



THE TRUE COSTS OF LIVING IN THE FOREST

By Lloyd Burton

***Editor's Note:** This year we've been fortunate in the Deep South to receive adequate rainfall, helping to maintain low wildfire stats. However, this situation could change in a moment. Our state previously experienced several consecutive years of drought, and the devastating tornados in 2011 left thousands of acres of downed and damaged trees in their wake, thus creating a potential tinder box across much of the state.*

Although the following article was written in Colorado and focuses on Western wildfires, it certainly provides food for thought for all of us living in the Wildland Urban Interface (WUI). Many of the points addressed by the author can and do apply in Alabama. We may not have the Rockies, but we do have the foothills of the Appalachians, as well as nearly 23 million acres of timbered forestland. Residents and firefighter lives and property are just as much at risk here as in Colorado.

Can these same types of catastrophic wildfires occur here? Do we need to pay more attention to safer areas in the WUI? Do landowners bear the responsibility of safeguarding and preparing their homes and property for defending it against wildfire? These and many other questions and concerns need to be considered when living in the forest or the Wildland Urban Interface.

The Mountain West is in the line of fire. This is hardly news to those of us who live here, nor are the reasons: record droughts and high temperatures, as well as dead and dying forests denied their annual disease-killing and cleansing ground fires. We also have record numbers of people moving into the wildland-urban interface (WUI) intermingled with public lands. Fires starting in the WUI tend to be human-caused.

My students and I learned that states in our region take one of three approaches to get WUI residents to limit wildfire devastation on their property and in their communities:

- Common-standard states (California and Oregon) mandate mitigation measures (fire proofing structures and creating defensible space) for everyone living in the WUI.
- Local-option states (Arizona, Colorado, and New Mexico) have no statewide standards, and authorize but don't require local governments to adopt their own mitigation regulations.
- Hybrid states (Nevada and Utah) have statewide voluntary standards.

In local-option states like ours, we think of WUI wildfires as a problem for those living there. But as a Western WUI resident

for most of my life, I know this is not really true. Whenever and wherever a big WUI wildfire blows up, we all pay. We pay to put it out. Sometimes the best and bravest of our wildland firefighters — whom we put in harm's way — pay with their lives. We pay with fire-ravaged watersheds that pollute drinking water reservoirs with mudslides carrying burned slash, laden with tons of fire retardants whose long-term environmental effects we still don't understand.

Worse, we pay with the morale of courageous public servants. A WUI wildfire incident commander in one of my classes told me his crews once spent days battling a big fire in the Colorado WUI at some risk to themselves, saving unmitigated mountain-top homes that otherwise would have been lost.

Standing at one of these sites with a couple whose home his firefighters had preserved, the woman told him, "I can't find words to express the depth of my gratitude for your having spared our home and all its precious memories."

However, the man was bitter. Looking out over the burned landscape, he said disgustedly, "You should have let it burn. At least then I could have collected the insurance. Now I get to live on the moon."

"Let it burn?" my student asked himself. "Maybe next time I will." He has since left wildland firefighting, in part, he said, because we live in a state where we ask nothing of WUI residents and everything of our firefighters.

I've had owners of second homes in unregulated WUI jurisdictions tell me they'd rather lose their property to fire than thin their trees or remove shrubs. So if half the members of a community mitigate and the other half does not, the whole community still goes up in flames. And it's worse at bigger scales, as when one high country county mandates wildfire mitigation and the adjoining ones do not; or if the U.S. Forest Service thins undergrowth and dead trees at forest borders, but neighboring mountain communities won't.



In truth, all of us in Colorado co-habit a commons. We think in terms of individual land parcels and local political jurisdictions, but fire does not. In local-option states like ours, we rely mostly on voluntary cooperation among WUI property owners and communities to limit wildfires.

This fire season and last, the highest fatality rates among WUI residents and wildland firefighters has been in the local-option states of Arizona and Colorado. Arizona's Granite Mountain hot shots lost their lives trying to defend communities that had done little to protect themselves.

Short of becoming a mandatory common-standard state such as California or Oregon, we can do much more here in Colorado to mitigate against catastrophic fire, like our neighboring states have already done. We can adopt uniform recommended state-wide standards for WUI wildfire mitigation, like Utah. We can require sellers of property in red zones to inform prospective buyers of the heightened risk, and require signed acknowledgment of that risk by the buyer at time of sale, as in California.

We can also adopt a "Communities at Risk" system, like Arizona's. This public access database rates fire risk in WUI communities using both natural factors and the degree to which localities are actively implementing a Community Wildfire Protection Plan. The state can do after-incident investigations of

every significant wildfire in the WUI to determine whether those burn areas had been adequately mitigated. Utah holds non-mitigating counties liable for wildfires that start on their land.

We can limit new residential land development in the WUI to fire-adapted jurisdictions that have actively implemented Community Wildfire Protection Plans (CWPPs). And we can indemnify fire services that choose not to deploy forces into unmitigated areas.

Will these measures contour, condition, and limit the rights of private property owners in the WUI? You bet. Will they call to account local governments in the WUI that are doing nothing or even making matters worse? Absolutely. And will

(Continued on page 12)



LIVING IN THE FOREST

(Continued from page 11)

these measures save resident and firefighter lives and property in the WUI? Yes, as the experience of neighboring states has shown.

Every time local governments in local-option states like ours authorize new residential development in the WUI with no mitigation requirements, they endanger the lives of the people who will move there, as well as the firefighters who will try to save them when the next fire comes. The greatest physical dangers may lie up in the WUI, but we all bear the moral and fiscal responsibility for facing them. We are all paying the price of living in the Wildland Urban Interface.☞

Lloyd Burton, Ph.D., is a professor of law and public policy in the School of Public Affairs at the University of Colorado Denver. He is co-director of the school's program concentration in environmental policy, management, and law.

To read the research project, go to www.ucdenver.edu/academics/colleges/SPA/Research/EAWG/Research/wildfires

You can reduce the risks of wildfire damaging your home or property by implementing a few simple preventive measures, and the Alabama Forestry Commission wants to help. For a free Wildfire Risk Assessment consultation, contact the AFC office in your county. To learn more, visit www.forestry.alabama.gov/homeowner_resources.aspx

To develop a Community Wildfire Protection Plan (CWPP), contact your local AFC office. For more information about resources available for communities, visit www.forestry.alabama.gov/community_resources.aspx

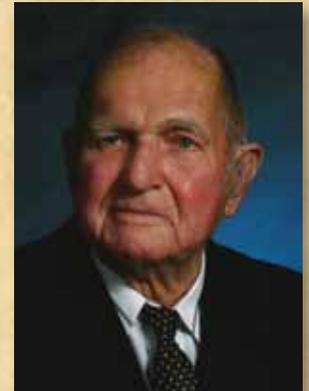
By incorporating "FireWise" tips into your community's existing disaster plan, you may see multiple benefits from a single action – perhaps impacting insurance ratings, public safety, natural resources, and government funding. Read more at www.forestry.alabama.gov/subdivision_resources.aspx



MEMORIAL

Cecil Owen Tanner 1924 - 2013

The Alabama Forestry Commission has lost another friend. Cecil Owen Tanner, well-known Mobile County farmer and civic leader, died at home on October 12, 2013, at the age of 89. A true Southern Gentleman and steward of the land, Mr. Tanner was a former commissioner and staunch supporter of the AFC.



Cecil Owen Tanner

Born on May 24, 1924, Tanner was a native and lifelong resident of Mobile County. Raised in the Crichton community, he was a direct descendant of John Willis Tanner, a veteran of the War of 1812, and of Isaac Tanner, a veteran of the Civil War. Following his graduation from Murphy High School in 1941, he served in the US Army in the European theater during World War II. He later attended the University of Alabama, and worked at Brookley Air Force Base and Teledyne Continental Motors until his retirement in 1975.

Appointed by Governor Guy Hunt to the Alabama Forestry Commission, Tanner served from January 1990 until November 1994. He was an active member of the Alabama Farmers Federation, serving on its Commodity Committees for 31 years. Tanner was a leader of the Mobile County Soil and Water Conservation District, responsible for providing leadership in conservation and development of Alabama's natural resources, and serving as state chairman for one year. He also served as President of the Mobile County Cattlemen's Association.

The Tanner family farm, a portion of the original Tanner land grant from 1841, was designated as a TREASURE Forest.☞

(Portions excerpted from the obituary published in *The Mobile Press-Register*, Oct. 14-16, 2013)

