

NEPAstats Vol. 2: Wildfires

A somber edition



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By now, everyone has heard about the wildfires sweeping through the Los Angeles area. The sheer scale of destruction is hard to make sense of. My cousin, aunt, and uncle in Pasadena spent days anxiously packed, ready to evacuate at any moment. Their friends lost their homes; the local elementary school is rubble.

It's tough to pinpoint a single cause for any given wildfire—and wildfires sometimes happen regardless of human activity or government policy. But there's no doubt that forest management and wildfire-prevention policies can reduce both the probability and severity of wildfires. In California and at the federal level, those policies have often fallen disastrously short.

With that, here's a wildfire-focused edition of NEPAstats. I've compiled data (all cited at the bottom) on how NEPA and similar review processes intersect with wildfire prevention, and I've pulled together a number of specific case studies.

Case Studies

Jimtown Project (Helena National Forest)

- Proposed thinning/underburning across 900 acres + underburning 220 more
- EIS and Decision Notice released in May 2001

- Project appealed despite support from 12 of 22 local landowners, county disaster services, and a tri-county fire group
- By July 2003: ~45% of the proposed project area had already burned in a wildfire (Kimbrell, 2005)

Six Rivers National Forest

- December 1995: A storm topples trees across 35,000 acres
 - Fuel loads reach 300–400 tons per acre—10x normal
- 1996–1999: Only 1,600 acres treated while “wrestling through analytical and procedural requirements”
- September 1999: The Mogram and Fawn Fires consume the remaining blowdown area **plus 90,000 additional acres**
- Seven years later: The project remains in limbo after a court injunction (USFS, 2002)

Berry Creek (California)

- Critical thinning projects were delayed by CEQA reviews
- The North Complex Fire hit in 2020 before completion, resulting in 16 fatalities (Regan, 2025)

Grizzly Flats (California)

- A forest-restoration project was held up for nearly a decade by NEPA and other environmental reviews
- In 2021, two-thirds of the community burned before the project was complete (Regan, 2025)

Timing and Delays

Average time before treatments under NEPA

- 3.6 years to start a mechanical treatment once the Forest Service initiates review
- 4.7 years to start a prescribed burn under the same conditions
- For projects requiring an EIS:
 - 5.3 years on average for mechanical treatments
 - 7.2 years for prescribed burns (Edwards & Sutherland, 2022)

Forest Service resource allocation

- The Forest Service manages 192 million acres—8.5% of U.S. land area—but spends ~40% of direct work hours (>\$250 million/year) on planning/assessment rather than active project work (USFS, 2002)
 - An estimated \$100 million annually could shift from “unnecessary planning” to on-the-ground treatments with improved procedures
- Annually, the Forest Service completes:
 - ~5,000 EAs,
 - ~120 project-level EISs
 - 15,000 CEs per year (USFS, 2002)

Litigation Patterns and Impact

- *Sierra Club v. Bosworth* (2007) invalidated the Forest Service’s attempt to create a streamlined process for fuel-reduction projects, meaning prescribed burns require a full EA/EIS
- For NEPA-Related Appellate Court Cases:
 - Fuel-treatment projects that face legal challenges see an additional 1+ year delay on average

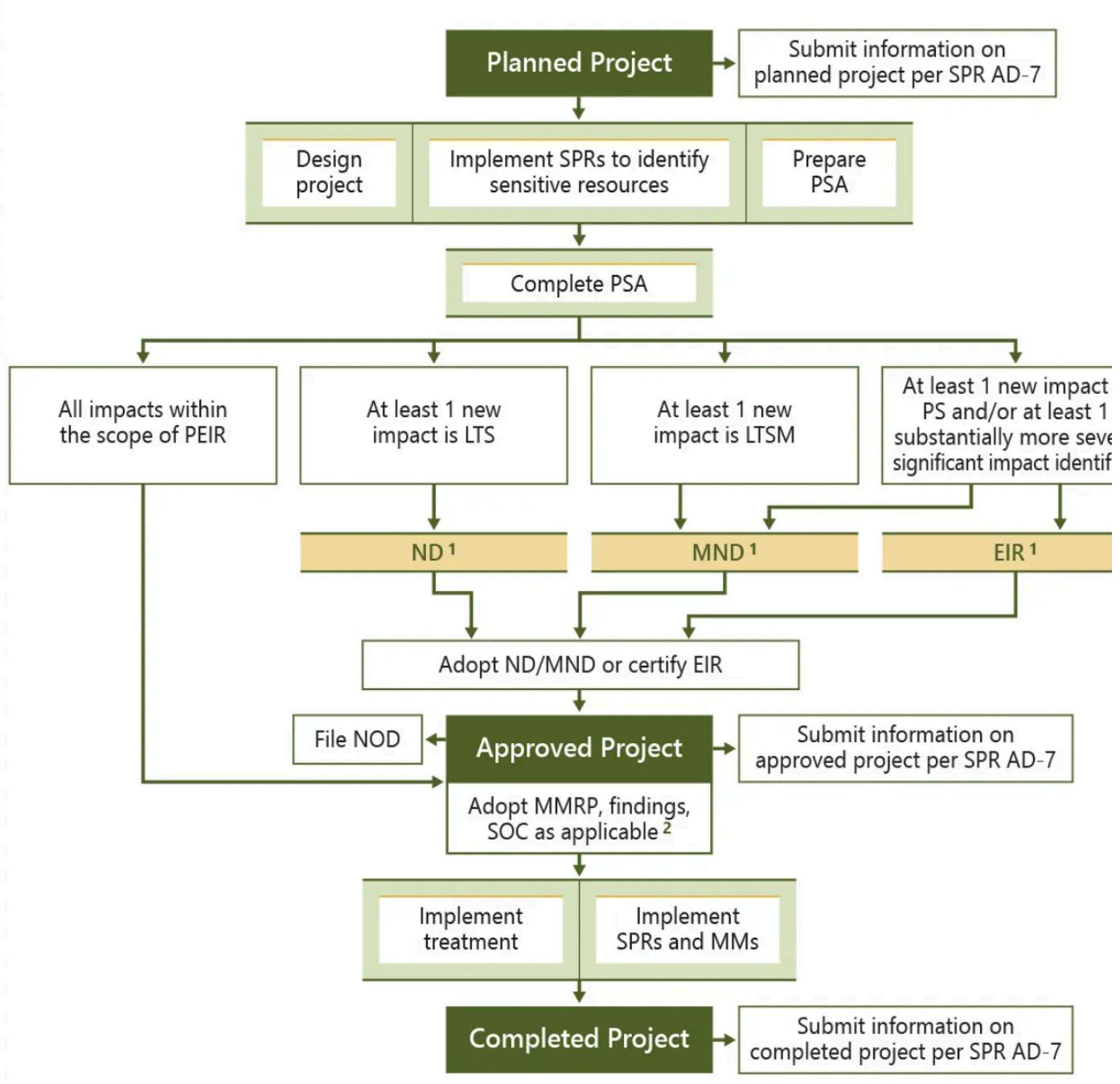
- Agencies prevail in 93% of NEPA fuel-reduction appeals, with 96% of these challenges brought by NGOs
- An average of 3 years elapses between permit issuance and final resolution of these cases (Chiappa et al., 2024)

The Human and Environmental Costs

- Forest density: Parts of the Sierra Nevada are now 6–7x denser than a century ago, fueling more intense megafires
- GHG impacts: California’s 2020 wildfire emissions wiped out nearly two decades of the state’s greenhouse gas reduction progress
- Species: Giant sequoias are dying in megafires; conifer forests are sometimes replaced by shrubland in the aftermath (Regan, 2025)

State-Level Barriers: CEQA and CalVTP

- In 2020, California pledged to treat 500,000 acres per year by 2025—but remains far off due to lengthy reviews, public comment periods, and litigation (Regan, 2025)
- California Vegetation Program aka CalVTP:
 - Projected 45,000 acres of treatments in the first year, but zero completed after 2+ years
 - 28,000 acres approved but not implemented
 - Project managers cite “unfamiliar and burdensome” documentation, multiple CalFire unit boundaries, and a pending lawsuit from the California Chaparral Institute and Endangered Habitats League (Friedman, 2022)



The CalVTP "fast-track" workflow

Recent Reform Efforts

- California SB1159 (2024)
 - Would have exempted roadside vegetation clearing within 30 feet from CE
 - Died in committee

- **Federal TORCH Act**
 - Would expand NEPA Categorical Exclusions for forest thinning and post-fire recovery, limit repeated ESA re-consultations for new species listings, and create larger “CLEAR Zones” for power line vegetation management (Regulation 2025)
 - Didn’t make it to the Senate floor
- **Fix Our Forests Act (2024)**
 - Would expand NEPA Categorical Exclusions for certain forest management projects
 - Passed the House, didn’t make it through the Senate

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