

Concept Paper

Kootenai Shared Stewardship Initiative

Proposal: Develop long-term strategic management of the Lincoln County Wildland Urban Interface (WUI) on agency, state, county and private land ownerships. Utilizing a highly collaborative approach, a 10 year joint planning, joint implementation, cross boundary agreement focused on projects within the Lincoln County WUI and codified Firesheds within the Kootenai Complex. The plan and process will be formalized utilizing the Masters Stewardship Agreement (MSA) and Supplemental Projected Agreement under the authority of Section 323 of Public Law 108-7 and subsequent revisions. Utilizing the Kootenai National Forest Plan, Montana Forest Action Plan and the Lincoln County Community Wildfire Protection Plan (CWPP) we will implement where possible, cross boundary integrated projects to provide maximum community protection.

Purpose: In an April 25, 2022 letter from Chief Moore to executive level USFS leadership he stated that “we face an unprecedented wildfire crisis in the United States,” and we couldn’t agree more! He also states that “Our strategy---built in close coordination with Federal, State, and Tribal governments and non-governmental partners, communities and stakeholders---is focused on work in the highest priority locations to protect communities.” He goes on to state that, “We face a growing wildfire crisis in the United States. We must posture ourselves in full recognition of the nature of this emergency and adjust our thinking and our actions accordingly.” The Confronting the Wildfire Crisis 10 year strategy calls for: 1) Treating up to an additional 20 million acres on the National Forest System in the West, over and above current treatment levels; 2) Treating up to an additional 30 million acres on other Federal, State, Tribal and private lands in the West; and 3) Developing a plan for long-term maintenance beyond 10 years. This proposal is a roadmap to fulfilling that strategy on the KNF and within Lincoln County.

Need:

Lincoln County is one of the heaviest forested counties in the west. The state of Montana has classified nearly 99% of the private lands within the county as forested. The Kootenai National Forest comprises 74% of our land mass and when combined with state and industrial timber lands nearly 80% of county lands are timber based. Agency and industrial timber lands in some cases are within less than a mile from the limits/boundaries of our cities:

- The 2020 Montana Forest Action Plan (MFAP) data identifies Lincoln County with the most “at risk acres” from wildfire at 407,552 acres. There are an additional 54,037 acres at risk from forest health issues and 68,870 acres from combined risk for a total of 530,459 acres.
- The June 14th, 2022 Headwaters Economics study “A Profile of Wildfire Risk”, places 63% of Lincoln County homes at risk of wildfire from direct ignition sources and 37% from indirect sources...100% of homes are exposed. The national average is 67%.
- Based upon the September 2019 “Profile of Development and the Wildland Urban Interface Study”, Lincoln County ranks in the 97th and 98th percentile of all western counties in existing and potential fire risk. The study reveals that we have the largest total WUI area, 394 sq miles. We have the largest percentage of homes built inside the WUI (50.7%) and the highest number of second homes inside the WUI (24.1%). These are compared to the average of counties within the western United States at 7% and 15.1%, respectively.

- In April 2014, Governor Bullock designated 1,449,997 (67%) acres on the Kootenai National Forest as the Montana Priority Forest Landscapes initiative through the 2014 U.S. Farm Bill. A significant amount of those acres lies within the WUI.
- 10,000 acres of the at-risk forested lands lie within the Libby Superfund site, Operable Unit #3 (OU#3) or the vermiculite mine site. While underlying asbestos issues may require utilization of specialty harvesting/management practices these underlying issues do not negate but, rather, elevate the need to manage these lands for public safety and improved forest resilience.
- As a result, the USFS designated the KNF as one of the first 10 Priority Treatment Landscapes for implementing the 10 Year Strategy and prioritizing funds from the Bipartisan Infrastructure Law and the Inflation Reduction Act.

These factors clearly illuminate the significant threat to our citizens and private property from wildfire and we are proposing an inter-jurisdictional, cross boundary plan to assist agencies, industrial land managers and private land holders with prioritization, management and increased pace and scale of WUI treatment.

Objectives:

- Improve public safety and community resiliency by significantly increasing the pace and scale of WUI forested acres treated to reduce wildfire risk and impacts.
- Improve public safety and community resiliency by targeting and prioritizing WUI forested acres to be treated to reduce wildfire risk and impacts.
- Improve forest health and forest resiliency to wildfire.
- Increase the efficiency of wildland fire response.
- Increase resources and funding opportunities through cross-boundary coordination and inter-agency planning.
- Provide local government an active role in reducing wildfire risk to its citizens, their properties and infrastructure through planning and implementation of forest treatments that improve forest resiliency on federal land in the WUI.
- Enhance relationships and partnerships with industry partners to develop & maintain manufacturing capacity to meet the needs of the forest: biomass, small diameter, lumber and emerging technologies such as Biochar, Hydrogen Fuel, etc.

Proposal:

We recommend a formalized cross-boundary, all hands management program to manage the WUI and Firesheds, private, state, and federal acres, in a highly collaborative, integrated process. Projects would focus on smaller acreage projects, less than 3000 acres, prioritized and recommended based upon community threats identified within the CWPP and adding capacity to the current forest plan of work. The focus will be on WUI projects, clearly qualified under HFRA and other Categorical Exclusion Authorities. No one entity has the resources and capacities necessary to meet the health needs of the forest, community protection, or wildlife habitat. We propose a three-tiered process jointly managed by the USFS, MT DNRC and Lincoln County and robust collaboration with key stakeholders. The three key elements are project prioritization & approval, project approval and project implementation.

Process

Develop a 15 year Master Stewardship Agreement between Lincoln County and the Kootenai National Forest. This agreement will formalize the longstanding efforts between the KNF and the Lincoln County to increase short-term and long-term management in the Lincoln County WUI in pursuit of implementation of the Confronting the Wildfire Crisis plan issued by the Chief and the Biden Administration. The ultimate goals are enhanced community protection, forest health, wildlife habitat and local recreation and economic needs. The county, with assistance from Montana DNRC, and other key stakeholders will oversee the recommendation of projects, coordinating the approval process and lastly the project implementation process. This agreement will maximize cross utilization of scarce resources, streamline contracting processes and utilization of NEPA resources.

1. Firesafe Council Project Recommendation:

-Representation is fire and fuels staff from the USFS, MT DNRC, Lincoln County Forester, Natural Resources Conservation Service (NRCS) and County Fire Chiefs. We recommend adding a permanent seat for the Kootenai Forest Stakeholders Coalition to ensure a collaborative process. This group coordinates the development and implementation of the 2023 CWPP, primary lines of dense and the area prioritizations. They will be the group that makes recommendations to the approval authority for individual tactical projects and development of a 5 year strategic plan.

2. Approval Authority:

-Three-member team: 1) Forest Supervisor/Designee 2) County Commissioner/Designee 3) DNRC Area Manager/Designee.

-They will meet as needed to review Firesafe Council recommendations and pass on to the appropriate signatory level, Forest Supervisor or Regional Forester. **On agency lands the USFS retains absolute approval authority.** If the project is approved, it will be forwarded to the implementation team.

3. Project Implementation:

-The County Commissioners will be the signatories of the MSA and hold ultimate responsibility/accountability for the agreement. They will designate the project implementation to a team developed under the Lincoln County Port Authority. The team will consist of the Port Authority Director (1/2 MSA & 1/2 Port Authority), County Forester (moves from County), Wildfire Mitigation Coordinator (New Position) and a Grants and Administration Coordinator (New Position-1/2 Port & 1/2 MSA).

-The county forester, with assistance from the Wildfire Mitigation Coordinator, will oversee a development team consisting of DNRC and USFS timber staff, fuels staff and a NEPA liaison. This team will be responsible for developing the Supplemental Project Agreements as outlined in the MSA. They will develop a "toolbox" of resources, funding & authorities available to implement each project, a modified "Interdisciplinary Team" concept.

The primary functions of the Wildfire Mitigation Coordinator is administrative oversight of the County Firesafe Council, management and implementation of the County Wildfire Protection Plan (CWPP), marketing and public education of firewise techniques/process, assisting in applying for fuel reduction grants and coordinating implementation of fuels grants and serving as the county liaison with Montana DNRC, Local Fire, Natural Resource Conservation Service (NRCS), USFS and industry for fuel reduction projects within the Lincoln County WUI on private lands.

PROCESS



NEW PORT AUTHORITY IMPLEMENTATION STRUCTURE



4. Funding Sources:

- Title III
- Project receipts
- Grants/Grant Management
- Endowment
- Natural Resource Damage (Grace Settlement)
- Appropriation Funding
- USFS Project Funds

Authorities:

- **Stewardship Authorities:** Section 323 of Public Law 108-7 (16 USC 2104 Note, as revised February 28, 2003, to reflect sec. 323 of J.J. Res. 2 as enrolled), the Consolidated Appropriations Resolution, 2003, amending Public Law 105-277
- **Bipartisan Infrastructure Bill**
 - New Categorical Exclusion (CE): Establishment of Fuel Breaks in Forests and Other Wildland Vegetation
 - Emergency Actions Authority
- **Healthy Forest Initiative and Healthy Forest Restoration Act 2003:**
 - Community Wildfire Protection Plan (CWPP)
 - WUI criteria
 - NEPA –Action/No Action in WUI
- **2014 Farm Bill :**
 - Stewardship (permanent authorization)
 - Good Neighbor Authority (GNA) to states

- NEPA CE expansion – priority landscapes per governor
- **2018 Omnibus Spending (Farm) Bill:**
 - Good Neighbor Authority (GNA) expanded to counties
 - 20-year Stewardship Contracting Authorization,
 - Collaborative Forest Landscape Restoration Program (CFLRP)
 - NEPA – new CE – wildfire resilience
- **Wyden Authority** - 2009

Policy/Guidance:

- Confronting the Wildfire Crisis-2022
 - Chief’s Policy April 25, 2022 Letter, Use of New and Existing National Environmental Policy Act (NEPA) Authorities to Confront the Wildfire Crisis
- Kootenai National Forest Plan – 2015
- Montana Lincoln County Community Wildfire Protection Plan (CWPP) 2023
- Montana Forest Action Plan - 2020
- Montana Forests in Focus 2.0 – 2018
- National Cohesive Wildland Fire Management Strategy - 2014
- NRCS Targeted Implementation Plan