



PFMc

Professional Forest
Management,
LLC

Wildfire Pros

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Inverse Condemnation by Burning for Public Purposes

Wildfire Use



1. **Government pursuing *unilateral* wildfire policy for managing public and private resources**

Fire and water have no boundaries, impacting both public and private lands/infrastructure equally

2. **Policy *lacks legal foundation* or *standards of care***

Not anchored in administrative (APA, NEPA, NFMA) or substantive laws (Organic Act, MUSY, NFMA, Annual Appropriations Act: Emergency Wildfire Suppression, Clean Air/Water)

3. **No established duty to warn, standard practices, or best management practices**

4. ***Misappropriating* Congressional funds**

Agencies using appropriated money for unauthorized purposes

Raises concerns about proper allocation and use of taxpayer dollars – elements of a **criminal conspiracy**

A woman wearing a yellow hard hat with a headlamp and a green bikini top is shown from the back, holding a torch that is burning brightly in a forest. The background is a blurred forest scene with trees and a large fire burning in the distance.

The Independent factor in
the rise of million-acre fires
and exploding fire costs;

Intentional burning

“Restoring fire to fire-depleted
ecosystems”



Not climate change

SCIENCE

Land Managers Can't Burn the West Fast Enough

Prescribed burns, which create buffers against larger fires, can do only so much.

AMANDA MONTHEI OCTOBER 28, 2020



Huge Wildfires are often Premeditated



FLAME Act

“If the location is right, if extreme weather is not predicted, and if the appropriate resources are on hand to help should anything go awry, allowing wildfires to burn naturally—with viable fire lines established ahead of time—could be the best way to accomplish widespread forest management.”





“Using Wildfire where allowable...”

Current federal
policy:

“Full suppression”

using

Intentional Wildfire

- Using the full range of full suppression strategies to managed fire/wildfire use
- Asserts long-term ecosystem health trumped by firefighter safety
- Collaboration between other agencies is weak to nonexistent
- Asserts undocumented climate change considerations
- Scapegoats communities in fire-prone areas



Using unplanned fire....

“Significantly reducing fuels across broad landscapes will require expanded use of wildland fire to achieve management objectives.” Chevron Deference assertion

To reintroduce fire
to fire-depleted
ecosystems....

“All who have a stake in the outcome, from individual property owners to the Federal government, must share the financial burden.” But not the responsibility for letting fires burn.



Chevron Deference Overturned June 2024

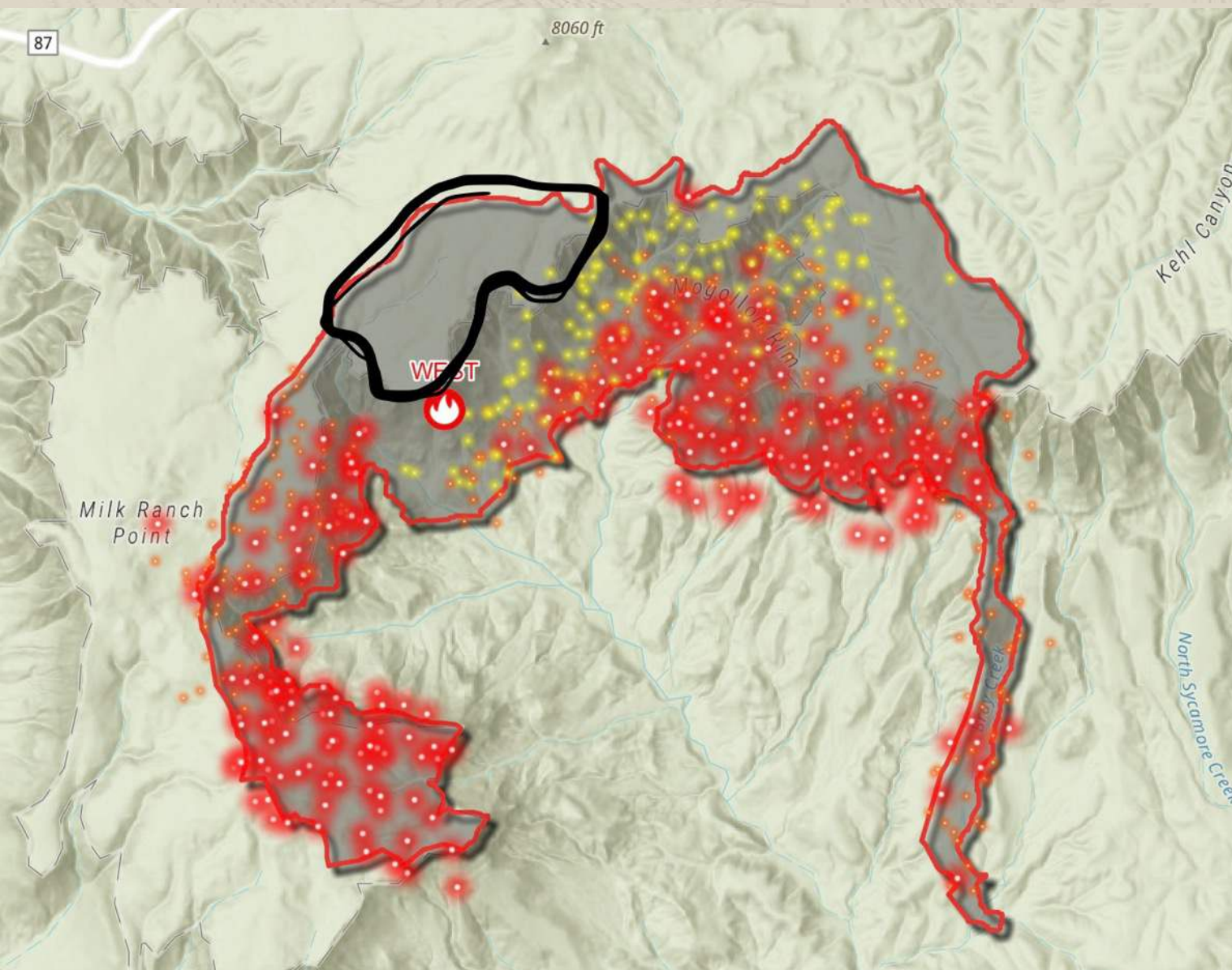


today. Currently, the fire is 10 acres. Smoke can be seen from Camp Geronimo, Geronimo Estates and Bray Creek Ranch but no structures are threatened at this time. Firefighters will continue to monitor the fire and contingency plans are in place should conditions change. [#AZFire](#) [#TontoNF](#)

2024 West Fire – R3



- 
- A photograph showing two skydivers in the sky, each with a large red parachute. The sky is a mix of orange and grey, suggesting a sunset or sunrise. The bottom of the image shows the dark silhouettes of evergreen trees. A white text box with an orange border is overlaid on the bottom left of the image.
- 400 jumpers
 - 4 jumps per season
 - \$35,000 per jumper to train
 - Closed the Gila Jump Base this year

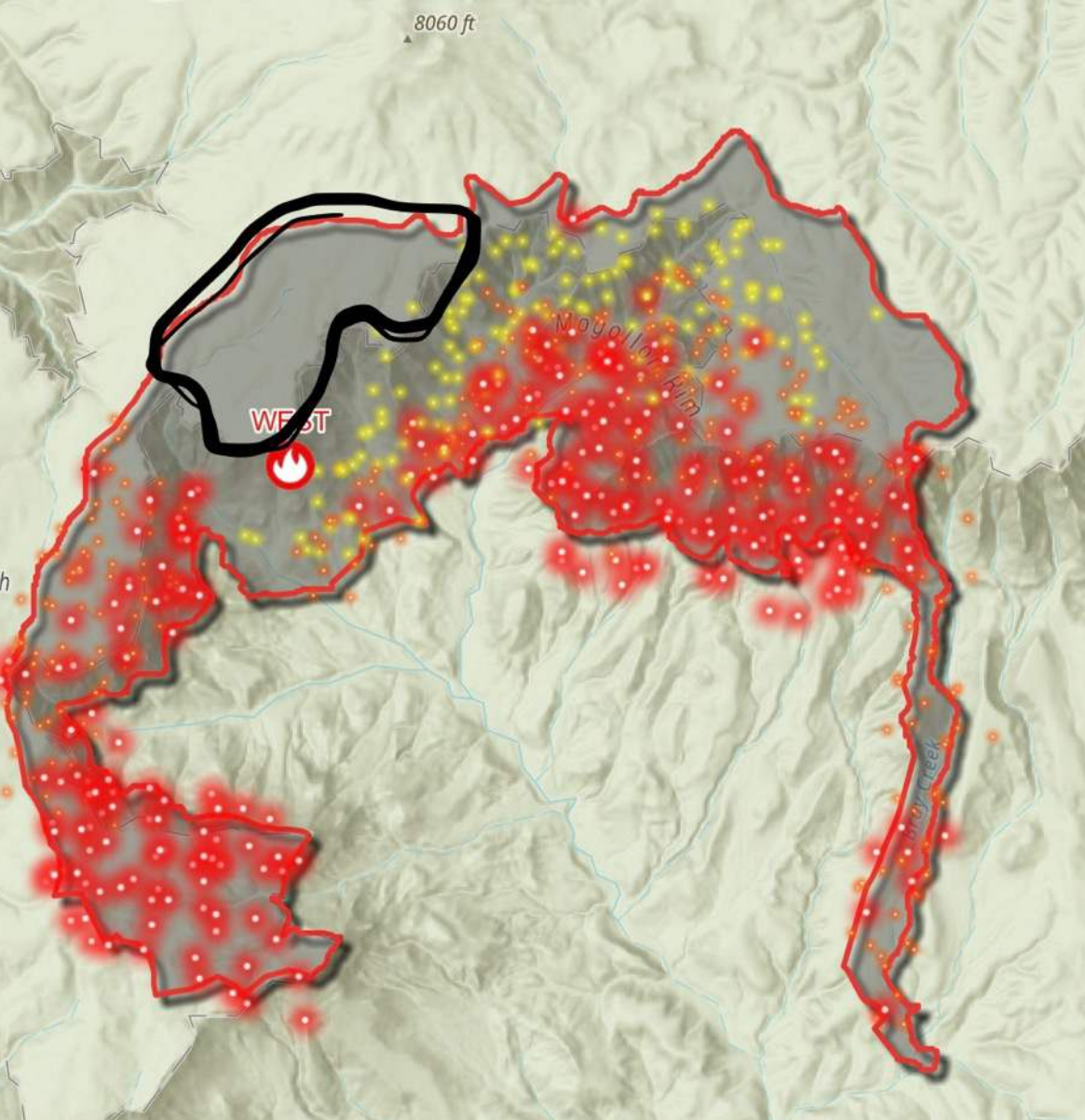


To safely and effectively extinguish fire, when needed; use fire where allowable; manage our natural resources; and as a Nation, live with wildland fire.

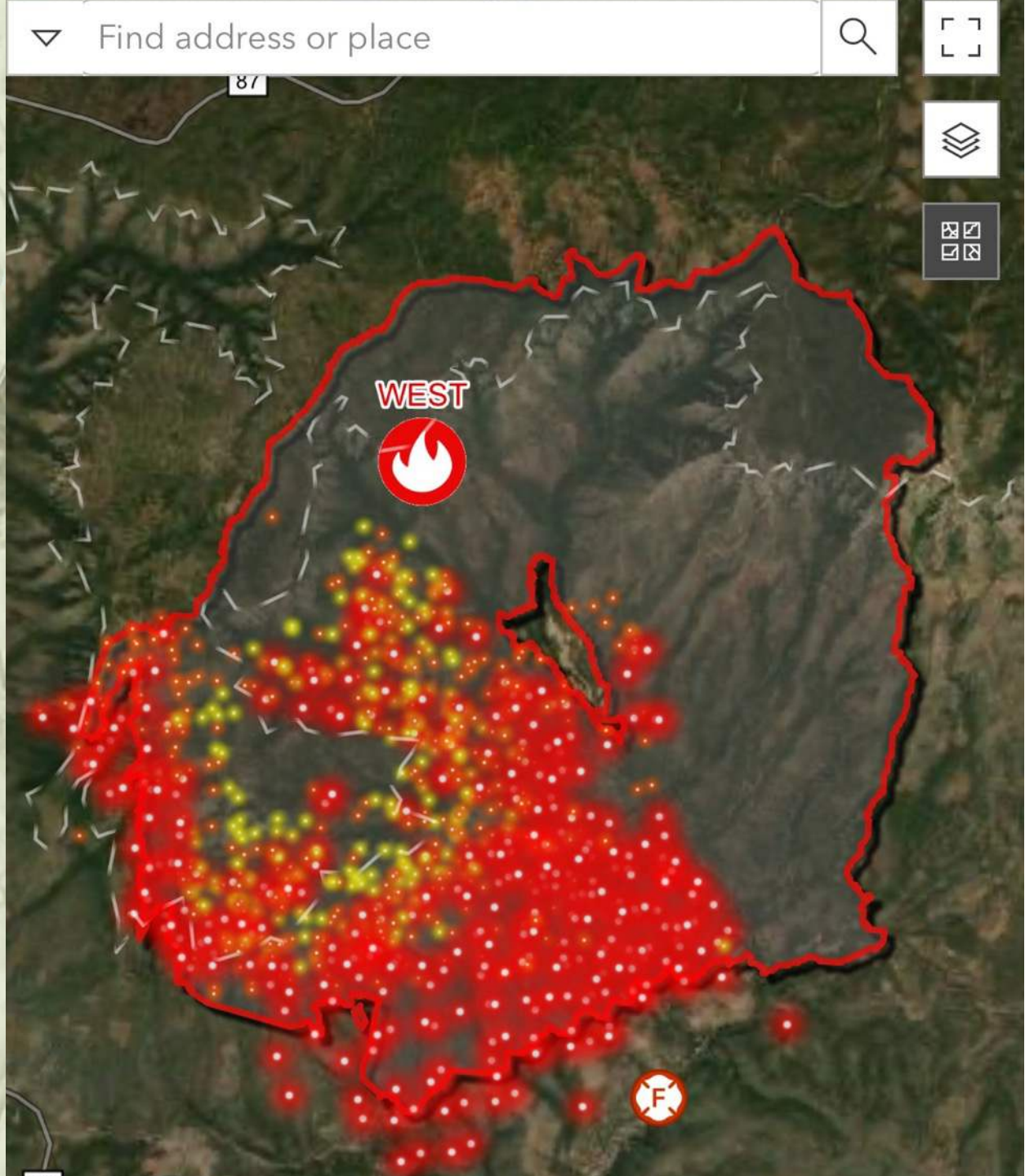
National Cohesive Wildland Fire Management Strategy

FLAME Act

West Fire Tonto NF August-September '24
Started and stopped in the black above



Burning the Big Box – Applied
Wildfire – Wildfire Use





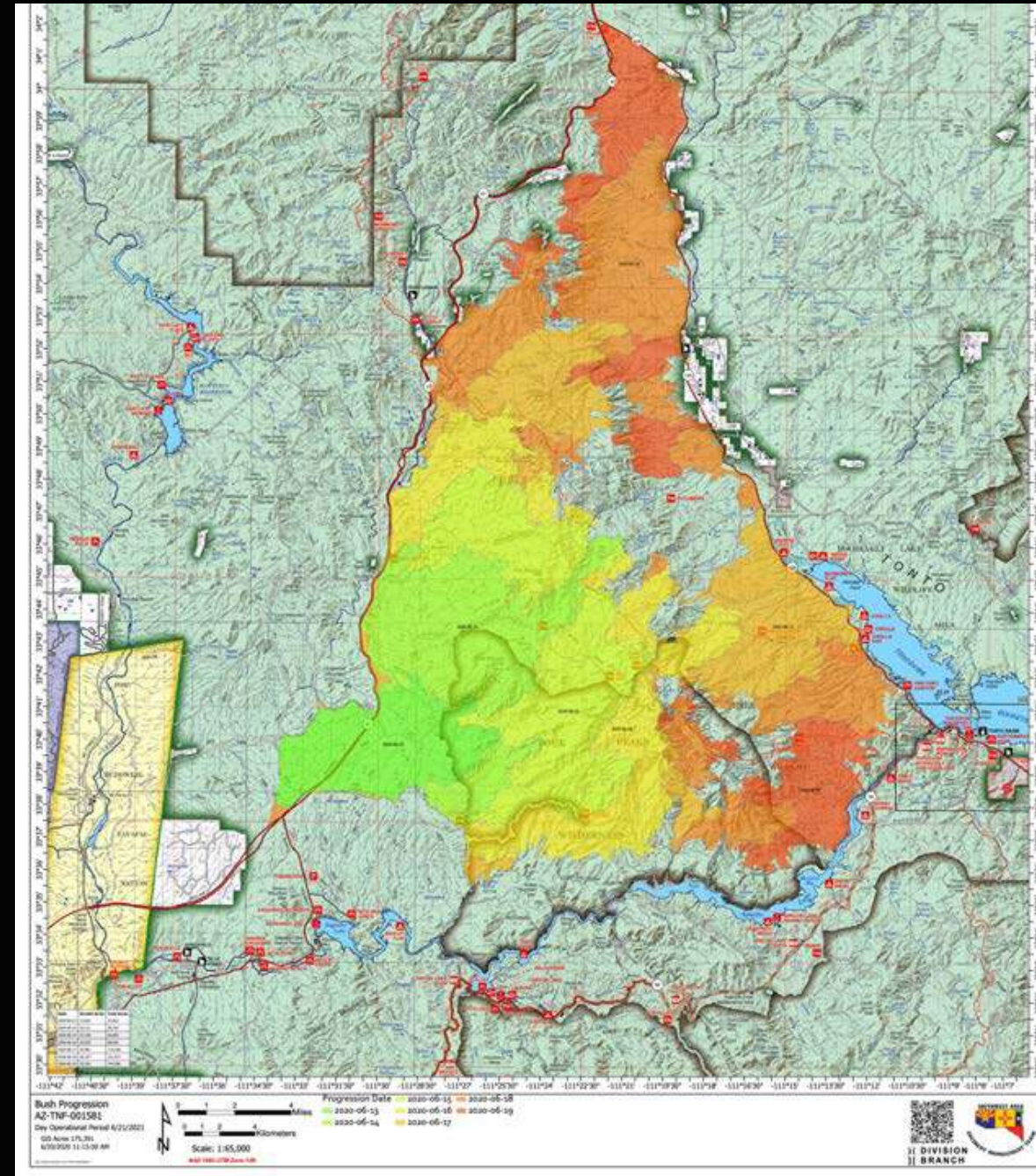
Drone strikes – Wildfire Use

2020 Bush Fire

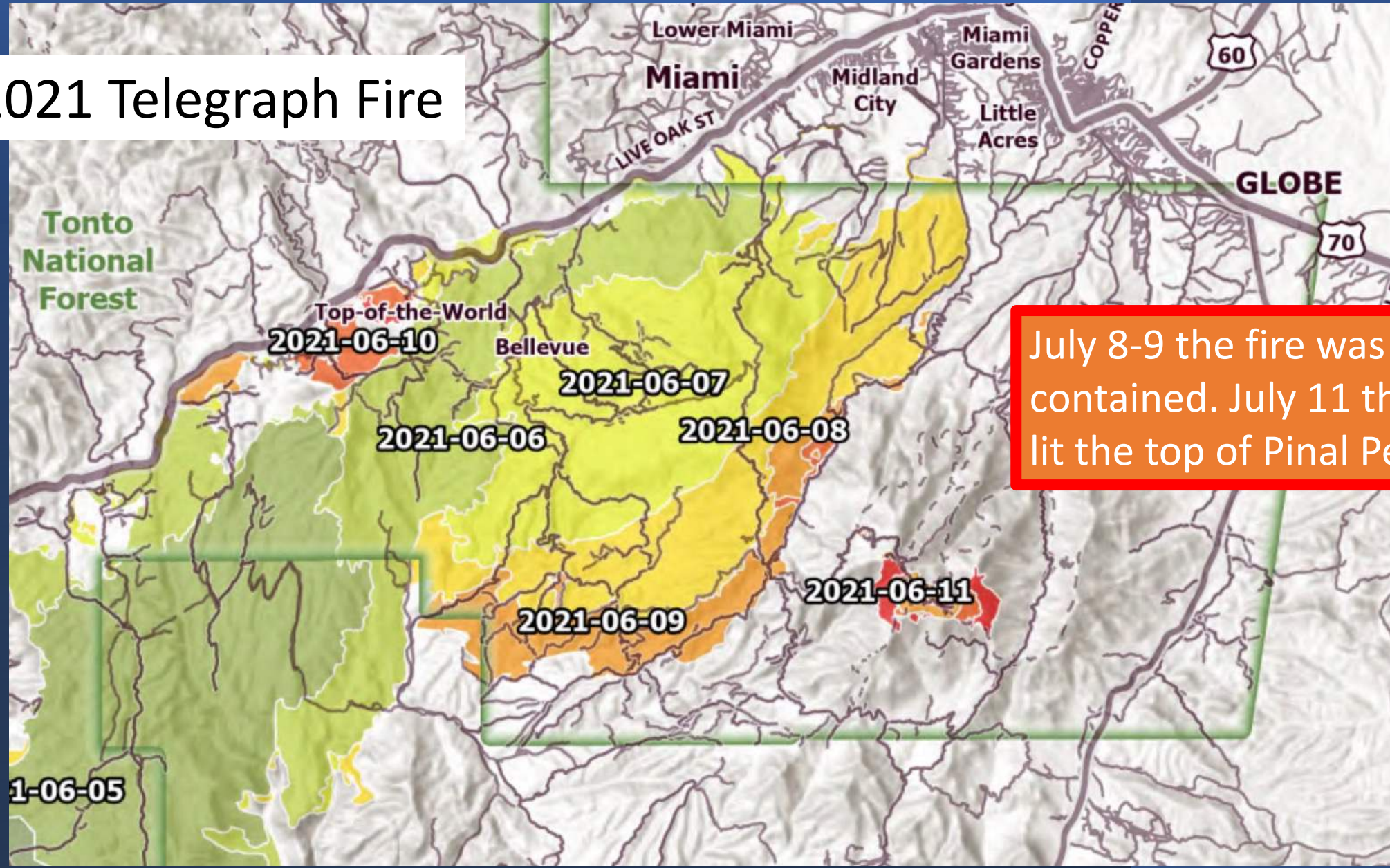
Firefighters burned
everything in orange
intentionally

100,000 plus Saguaros

Arizona cypress



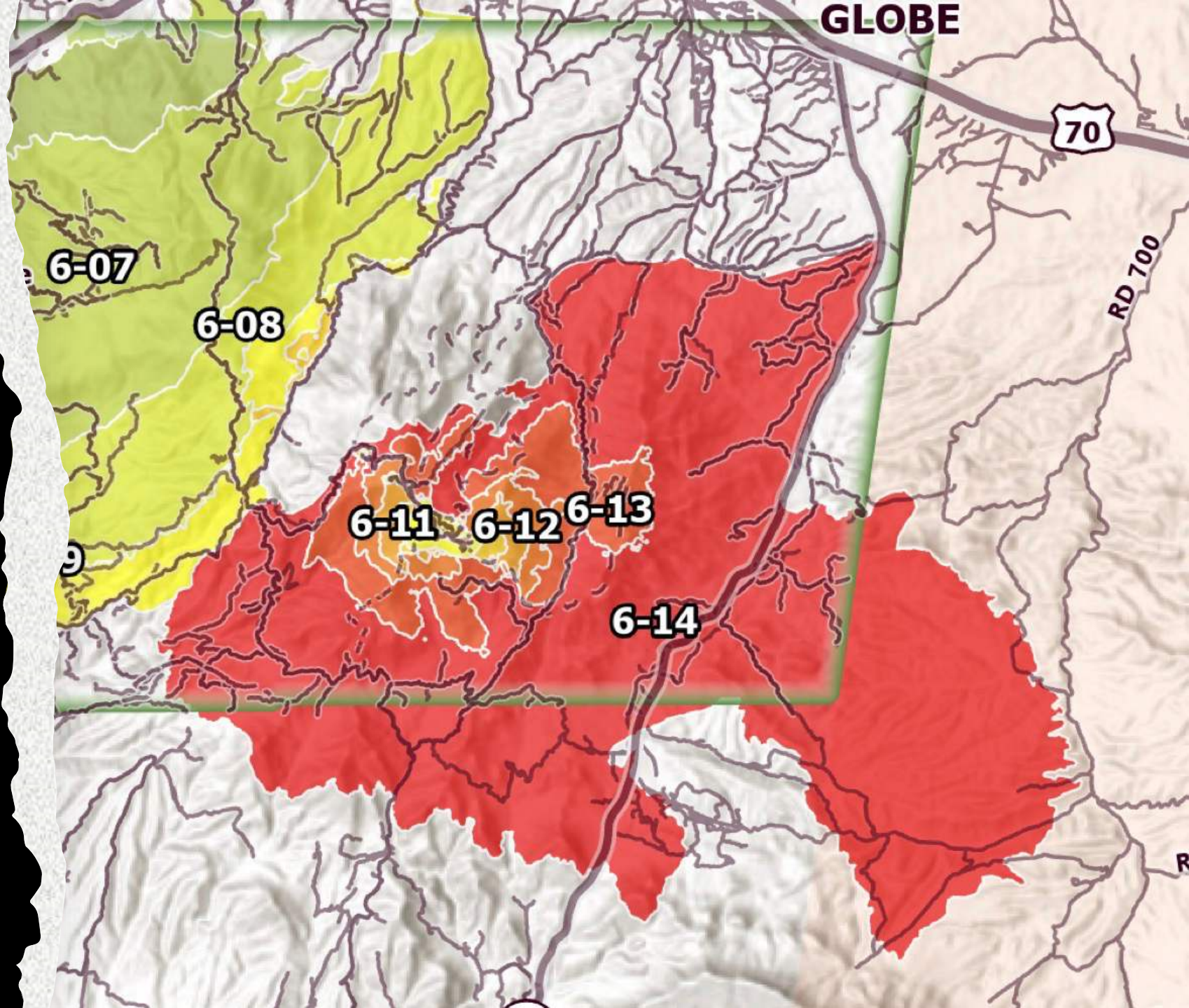
2021 Telegraph Fire



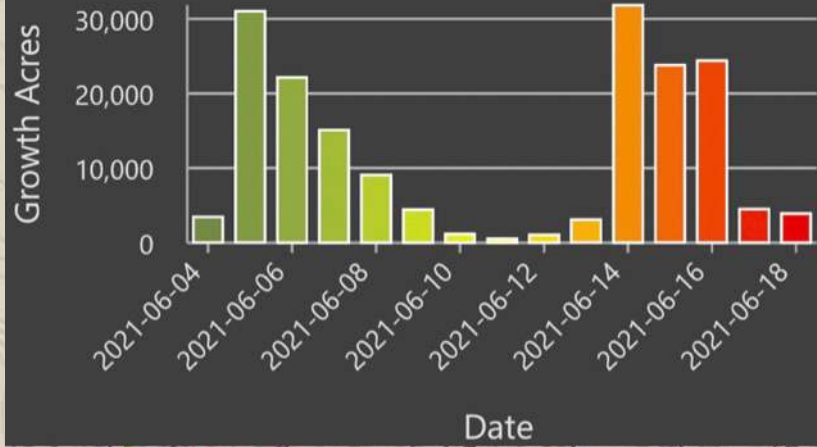
July 8-9 the fire was contained. July 11 the IC lit the top of Pinal Peak.

July 13-14 the IC lit the bottom of the canyons and slopes and burned 36,000 thousand acres including private property, homes, buildings, and infrastructure.

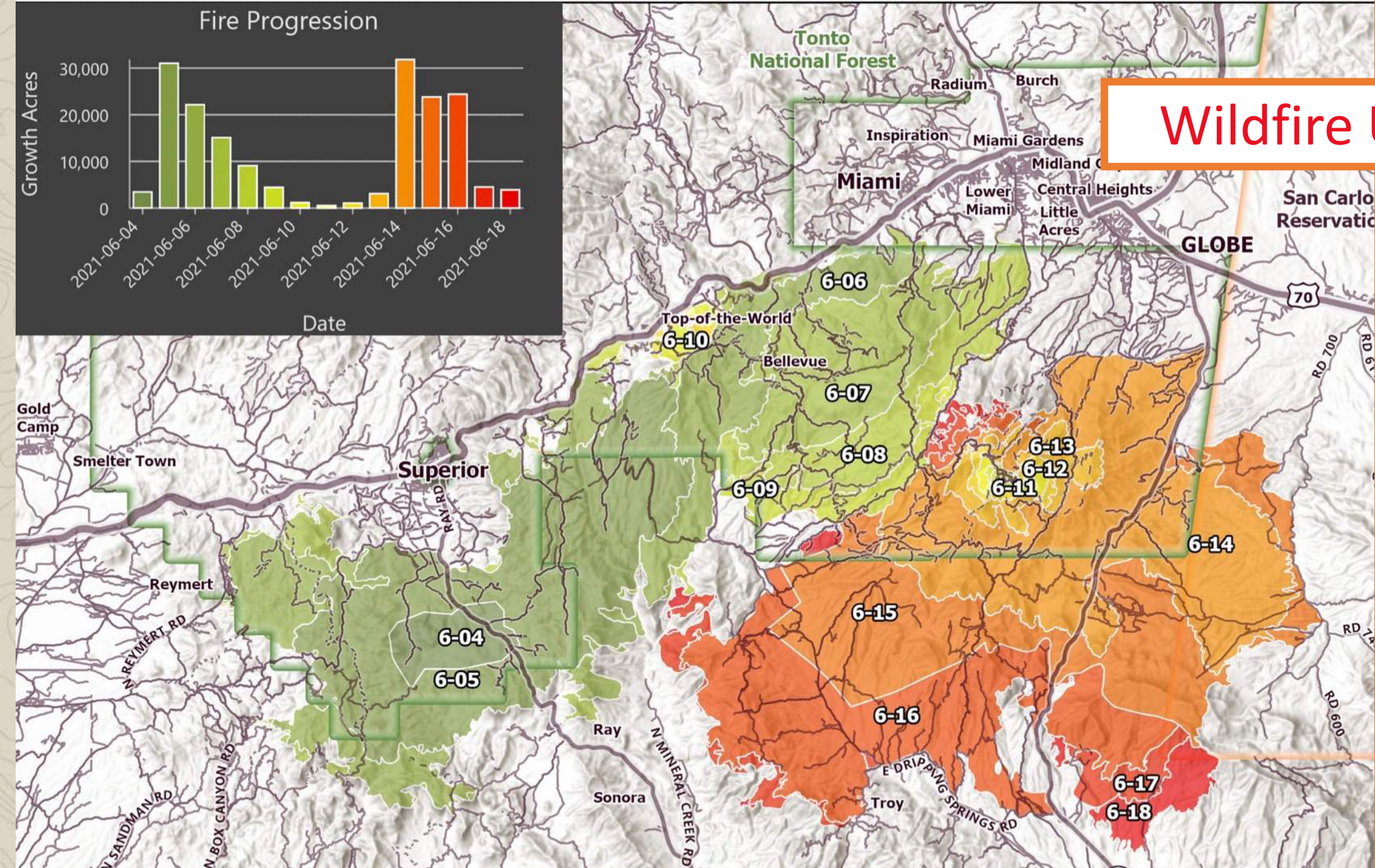
(e.g. Lolo Peak Fire)

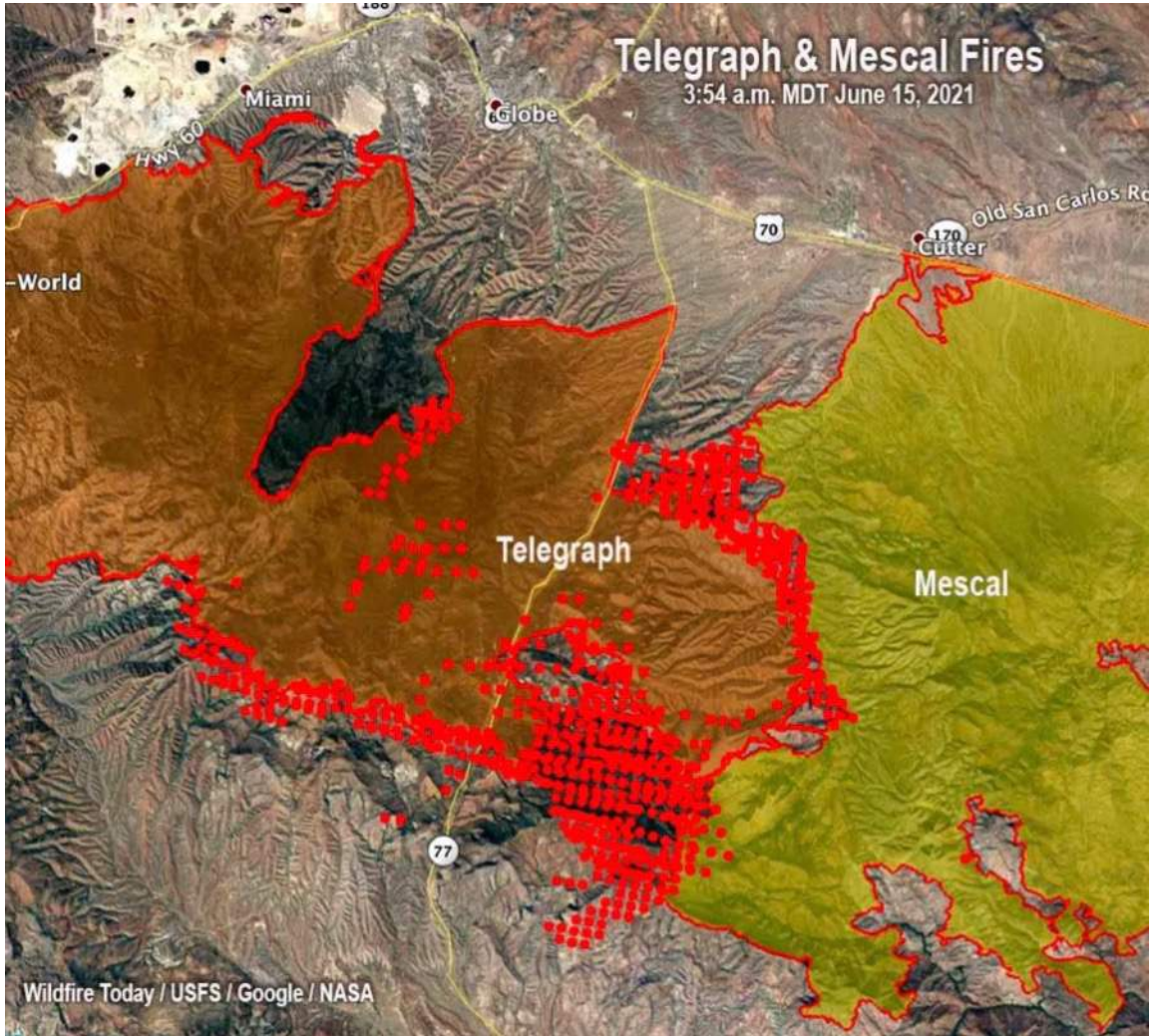


Fire Progression



Wildfire Use

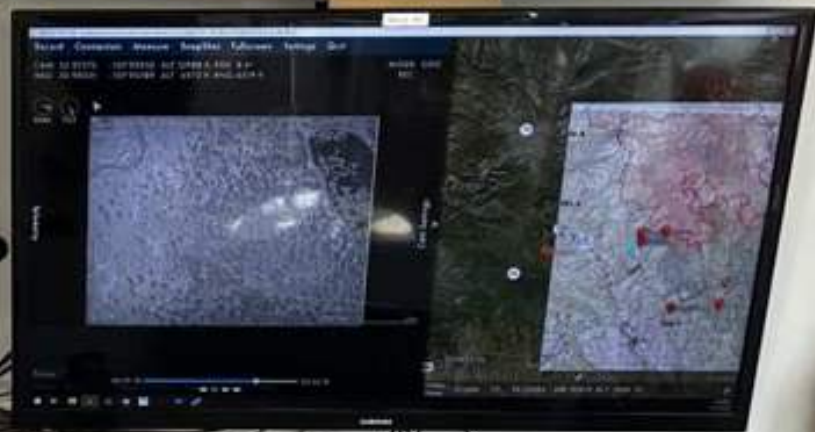




Firefighters dragged the Telegraph Fire across 85,000 acres to tie into the dormant Mescal Fire and then to burn as much Federal ground in Gila and Pinal Counties as possible with no consideration for private property of private lives

Fire Drone Strikes – Type 1 UAV

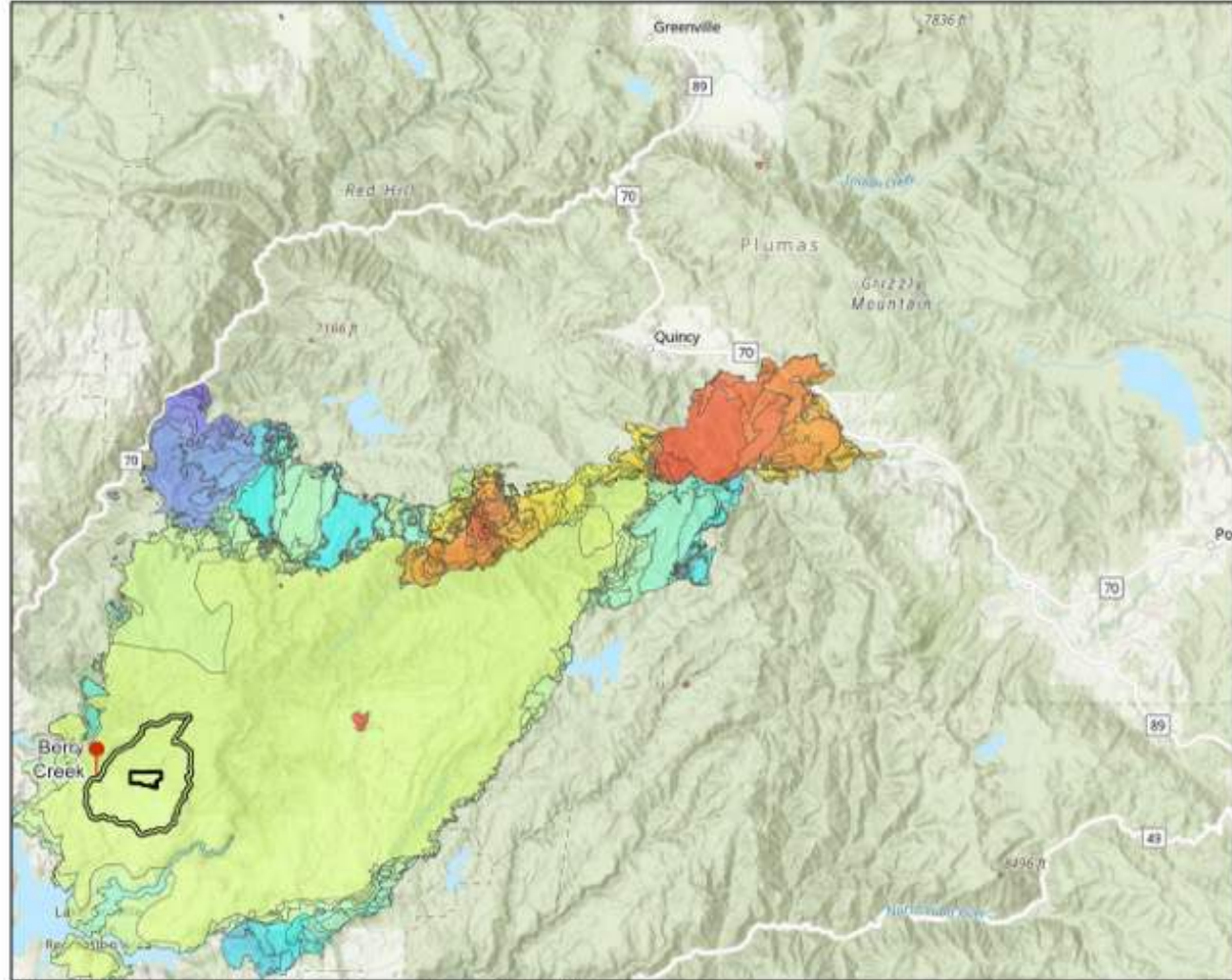






Lighting a ridge in
an indirect firing
operation

North Complex Fire Progression



North Complex Fire Progression Map

T21N R5E Sec 25, 26 MDBM Berry Creek & Bush Creek 7.5' Quad Butte County 1:400,000

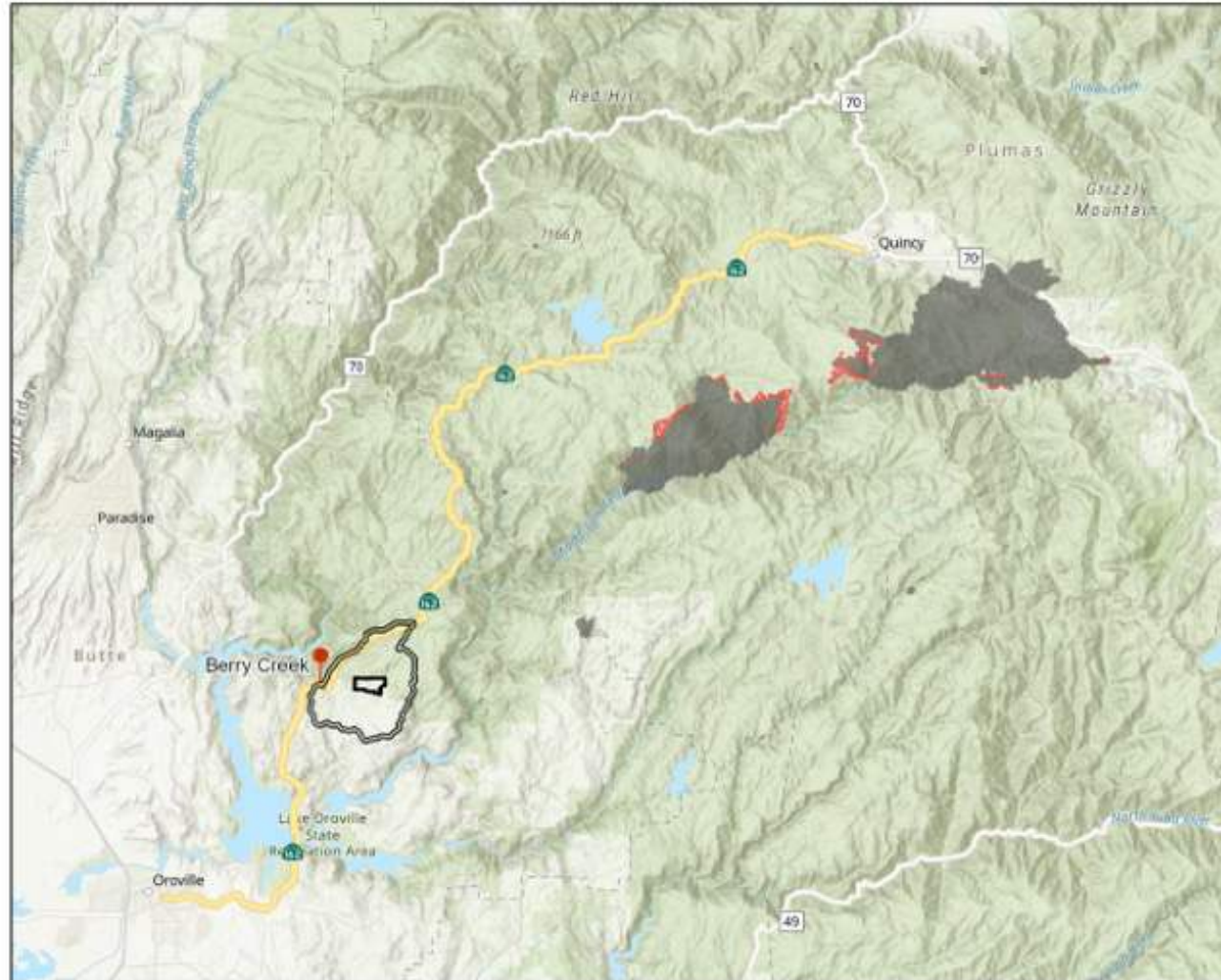


Forester's Co-Op
 Professional Forestry
 & GIS Services
 (310) 273-8326
 www.foresters-coop.com

Prepared by EMS
August 25th, 2022

North Complex Fire Progression

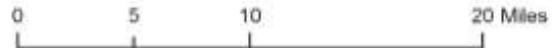
- Burned Area
36,863 Acres
- 09 / 03 / 2020
858 Acres
- Camp Okizu
Boundary
- Berry Creek
Watershed
- 🚚 Oroville-Quincy
Highway State
Route 162
- 📍 Berry Creek



North Complex Fire Progression Map Series (09/03/2020)

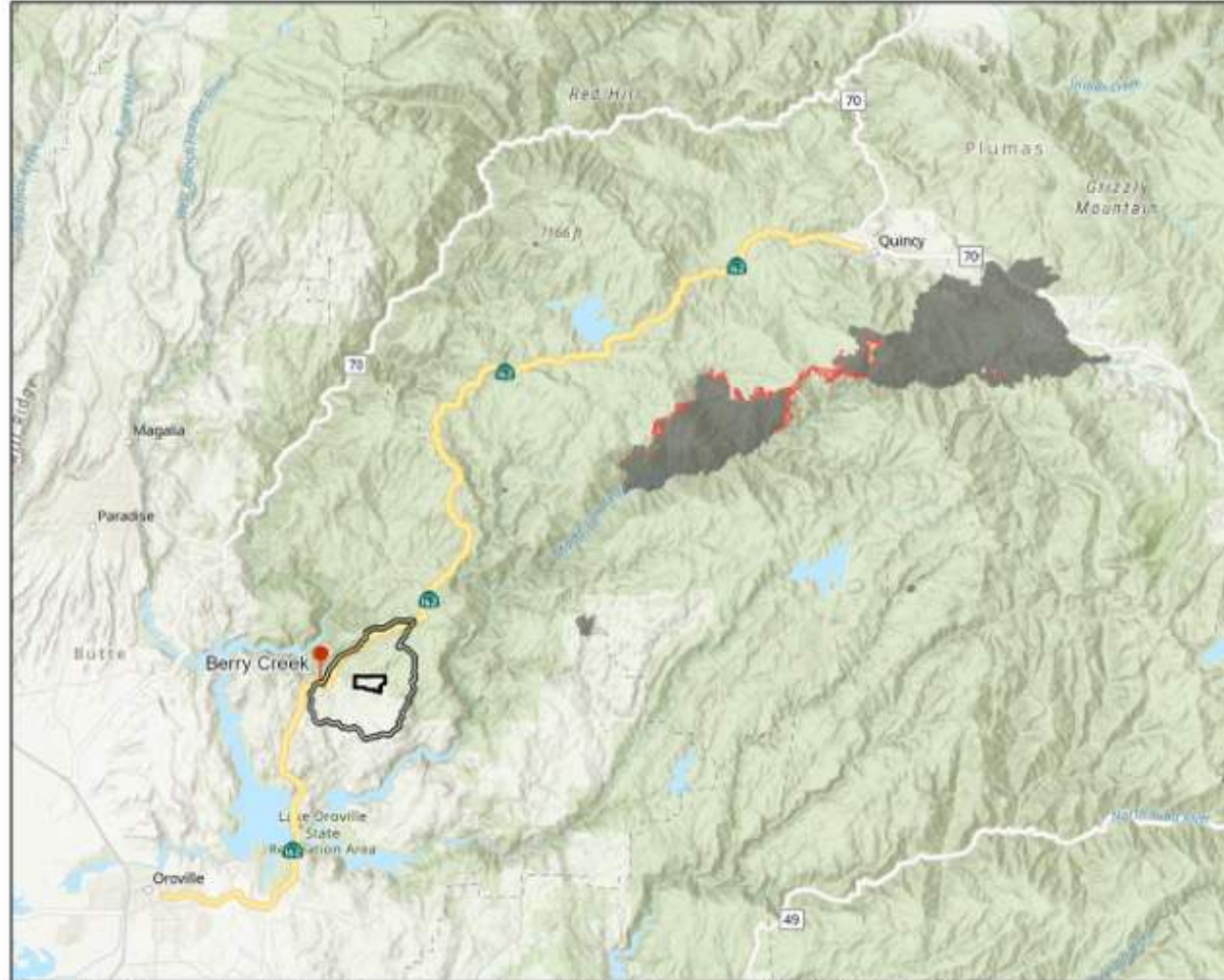
T21N R5E Sec 25, 26 MDBM Berry Creek & Bush Creek 7.5' Quad Butte County 1:400,000

Prepared by EMS
August 30th, 2022



North Complex Fire Progression

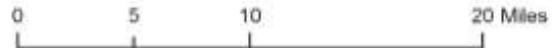
- Burned Area
37,522 Acres
- 09 / 04 / 2020
873 Acres
- Camp Okizu
Boundary
- Berry Creek
Watershed
- 🚚 Oroville-Quincy
Highway State
Route 162
- 📍 Berry Creek



North Complex Fire Progression Map Series (09/04/2020)

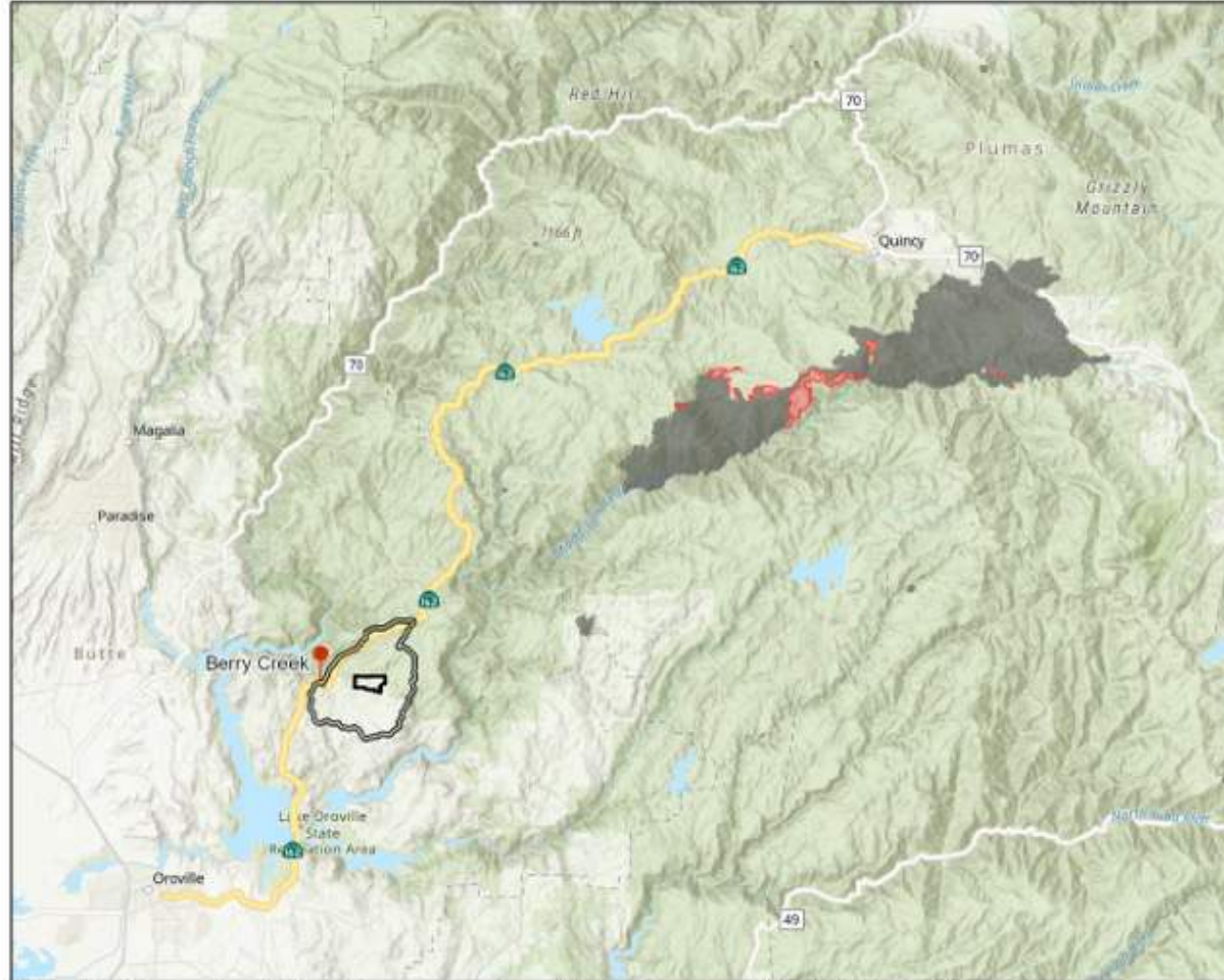
T21N R5E Sec 25, 26 MDBM Berry Creek & Bush Creek 7.5' Quad Butte County 1:400,000

Prepared by EMS
August 30th, 2022



North Complex Fire Progression

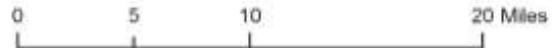
- Burned Area
38,394 Acres
- 09 / 05 / 2020
1,645 Acres
- Camp Okizu
Boundary
- Berry Creek
Watershed
- 🚚 Oroville-Quincy
Highway State
Route 162
- 📍 Berry Creek



North Complex Fire Progression Map Series (09/05/2020)

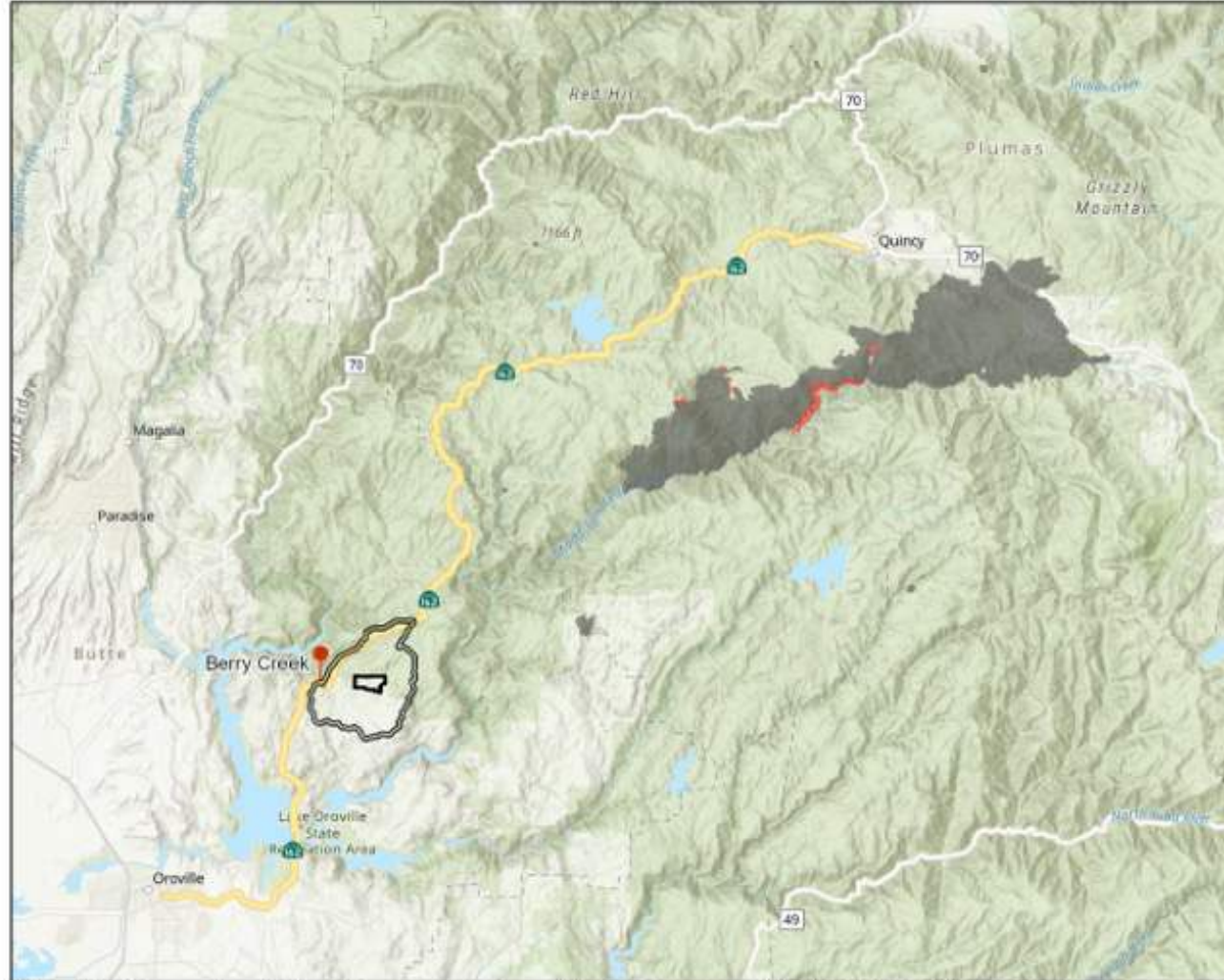
T21N R5E Sec 25, 26 MDBM Berry Creek & Bush Creek 7.5' Quad Butte County 1:400,000

Prepared by EMS
August 30th, 2022



North Complex Fire Progression

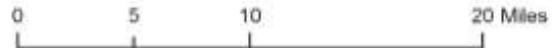
- Burned Area
40,633 Acres
- 09 / 07 / 2020
471 Acres
- Camp Okizu
Boundary
- Berry Creek
Watershed
- Oroville-Quincy
Highway State
Route 162
- Berry Creek



North Complex Fire Progression Map Series (09/07/2020)

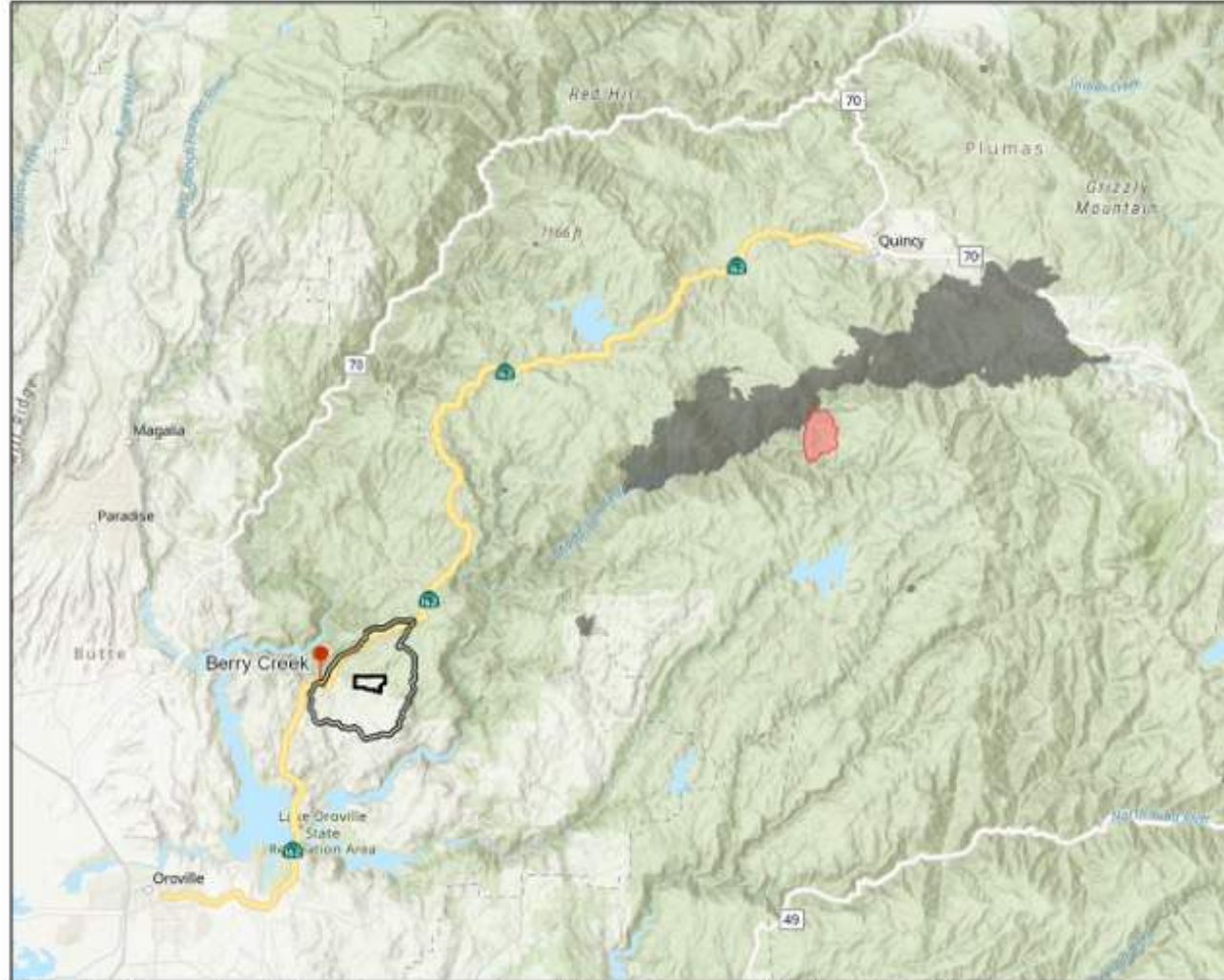
T21N R5E Sec 25, 26 MDBM Berry Creek & Bush Creek 7.5' Quad Butte County 1:400,000

Prepared by EMS
August 30th, 2022



North Complex Fire Progression

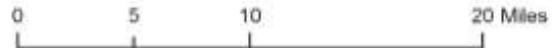
- Burned Area
41,104 Acres
- 09 / 08 / 2020
1,692 Acres
- Camp Okizu
Boundary
- Berry Creek
Watershed
- Oroville-Quincy
Highway State
Route 162
- Berry Creek

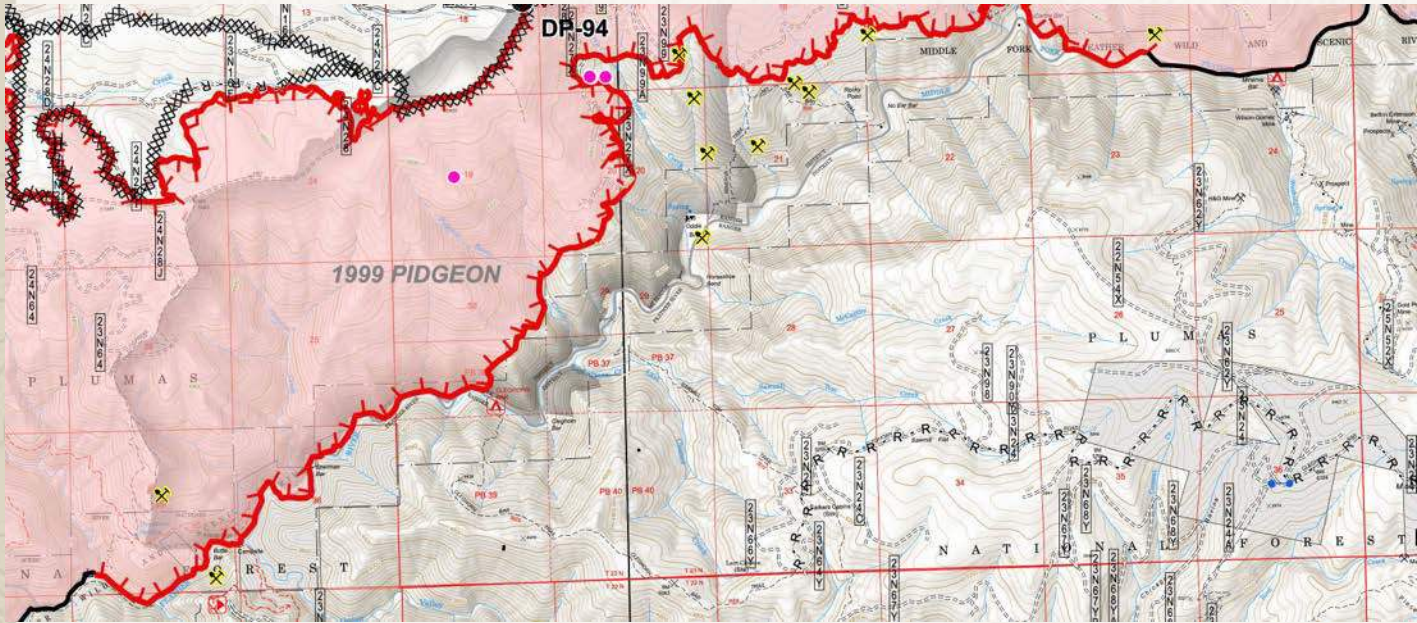


North Complex Fire Progression Map Series (09/08/2020)

T21N R5E Sec 25, 26 MDBM Berry Creek & Bush Creek 7.5' Quad Butte County 1:400,000

Prepared by EMS
August 30th, 2022

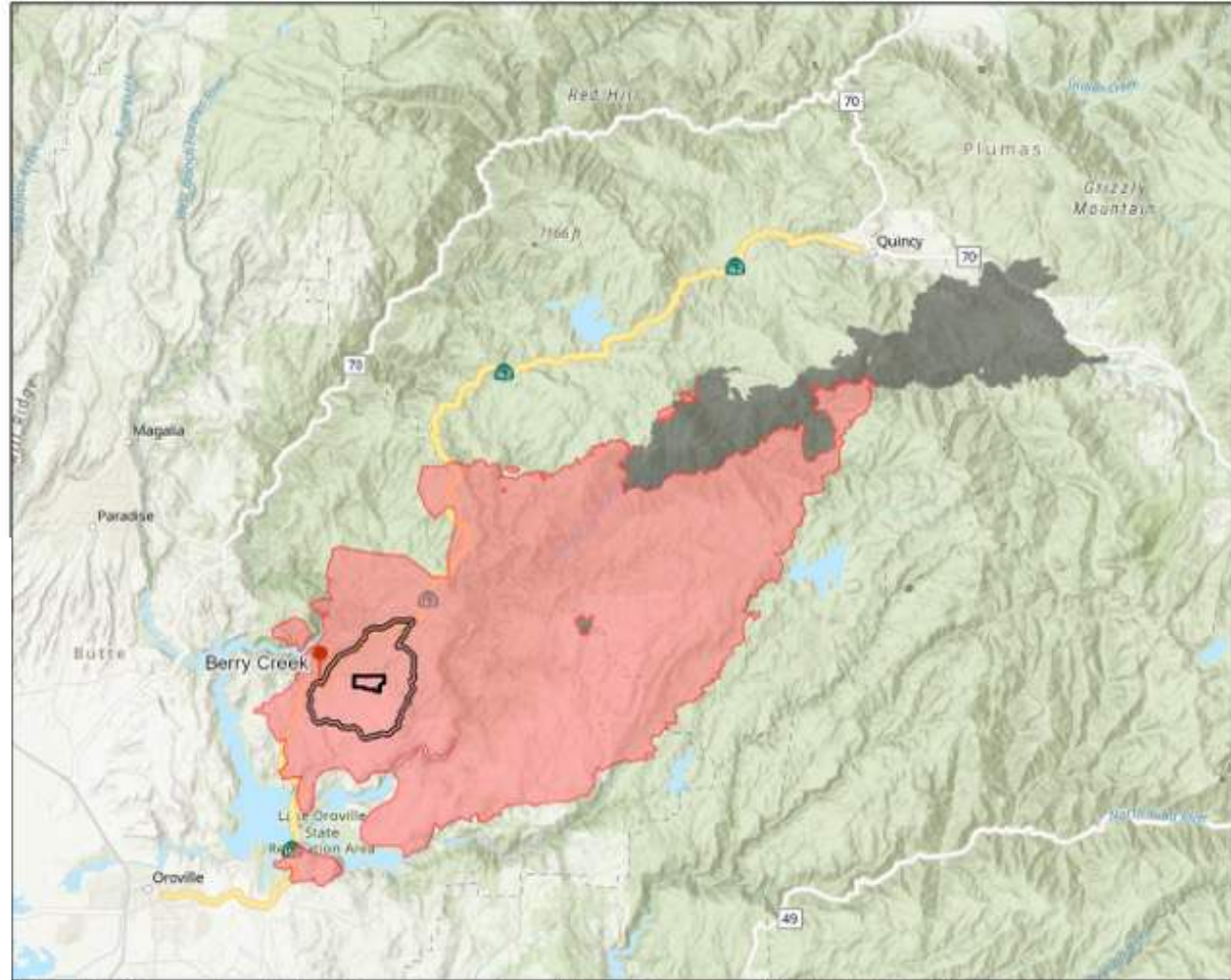




- 194,000 acres
- 16 Dead
- Herds dead
- Billions in Damages

**North Complex
Fire Progression**

- Burned Area
41,796 Acres
- 09 / 09 / 2020
181,596 Acres
- Camp Okizu
Boundary
- Berry Creek
Watershed
- Oroville-Quincy
Highway State
Route 162
- Berry Creek



North Complex Fire Progression Map Series (09/09/2020)

T21N R5E Sec 25, 26 MDBM Berry Creek & Bush Creek 7.5' Quad Butte County 1:400,000



Prepared by EMS
August 30th, 2022



No compensation to private landowners damaged by wildfire use / applied wildfire.

Hiding behind FTCA

—

Public and private
landowners are
unaware of the
policy until after the
fire



Proprietary decisions
are made to use a
wildfire with no
outside input and no
opportunity to
object or participate



California Says Federal 'Let it Burn' Policy is Reckless as Wildfires Rage Out of Control



Gavin Newsom



Dixie Fire

Firefighters lit 600,000 acres of the million-acre Dixie Fire on purpose

<https://the-lookout.org/2023/09/08/dixie-fire-firing-operations/>



BEFORE



AFTER



Using Congressionally appropriated WFM “emergency fire suppression” dollars to field thousands of firefighters to do intentional wildfires through the spring, summer, and fall....



The National strategy is unilateral

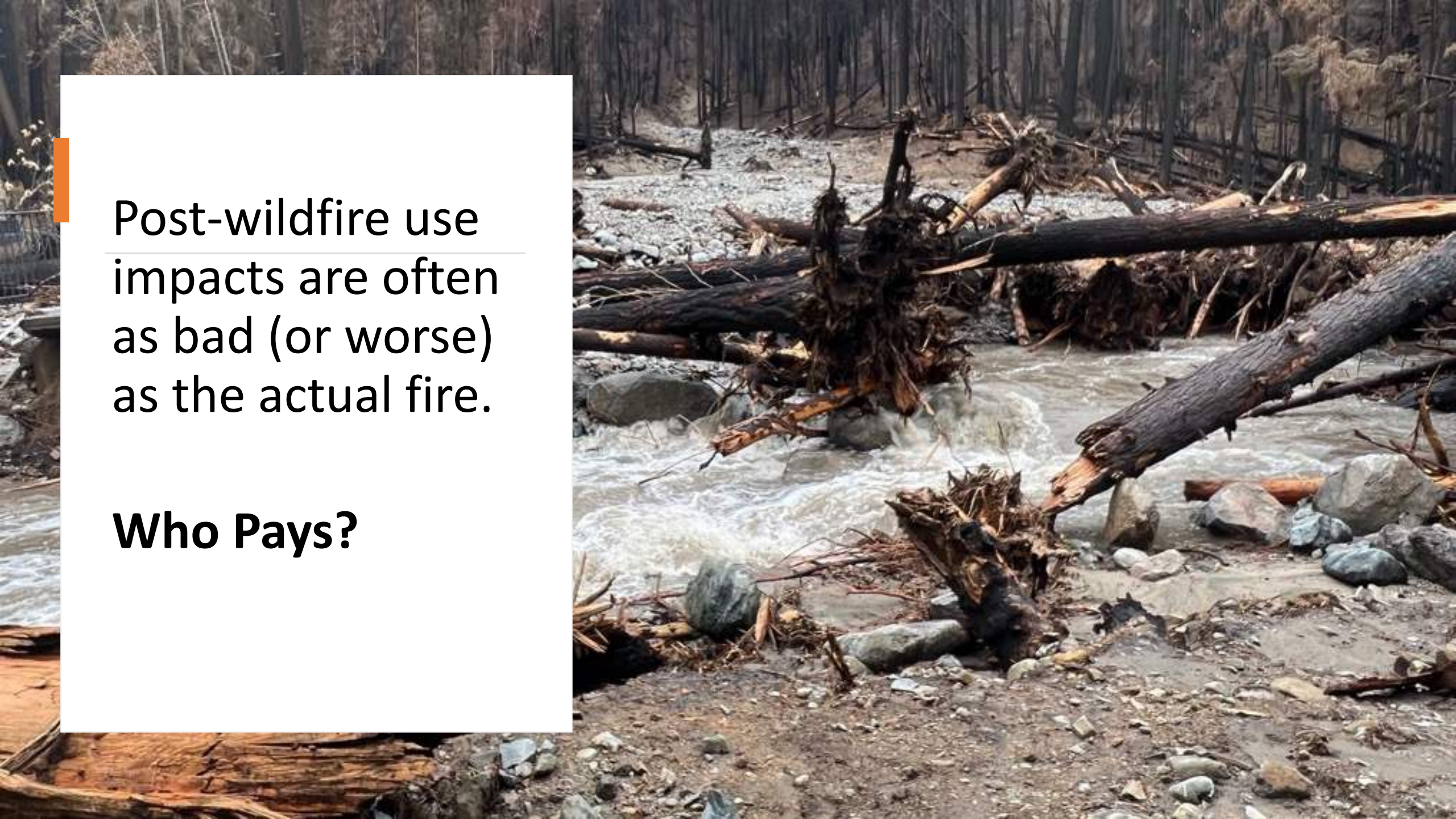
And costly in time, personnel, and equipment





Family of three killed in post fire flooding





Post-wildfire use impacts are often as bad (or worse) as the actual fire.

Who Pays?



\cong 54 bears were
killed in the Caldor
Fire in 2021





Ask for a detailed review of Forest Service fire policy, how that policy meets Forest Plan standards and guidelines, and ask to see the environmental documentation of analyses and public comments and objections to wildfire use. (Hint: There are none)

Zeke Lunder

“We should...not pretend ... the Forest Service is a functional agency because it's not. They can't meet our expectations of them getting anything done because they can't. They lost so much they're really not a functional agency. They can't do anything at scale, and they haven't been able to since they stopped cutting big trees They were really good at cutting big trees ..., but since then they no longer have a function. They've lost their esprit de corps and sense of purpose, and their reason for being has gone away So, they still have to manage the land with active management ...what does that leave us? Well, using fire is active forest management. So, they're using fire.”



PFMc

