

Arson by Omission

Was the US Forest Service fiddling while Ventura County burned?

By David Burger

Smokey Bear teaches children that there are three parts to the Fire Triangle: heat, fuel and oxygen. When all three exist, there will be fire. But is Smokey overlooking another part of the picture, one that would square the equation— namely, the human factor?

One small constituency of fire experts and entrepreneurs, made up of voices from Canada, Russia, Washington, D.C. and other parts of the globe, contends that there is indeed a fourth ingredient in the fire equation—the United States Forest Service. They blame the severity of the recent California wildfires on an uncaring bureaucracy, citing a breach in the social contract between the government and the governed. But can it really be true that the United States Forest Service, housed in the Department of Agriculture, is guilty of arson by omission?

Tom Robinson, a fire administrator and instructor of fire prevention with the Virginia Offices of Fire Programs and Emergency Services, thinks so: “The USFS remains in a state of denial, mired in bureaucracy and corruption.”

As a result, Robinson claims, the Forest Service has been “unwilling and seemingly unable” to explore new and improved fire-fighting equipment available from foreign sources and the private sector. Methods, Robinson says, that could better “protect our citizens and communities from devastation, personal and financial loss, injury and even death caused by our ever-increasing wildland fires.”

In the wake of the recent wildfires that devastated Ventura County and significant portions of the Southern California landscape, Robinson and others have amplified their rhetoric. During this year’s fire season, at least 750,000 acres, 20 lives and more than 3,000 homes were lost. As in 1991 and 1993, the bravery of our firefighters was once again demonstrated. But what Robinson and others are saying is that there were resources readily available to the USFS that could have helped the firefighters do their jobs more effectively and saved lives and homes.

The primary resource they’re referring to is the Ilyushin-76 (IL-76), an air tanker that carries 11,000 gallons of water; more than three times the capacity of the Hercules C-130, the largest domestic water-drop craft used in the U.S. “The planes now drop water in dots and dashes,” Robinson says. “Even a foot of missed ground creates a funnel through which fire survives and thrives. The IL-76 drops a continuous stream of water.” The Russian government has five IL76s available for worldwide use at a moment’s notice.

As the wildfires were spreading throughout Southern California Robinson reported that the Forest Service either ignored or brushed off repeated offers to press the IL-76 into service in the name of humanitarian aid—offers made in good faith by Global

Emergency Response (GER), the Canadian company that has contracted with the Russian Federation to handle the private deployment of the water bomber around the globe. GER was shocked at the Forest Service's refusal. And so were some people in Washington, D.C.

U.S. Representatives Dana Rohrabacher (R-CA) and Curt Weldon (R-PA) held a press conference in Washington, D.C. on October 30. Rohrabacher called the conference, he said, when the Forest Service ignored his demand for a get-together and a prompt, stateside demonstration of the IL-76's capabilities. Visibly frustrated even in the press conference, Rohrabacher called the inattention a "bureaucratic logjam."

In fact, the Forest Service has witnessed a demonstration of the IL-76 already, although not stateside. In September, 1994, the IL-76 showed its tremendous fire-suppressing capability in Farnborough, England for two Forest Service representatives, including aviation specialist Joe Madar. As Madar watched the tanker pour out its cargo of water in two passes, he exclaimed, "My God, will that thing ever stop dropping water? Perfect, perfect," according to the BBC.

Proponents of the IL-76 were heartened by Madar's response, but were disappointed to find that the enthusiasm had dissolved by the time the Forest Service released a 50-page report on the demonstration. In the report, the Forest Service identified multiple safety and operational concerns that Madar had failed to raise initially. The report said that the Forest Service had seen "no indications that the representatives of the aircraft have addressed any of the agency's concerns.... If they were to complete these steps, they could compete with all of the airtankers and helitankers that now meet the contract specifications of safety, operational concerns and cost-effectiveness."

GER's President Tom Edmison and his partner attorney John Anderson both say that since 1994, they have been repeatedly sending the Forest Service rebuttals that prove that the IL-76 satisfies all of the requirements detailed in the official report—to no avail. (The contractors tried to contact Madar, who has since died.)

Edmison speculates that there may persist an unfair prejudice on the Americans' part that Russian waterbombers aren't up to American standards. "The IL-76 is robust," he says. "The Russians build everything like a tank, because they have fires in Siberia that are pretty rough."

If anything, the IL-76 is "overbuilt," says Anderson. "It's used as a supply craft in Russia, which as a country has 12 time zones. The plane can land in a bloody cow pasture."

The IL-76's specifications seem to correspond with its contractors' praise: It is the world's largest, longest-range and highest-volume air-tanker.

It comes outfitted with a twin-tank system capable of carrying up to 135,000 pounds of liquid and can be filled and ready for takeoff in 15 minutes.

The IL-76 can offload its twin tanks in a single salvo, yielding a heavy saturation drop pattern for use on particularly hot, powerful blazes.

It is equipped with heat-seeking devices and associated computer-driven fire data simulations providing assistance with aiming the drop for maximum effect on wildfires.

The liquid, either mixed with fire-retardants or not, descends vertically, just like rain, evenly penetrating the forest canopy and thereby optimizing the fire-retarding effect on the forest floor.

As the liquid is dropped, its four jet engines provide the necessary stability to maintain consistent flight.

Because of the sheer volume of water carried, it is more cost-efficient than other firefighting methods.

The IL-76 has a decade of experience in fighting nasty Siberian fires, and it also has been deployed throughout the world under a wide variety of conditions to aid in fire-fighting efforts. It flew to Greece in 1999, during the country's worst wildfires in over a century. Robinson went along to witness the IL-76 in action, and came away from the experience a believer.

"There were two 3,000-foot-wide fires that were going unabated because of windy conditions through the mountains, burning all their monuments and forests," says Robinson. "CNN was there and said it was unstoppable. But we filled up at the Greek Air Force base, then went to the first fire. We flew by on an observation run, came back around, lined up on the fire, judged the wind direction, opened the doors on the tanks—and whoosh—10 seconds later we looked back, and that 3,000 feet of fire was gone, absolutely gone."

The most common reason the IL-76's boosters cite for its failure to be embraced in the U.S. is bureaucratic hubris. "We have a leadership of wise guys and smart alecks," says C. William Kauffman, an aerospace engineering professor at the University of Michigan.

Unlike Edmison and Anderson, Kauffman, like Robinson, has no financial stake in the IL-76. An expert on Russian airplanes, Kauffman says that his unflinching advocacy for use of the IL-76 is based on two things: its superiority as a resource and the utter antagonism of the Forest Service. "Based on my technical background, I can say that the IL-76 is useful because it can adapt to the fire very quickly; it carries an enormous amount of water; you can fly it in bad conditions; you can land and take off on bad runways; and it carries so much water, you don't need additives. What amazes me is the very effective opposition to even considering the IL-76."

That may soon change, especially if the IL-76 can be turned into a campaign issue for next year's presidential election. On the same day Rohrbacher and Weldon held their Congressional press conference—even as the fires in California continued to burn—Democratic presidential candidate Dennis Kucinich wrote a letter to President George Bush pushing for use of the IL-76 in California: "Because of Administration inaction, a critical firefighting tool—the world's largest air tanker, capable of dropping water on an area of 12 football fields—is sitting idle. If only the Administration took the necessary bureaucratic steps, the effort to extinguish the fires in California could receive a potentially decisive advantage.... The Russian Federation has offered the planes with

trained crews on a humanitarian basis.... Once granted the necessary permission, the Waterbomber aircraft could be at work putting out fires in California within 24 hours.” The Bush administration did not respond.

The Forest Service’s failure to respond to the IL-76, while it certainly smacks of hubris, is also symptomatic of a deeper strain of bureaucratic intransigence.

When the fires were raging, Rep. Elton Gallegly (R-CA) expressed frustration over the fact that his district was being ravaged by fire while two fire-fighting aircraft assigned to nearby Point Mugu remained needlessly grounded. The reason for the grounding? An administrative technicality left over from 1934 legislation aimed at—of all things—depression-era job creation.

The Economy Act of 1934 was a New Deal regulation created to safeguard jobs during the Great Depression. Roughly translated, the act makes it illegal for federal firefighters to use outside resources—unless they have already pressed into service every bit of equipment that is available to them under current government contracts. That means that the Forest Service cannot use any non-contracted assistance until all government-contract planes are in use—and that includes even planes that are too far away, or too outdated or lack the necessary equipment to be of use. In other words, if even so much as one government-contracted helicopter remains undeployed, the Forest Service cannot enlist other assets.

In the instance that got Gallegly steamed, the up-to-date firefighting planes at Point Mugu remained grounded because seven contract planes—planes that were too small to be fielded against these large fires—were also on the ground. He and Rep. Joel Hefley (R-CO) have co-sponsored an amendment to the 2004 Defense Authorization Act that would temporarily suspend the provision of the Economy Act of 1934 that keeps superior fire-fighting tools out of service.

The Forest Service routinely cites the Economy Act of 1934 to explain its reluctance to use the IL-76 and other resources. “The USFS misquotes that law,” says Anderson. “It was a Depression regulation for jobs. It was never meant to be applied in today’s world, or to airplanes.”

The Forest Service also frequently cites the Wildfire Suppression Assistance Act of 1989. Robinson contends that they continually misquoted the act by saying that it prohibits the Forest Service from using any foreign assets unless all U.S. assets are totally exhausted. Robinson read the act and said that the act authorizes the Secretaries of Agriculture and Interior “to call out foreign assets at any time when such action would be in the best interest of the United States.” He argues that the recent California wildfires clearly presented such a situation.

Matt Mathis, regional press officer for the Southern California region for the Forest Service has this to say in response to mention of the IL-76: “They [GER] come at us with this every year. It’s a fine product in Canada, but it’s not useful here; it works well in Canada, with many large lakes. We do not have the lakes here to use the [IL-76]. If we dumped saltwater, we would destroy public lands. The Romans used to destroy their enemies by dumping saltwater so they couldn’t grow crops.”

Robinson has heard that reasoning before, and also reports that “the USFS has had the audacity to say at one point that they don’t want to waste water.”

In addition, Mathis points out two further drawbacks to the IL-76: “It is very expensive compared to what we have here; if a fire commander had a choice between three helicopters and [the IL-76], they’d pick the former. Also, helicopters are more accurate. Helos can drop the water straight down and hover right over the fire.”

Anderson counters that the expense of the IL-76 is small, especially when comparing the load capacities of three helicopters to that of the Russian behemoth. Earlier this year, the Australian government discussed plans to use the IL-76 in combating the annual summer brushfires that plague Victoria. The Victorian government put the annual cost of fighting the fires at \$2 million a day; GER has offered to lease the Australian government one of the aircraft for about \$1.6 million for three months.

Heidi Valetkevitch of the Forest Service’s national press office acknowledges that “there were some good points” to the IL-76, but that ultimately, “it wasn’t something we could use.”

Anderson says that the Forest Service has a “Rolodex” full of excuses. “They say that they want to cut down substantially on the number of planes flying around, or that they want to make the skies safer,” he says. “Where are these people getting this information?”

Before press time, Valetkevitch wasn’t able to find an official who would speak on the issue. Instead, she issued a one-page summary of the 50-page report that the USFS wrote after the 1994 England demonstrations.

The summary listed these specific concerns: lack of certification by the Federal Aviation Administration (FAA); the perceived limited ability of the IL-76 to perform downhill drops, the recommended standard operating procedure of the USFS; that the IL-76, because of its size, could only be used at approximately 10 percent of the existing USFS and Bureau of Land Management airtanker bases; and that the IL-76 can be outperformed by helicopters when it comes to the amount of foam retardant delivered to the fire line.

Robinson has written and submitted a rebuttal, but has not heard back.

On the lack of certification, he wrote: “No commercial certification application has been made,” because the IL-76 is to be used only for humanitarian service and not for commercial use. “New models are equipped with quieter engines that would allow the aircraft to be certificated under FAA guidelines” and the current FAA regulations allow the use of the IL-76 in the type of missions it would perform.

On the ability of the IL-76 to perform downhill drops: “Waterbomber flight management will allow the aircraft to be effective in most critical firefighting situations, even in the absence of downhill drop capability. Indeed, it is arguable that downhill drops present unacceptable levels of stress on a firefighting aircraft’s airframe and on crew members.”

On safety: “In a most regrettable example of USFS bad faith, the USFS labels the IL-76 ‘unsafe.’ By one measure, the IL-76 has a far better air-safety record than does the venerable U.S. C-130 Hercules.... Accidents have [never] been attributed to... inherent design flaws.”

On the lack of bases: “More than sufficient alternative municipal and federal bases exist to comfortably accommodate the IL-76.” (Robinson added that Southern California, in particular, has more than enough space to accommodate the IL-76 with its many military and commercial airports; and that even without them, the IL-76 can land and take off from “grass strips,” according to Jane’s Information Group, one the world’s foremost authorities on military aviation.)

On dispersant use: “In yet another example of USFS misinformation, USFS broadcasts that the IL-76 is capable of only water suppression. The IL-76 can, and does, use any available firefighting agent, whether it is foam, retardant or just plain water.”

“We have dispelled all of their doubts,” Robinson says. “They have no more reasons not to try the IL-76.”

Why, aside from the tendency to cling to silly, outdated legislation, is there such a profound reluctance on the part of the government to use the IL-76?

Anderson suggests one answer. In June 2002, the on-line magazine Slate published an article by Douglas Gantenbein entitled “Smokey the Businessman.” Gantenbein wrote, “In the past 10 years, wild-land firefighting has transformed from a federal government responsibility to a massive, extremely lucrative, private enterprise....

The real bucks are in private contracting.”

Gantenbein made the argument, which Anderson echoes, that there is a sort of “good ol’ boys” network through which the government protects the status quo. This status quo includes private aircraft, private companies that outfit fire camps for fire crews, even private vendors who supply thousands of gallons of bottled water.

Conspiracy theories aside, most advocates say that the strangest thing about the IL-76 situation is what they call blatant stonewalling. “What bothers me the most is that they won’t even try it,” says Edmison. “To be frightened to try, to put so many obstacles in our path—it’s unacceptable. It’s a broken institution, and it has lost its way and it has lost everything that is good.”

The holidays and cold temperatures are here. The Santa Ana winds have blown their way through and are making their way to another hemisphere’s summer. Another fire season has passed. A new year is days away in Ventura County. But without action, and answers, more lives and homes will be lost next year.

Edmison likens the current firefighting situation to golf clubs. “They’re only using 5-irons right now,” he said. “We have the driver.”