forests, which outlines issues for public consideration. The Colorado Forest Service also led an inter-agency group that issued a report to Gov. Bill Owens on ways to improve the state's response to wildland-urban interface in a variety of areas. The Western Governors' Association is working with federal agencies and a variety of stakeholders to develop a process for these kinds of decisions to be made collaboratively. It is important that residents of Colorado engage in these and related efforts to improve the sustainability of natural resources and values we all treasure.

Although the snow and cold temperatures of winter have dampened public concern over wildfire in Colorado, they have not reduced the long-term threat to lives, property and resources. The last decade of wildfires and forest health issues has served as a wake-up call compelling Westerners to re-evaluate the danger in the 21st century. Now is the time to act. If we do not join and work together, we will be forced to react at a very high cost to both resources and communities.

Jim Hubbard, Colorado's state forester, wrote this column with Rick Cables, a regional forester for the Rocky Mountain Region of the U.S. Forest Service.

Guest commentary submissions of 650 words may be sent to The Post editorial page.

Sample Op-Ed

National Marine Fisheries Service
Northwest Region

Op-Ed Submission that appeared in a number of NW newspapers

Endangered Species Act 4(d) Rules

William Stelle, Jr., Regional Administrator
Northwest Region, National Marine Fisheries Service

The National Marine Fisheries Service is completing almost two dozen hearings in the Pacific Northwest and California on its proposed Endangered Species Act rules aimed at rebuilding threatened salmon and steelhead populations. These are the so-called 4(d) rules. They take a very new approach to salmon protection. Not surprisingly with a new approach, especially one that affects salmon and the rivers and streams they depend on across so much of the Northwest and California, the proposals have generated a lot of misunderstanding.

NMFS is trying something new in these proposals. What is new is providing the chance for state or local authorities, or the private sector, to craft their own conservation strategies, bring them in the door, and demonstrate that they will do what it takes for salmon. In return, they get a "by[e]" from the ESA requirements. Provide a local option. Plain and simple. A choice.

The alternative is what we've been doing for the last twenty years: issue a "plain vanilla" rule that says "taking" of listed species is illegal, then leave it to the subsequent permitting processes or enforcement actions to figure out what that may mean and who might be OK.

We think that providing this local option is a heck of a good idea, as long as it has some scientifically grounded sideboards. Allow me to explain.

By law we have to protect listed salmon. The rules propose to do that by prohibiting anyone from "taking" or harming the listed fish or their habitat. Beyond that, we--and the law--have a lot of room to be flexible and to try to be both fish-friendly and people-friendly. We think it's possible to be both.

At their heart, these rules try to give clearer guidance to people on how to avoid harm to salmon, or at least reduce it to an acceptable level. That's the fish-friendly part. But we also want fish protection to rely wherever possible on state and local designs rather than on federal regulation and enforcement. That's

the people-friendly part.

The rules do this by identifying state or local programs (such as forest practices rules) that provide sufficient protection for salmon, so that anything conforming to such a program doesn't require additional protection under the ESA. In other words, follow an acceptable local conservation program as provided for in our rules and you know you're in compliance with the ESA.

This approach will give people a greater voice in how we save salmon. And, frankly, it's a totally new way of putting the Endangered Species Act to work, protecting not just salmon but the interests of people as well.

We've never tried this before. In the past, we simply issued blanket, boiler-plate regulations saying, "Don't harm listed salmon." In those cases, the only way you could be certain that your actions weren't violating the ESA would be to obtain a permit for those actions ahead of time. And--no surprise here--the permit process could be time-consuming and frustrating. It often focused on individual actions rather than general categories of actions, so each activity might require a separate permit application. It may have been fish-friendly, but it sure wasn't very people-friendly.

The new rules we're proposing provide a simpler way to get ESA clearance for broad categories of actions, rather than for dozens of individual actions. That's the general difference between what we're now proposing and what we used to do.

What about specifics? Two examples come to mind. Forest practices in Washington that conform to the state's recent Forests and Fish Report, and road work that follows the Oregon Department of Transportation's routine road maintenance plan would be exempt from ESA's "no harm" requirements because they are adequately protective. For some other activities, including harvest and hatchery management and urban development, these rules propose standards against which the fisheries service will measure local programs, once they are developed.

We invite comments on whether these programs warrant the limitations on ESA authority. For instance, for local authorities interested in reducing ESA liability from urban development, the rules describe 12 standards that ordinances would need to address, including storm-water management, erosion control and stream-side protection.

That stream-side protection standard has been the source of some of the misunderstanding about the rules. They say that the general range for urban development ordinances of adequate stream-side protection is about 200 feet. That does not mean it is illegal if you don't have a 200-foot buffer. Only that if you want a blanket ESA stamp of approval, you must manage stream-side

areas to provide adequate protection for the stream.

Let me repeat: we are *not* requiring a 200-foot stream-side buffer in this proposal. There is no requirement for any size buffer at all; not for agricultural lands, not for urban lands, not for any other lands. No buffer requirement, period.

Finally, a word about our ultimate goals. Salmon recovery is here to stay, by law, by treaty, by popular desire. So doing nothing is not an option. And the alternatives to the path we have proposed in these rules are more heavy-handed regulations or a protracted legal battle with uncertain results.

Our proposed rules reflect a genuine belief that the surest path to success is vesting people in the outcome by letting them tailor their own strategies for protecting steelhead and salmon.

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LETTER TO THE EDITOR

Editor --

We are writing to clear up a misunderstanding about off-leash dogs in Golden Gate National Recreation Area. The GGNRA Advisory Commission made several recommendations to Superintendent Brian O'Neill at our January 23 meeting. We asked him to meet with dog owners and with other interested parties. He has. We asked him to meet with other public land managers. A summit is getting underway. Our major request was that he try to find a way for our park to get an exception to the national regulation that all dogs be on-leash in national parks. He has done this by starting the process, awkwardly named "Advanced Notice of Proposed Rulemaking," so that managers of this national park can attempt to craft a different legal dog management policy.

We did tell the audience a number of times at the January meeting that the Commission's 1978 policy recommendation permitting off-leash dogs in some places had been declared invalid and was no longer in force. The room was too noisy for this point to be heard. Instead, there is community perception that we will revisit dog issues at our May meeting; we will not because the rulemaking process has begun. New park signs state the standard national park dog leash requirement, which will be in place until—and if—the new rulemaking is successfully completed.

We would like to have a win/win solution for all park users. We hope that many people with various opinions will participate in the rulemaking process.

Richard Bartke, Chair
Amy Meyer, Vice-Chair
Golden Gate National Recreation Area
Advisory Commission