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Federal Assistance for Wildfire Response and Recovery

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Raging wildfires, burned homes, and the evacuation of thousands make headlines nearly every fire season.¹ As of September 15, 2015, approximately 46,000 wildfires have burned 8.8 million acres, surpassing the 6.6 million acres burned on average from 2000 to 2014. More than 5.1 million of the acres burned to date this year have been in Alaska; Washington, Oregon, and California are also on track to have record years in terms of acreage burned in 2015.² Since 1960, the most acreage burned in one year occurred in 2006, with more than 96,000 fires burning 9.9 million acres.³ Options for federal support and assistance—during the fires, in the aftermath, and for programs aimed at preventing a recurrence—have been considered by many concerned about the ongoing disasters. This report briefly describes these federal options.

During the Fire

Federal responsibility for wildfire suppression is intended to protect lives, property, and resources on federal lands. Federal firefighting is funded through the U.S. Department of Agriculture's (USDA's) Forest Service and through the Department of the Interior.⁴ Federal wildfire policy is to evaluate the risks to firefighter and public safety and welfare—and to natural and cultural values to be protected—to determine the appropriate response to wildfire. Depending on the risk assessment, the federal response may range from active suppression to monitoring, as supported by the area's land and resource management plans.

States are responsible for suppressing wildfires on nonfederal (state and private) lands, although the federal government supports the states in several ways. Many states have partnerships with federal agencies to provide suppression services through cooperative agreements.⁵ These cooperative fire protection agreements authorize federal and state partners to share resources—such as aviation equipment and personnel—depending on ongoing need during a wildfire season, allowing for a coordinated interagency response that deploys resources to areas of greatest critical need. The National Interagency Coordination Center, located at the National Interagency Fire Center, coordinates and allocates federal, state, and private forces (including the military, when called upon) and resources at a national level, and Geographic Area Coordination Centers coordinate and allocate resources at nine regional levels.⁶ The cost of these resources is then reimbursed as specified in the cooperative fire protection master agreement, which often lists several different methods to apportion costs, each with different financial impacts.

A state may also request assistance from the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security for wildfires on state or private lands. A governor could request an emergency declaration when a wildfire is burning out of control and threatens to become a major disaster. However, the most frequent assistance provided at this stage from FEMA is through the Fire Management Assistance Grants (FMAGs) as authorized by the Robert

¹ For a complete listing of CRS experts available to respond to wildfire-related questions, see CRS Report R40884, *Wildfires: CRS Experts*, by Katie Hoover.

² National Interagency Fire Center, *Current year-to-date by state*.

³ National Interagency Fire Center, Total Wildland Fire and Acres. For more wildfire statistics, see CRS In Focus IF10244, *Wildfire Statistics*, by Katie Hoover.

⁴ For more information, see CRS Report R44082, *Wildfire Spending: Background, Issues, and Legislation in the 114th Congress*, by Katie Hoover et al., and CRS Report R43077, *Wildfire Management: Federal Funding and Related Statistics*, by Katie Hoover and Kelsi Bracmort.

⁵ See CRS Report RL30755, *Forest Fire/Wildfire Protection*, by Kelsi Bracmort.

⁶ For more information, see the National Interagency Coordination Center website at <http://www.nifc.gov/nicc/> and the Geographic Area Coordination Centers website at <http://gacc.nifc.gov/>.

T. Stafford Disaster Relief and Emergency Assistance Act.⁷ Once issued, the FMAG declaration authorizes various forms of federal assistance—such as equipment, personnel, and grants to state, local, and tribal governments—for the control, management, and mitigation of any fire on certain public or private forest land or grassland that might become a major disaster. The grants may reimburse up to 75% of the allowable suppression costs for eligible fires. It should be noted that FMAG declarations, unlike some major disaster declarations, do not authorize assistance to individuals and households.⁸ A state may also request that the President declare the wildfire a major disaster under the Stafford Act, authorizing other assistance and recovery programs.

The federal government also supports state and local efforts to evacuate areas threatened by wildfires. A presidential declaration of an emergency triggers federal aid to protect property and public health and safety while preserving state autonomy and responsibility.⁹ The National Planning Frameworks, required to be created in the wake of Hurricane Katrina, guide FEMA on how to assist state and local agencies with emergencies and disasters, including wildfires.¹⁰

In the Aftermath

As with fire control efforts, federal actions in the aftermath of a wildfire disaster can take two principal forms: assistance for economic recovery and assistance for ecological recovery. Economic recovery includes resources to repair damage to infrastructure and private property. A presidential declaration of a major disaster initiates a process for federal assistance to help state and local governments and communities recover from the disaster. The nature and extent of the assistance depends on a number of factors, such as the nature and severity of the wildfire damages and the insurance coverage of the affected parties.¹¹

Ecological recovery includes resources for site rehabilitation and restoration. On federal lands, site rehabilitation routinely occurs as an emergency wildfire program through the agencies' Burned Area Emergency Response protocols, as well as through regular land management activities. Activities include sowing areas with quick-growing grasses as well as planting trees and other activities to reduce erosion. They may also include removing dead or damaged trees threatening resources or public safety.

On state and private lands, the responsibility lies with the landowner, but federal assistance can be provided through the Forest Service's state fire assistance and other state forestry assistance programs.¹² In addition, USDA has several programs that can provide restoration activities (tree planting, stream-bank stabilization, and more) following wildfires or other natural disasters. For example, the Emergency Watershed Protection Program (administered by the Natural Resources Conservation Service) and the Emergency Conservation Program and Emergency Forest Restoration Program (both administered by the Farm Service Agency) can provide technical and

⁷ 42 U.S.C. §5187. For more information, see CRS Report RL33053, *Federal Stafford Act Disaster Assistance: Presidential Declarations, Eligible Activities, and Funding*, by Francis X. McCarthy.

⁸ For additional information see CRS Report R43738, *Fire Management Assistance Grants: Frequently Asked Questions*, coordinated by Bruce R. Lindsay.

⁹ See CRS Report RL34146, *FEMA's Disaster Declaration Process: A Primer*, by Francis X. McCarthy.

¹⁰ Federal Emergency Management Agency, *National Planning Frameworks*, May 2013.

¹¹ See CRS Report RL31734, *Federal Disaster Assistance Response and Recovery Programs: Brief Summaries*, by Carolyn V. Torsell and Jared C. Nagel. For detailed information on infrastructure repair see CRS Report R43990, *FEMA's Public Assistance Grant Program: Background and Considerations for Congress*, by Jared T. Brown and Daniel J. Richardson.

¹² See CRS Report RL31065, *Forestry Assistance Programs*, by Katie Hoover.

financial assistance for restoration activities.¹³ USDA also has several agricultural assistance programs to help farmers and ranchers recover from production losses following natural disasters.¹⁴

Some severely burned areas are at risk of landslides during subsequent rainstorms, even after site restoration efforts. Little can be done to prevent such events, but monitoring can provide warning to homeowners to evacuate the area prior to a landslide, and other federal post-disaster assistance might then become available.

Preventing a Recurrence

Numerous federal programs provide grants to states and local governments to prepare for wildfire emergencies. The Forest Service provides financial and technical assistance for state and volunteer fire protection efforts.¹⁵ Through partnerships with state forestry agencies, these programs provide funds for prefire community wildfire protection planning and preparation, hazard mitigation, equipment, and personnel training. FEMA provides grants and training for firefighting and for community responses to terrorist attacks and natural disasters.¹⁶ Projects to reduce the risk of future fires may also be eligible under FEMA's Pre-Disaster Mitigation Program.¹⁷

Other questions include how to prevent a recurrence of catastrophic fires or minimize the damage from such conflagrations. Conditions such as drought, lightning, and high winds make preventing catastrophic wildfires impossible, although reducing fuel levels can, in some ecosystems, reduce the damages from wildfires and decrease the likelihood of a catastrophic wildfire occurring.¹⁸ However, severe wildfires cannot be prevented in ecosystems that have evolved with wildfire, such as the chaparral of southern California and lodgepole pine in the northern and central Rockies. Nonetheless, it is possible to protect structures in such settings. Federal research and grants, particularly for the FIREWISE program, have shown how homeowners can protect their structures even while wildfires burn around them.¹⁹ The keys are the structure itself (especially nonflammable roofing) and the landscaping within 40 meters of the structure. Local zoning could inform and enforce appropriate standards for wildfire protection for structures.

¹³ For more information, see CRS Report R42854, *Emergency Assistance for Agricultural Land Rehabilitation*, by Megan Stubbs.

¹⁴ For more information, see CRS Report RS21212, *Agricultural Disaster Assistance*, by Megan Stubbs.

¹⁵ See CRS Report R43077, *Wildfire Management: Federal Funding and Related Statistics*, by Katie Hoover and Kelsi Bracmort.

¹⁶ See CRS Report RL32341, *Assistance to Firefighters Program: Distribution of Fire Grant Funding*, by Lennard G. Kruger, and CRS Report R40471, *FEMA's Hazard Mitigation Grant Program: Overview and Issues*, by Natalie Keegan.

¹⁷ 42 U.S.C. §5133. See CRS Report RL34537, *FEMA's Pre-Disaster Mitigation Program: Overview and Issues*, by Francis X. McCarthy.

¹⁸ See CRS Report R40811, *Wildfire Fuels and Fuel Reduction*, by Katie Hoover.

¹⁹ See CRS Report RS21880, *Wildfire Protection in the Wildland-Urban Interface*, by Katie Hoover and Kelsi Bracmort.

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