

Partnership with the USDA Forest Service:

**Improving Opportunities and
Enhancing Existing Relationships**

A Summary of Issues and Recommendations from Forest Service Partners

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1.0 INTRODUCTION

Partnerships are an increasingly essential component in how the USDA Forest Service develops connections to communities of interest and delivers programs and services to the American public. With a 191 million acre system of national forests, a vast research program, and technical and financial assistance to state, private, and international forest managers, the Forest Service must rely on a broad network of partnerships to accomplish its objectives under a limited budget. Through a complex mix of authorities, many of which date back to the early years of the agency, the Forest Service has built relationships with communities, non-profit organizations, private industry, academia, and other government agencies to increase its capacity as a service institution, while at the same time provide benefits to others.

Currently, a strong emphasis within the agency on collaborative stewardship of natural resources has led to a renewed interest in developing partnerships as a tool to improve public involvement and expand the agency's capacity to accomplish natural resource conservation activities. As the Forest Service finds its land management role adapting to reflect changes in public expectations and land use trends, it is also discovering that partnerships are needed more than ever to get work accomplished. Recognizing that it has many allies in government, non-profit, and private sectors with whom it can collaborate, the agency now faces the challenge of learning to work with these partners in a productive and sustainable way. The results promise to enhance the work of both partners and enable the Forest Service to accomplish its goals in ecosystem management.

Unfortunately, despite mutual commitment to partnerships, the resulting relationships and agreements have not always been successful. Frequently, partners working with the Forest Service find themselves immersed in a bureaucratic quagmire, often resulting in the abandonment of partnerships after costly and time-consuming planning has already begun. In other instances, potentially valuable partnerships never begin because the agency has not been granted the legislative authority or has interpreted its existing authority as not allowing a particular type of relationship. While the Forest Service has significant authority to form partnerships, many of these authorities are fragmented, inconsistent, or outdated in reference to current agency objectives and public demands.

1.1 Request from Congress for Review of Partnership Authorities

On May 24, 2001, the Forest Service received a request from Congressmen Scott McInnis (R- Colorado) and Tom Udall (D- New Mexico) to review current barriers and solutions to partnerships between the agency and outside organizations, individuals, and interests. The objective of their request was to develop omnibus partnership legislation that would clarify, add, consolidate, or improve agency partnership authorities, thereby increasing the efficiency and effectiveness of the agency. Responding to this request, the Chief of the Forest Service, Dale Bosworth, established the Partnership Authorities Workgroup to engage internal and external partners in reviewing the current situation, analyze existing partnership policies and authorities, and develop recommendations for improving partnership ability. The workgroup's strategy included an extensive review of internal documents and reports related to the agency's partnership experiences, in addition to on-going telephone interviews between Workgroup members and individuals inside and outside of the agency. This information was supplemented by information gathered in the field through visits with Forest Service partners in Region 1 (Montana and Idaho), during which successes and barriers to partnering were discussed.

1.2 Outreach Process

To supplement the workgroup's review process, the Forest Service also asked the Pinchot Institute for Conservation, a non-profit forest policy research organization, to conduct a one-day workshop for the purpose of reaching out to partners from the private, non-profit, and government sectors. The workshop, held August 2, 2001 in Washington, DC, focused on sharing examples of specific problems and successes encountered while partnering with the Forest Service and suggesting recommendations for improving the agency's partnership abilities (Appendices A and B). The discussion was organized within a thematic framework suggested by the Forest Service Workgroup, which outlined several institutional layers at which partnerships can succeed or fail. These institutional layers, described in more detail below, included:

1. Legal Authorities
2. Interpretation of Authorities
3. Administrative Policies
4. Funding Issues
5. Organizational Culture

Because of the short notice for the Washington DC meeting, it was impossible to have the nationwide participation ideally intended. To ensure incorporation of comments and suggestions of the larger audience, the Pinchot Institute invited written responses to a set of questions that was distributed electronically through networks of professional foresters, academics, community practitioners, and business associations (Appendices C and D).

1.3 Report Organization

The evaluation of partnerships can be easily obscured by the complex and often contradicting array of institutional factors mentioned above. While the Forest Service's congressional request specifically asked for recommendations for changing legislative authority to expand partnership abilities, any thoughtful discussion of partnership capacity must also consider the roles that the agency's interpretation of authority, internal policy, resources, and culture, play in determining the effectiveness of this type of agreement. After fully understanding the problems that partners face in working with the Forest Service, the challenge is then to determine where change is appropriate to bring about desired results.

The material presented in this report combines highlights of the discussion from the August 2, 2001 workshop, comments received in response to the electronic feedback request, and supplemental information from proceedings and briefings that have emerged from several years of discussion over the Forest Service's role as a collaborative natural resource management institution. The issues and opinions discussed in this report have been raised by a diverse group of Forest Service partners and do not necessarily represent the views of the Pinchot Institute. The role of the Pinchot Institute in the process has been to solicit feedback from appropriate parties, organize issues into cohesive categories, provide additional background where needed, and identify specific needs and opportunities for policy changes that will effectively address these issues.

The report retains the framework of institutional layers, describing problems as well as recommendations related to each component of the partnership process. It recognizes that some complicated issues such as those

related to FACA,¹ result from both internally and externally generated limitations of the agency, and thus it addresses these problems from each appropriate angle.

The final section of the report looks more generally at the types of responses that were generated by this request and outlines a larger debate that surfaced during the workshop of where efforts should be invested to improve agency partnerships. The report also conveys some of the reactions from partners to the information gathering process itself.

2.0 LEGAL AUTHORITIES

The Forest Service Manual, (FSM 1500-96-6) describes the agency's authority to establish formal and informal working relations with outside partners at the international, national, and local levels. This guidance is based on authorization by Congress to work cooperatively with federal, state, local, and tribal governments, and with non-governmental organizations. These working relationships are exercised through a series of agreements, each with specific requirements that have been authorized by law (Appendix E). While the Forest Service has the authority to use a variety of tools to build partnerships, (e.g. challenge cost-share agreements, cooperative agreements, participating agreements, and memoranda of understanding) some of the laws granting these authorities date back to beginnings of the agency, when agency objectives, organizational capacity, and societal demands for resource management were different.

A chief concern of the Forest Service's Partnership Authorities Workgroup is that, while the Forest Service's role as a provider of services to the American public is changing, the agency's legal authorities to form the types of relationships needed are not. During the workshop, agency staff cited a recent history of stretching existing authorities to accommodate valuable partnerships that were never envisioned at their initial drafting, and encouraged participants both in the workshop and the broader feedback process to think about statutory impediments to partnering with the Forest Service and suggestions for legislatively resolving them.

Issues put forth by agency partners concerning the Forest Service's legal authority to form partnerships focus around challenges in both building and sustaining partnership relationships. Some comments are general suggestions, unrelated to specific legal statutes, while others target Federal laws that commonly pose significant barriers. Notably, some of the problems associated with partnerships pertain to laws that are not specific to the Forest Service's partnership authority, such as FACA, and NEPA², but are instead government-wide regulations that happen to act as barriers to successful relationships and project implementation.

2.1 *Issues*

The prospect of writing new omnibus legislation to consolidate and expand the Forest Service's partnership authorities has been met with a mixed response from the agency's partners. Some partners who have been frustrated by working with the agency in the past are not convinced that new legislation would solve their particular problems. Caution was raised by some participants, who fear that a legislative solution would ultimately result in more work for the agency and its partners, and produce unforeseen consequences that the general public might not want. As has

¹ Federal Advisory Committee Act of 1972. 10-6-72, P. L. 92-463, 86 Stat. 770.

² National Environmental Policy Act. 1-01-70, P.L. 91-190, 83 Stat. 852.

been seen with the National Forest Management Act³, Federal mandates to collaborate merely create an opportunity to collaborate and are no guarantee that the conditions necessary for collaboration will be created.

While legislation itself might not directly lead to more successful partnerships, many existing laws may be indirectly responsible for partnership difficulties. Protracted timeframes, resulting from over-burdensome laws and regulations, are known to make planning and budgeting for partnerships difficult and time consuming. In particular, the mandates of NEPA, FACA, and the Endangered Species Act⁴ (ESA) are thought by some partners to impede the agency's ability to partner with the private sector and local government because of complex bureaucratic processes that require large investments of time and money to complete. It is not evident, however, to what degree these laws are merely *perceived* barriers, a situation which can be addressed through clearer interpretation and direction.

FACA

Of existing legal barriers to partnerships, some laws indirectly restrict the way in which the agency can relate to outside parties. By imposing strict requirements for participants, the Federal Advisory Committee Act (FACA) regulates the way in which federal agencies solicit advisory information from the public. Originally intended to limit the unbalanced influence of special interest groups in government decision-making processes, FACA has surfaced as a barrier to many of the Forest Service's attempts to collaborate outside of the agency. Under FACA, external groups or advisory committees formed under the direction of a federal agency must be formally chartered and open to the public. The process of establishing and chartering formal advisory committees is challenging and time-consuming, and yet, in many cases, it is required of partners in order for them to work with the Forest Service. The absence of a FACA-charter is also seen by Forest Service personnel as a barrier preventing them from collaborating with an outside organization.

While many of the limitations that FACA presents to the agency are admittedly the self-imposed result of a narrow interpretation of the law, confusion is exacerbated by vague language in the Act itself and inconsistent rulings on FACA-induced lawsuits. Adding to this confusion is the reported use of FACA-lawsuits by interest groups to stop government action to which they are opposed for other reasons. Whatever the cause, "FACA fear," as it is sometimes called, remains a legislative barrier to partnering because it places important relationship-building communication under a veil of legal suspicion.

National Environmental Policy Act/Endangered Species Act

The requirements of federal environmental protection and endangered species laws put forth by the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA) can also hinder some partner relationships. The time-intensive processes required of projects under these laws has, in some cases, turned private sector partners away from working with the Forest Service. The implementation regulations for NEPA add burdensome requirements and paperwork to the implementation of projects on federal lands. Some believe that the complexity of these regulations is responsible for projects that were once one to two-month undertakings now requiring more than a year to get approval.

³ National Forest Management Act of 1976. 10-22-76, P.L. 94-588 90 Stat. 2949.

⁴ Endangered Species Act of 1973. 12-28-73, P.L. 93-205, 87 Stat. 844.

Another way in which federal environmental regulations complicate partnerships is the manner in which they require the involvement of other federal agencies. For example, Section 7 of the ESA requires consultation between federal agencies, most commonly involving the U.S. Fish and Wildlife Service. In some cases, this has, in effect, resulted in U.S. Fish and Wildlife Service scientists challenging the work of Forest Service scientists. In addition, the U.S. Fish and Wildlife Service's backlog of projects, due to personnel and budget constraints, can further delay the approval of Forest Service projects that have already been in development for some time. This can be frustrating for the Forest Service and its partners, who must plan projects well in advance of approval and face the possibility that the approved projects may differ significantly from what was planned.

NEPA and ESA requirements may also discourage adjacent private landowners from partnering with the Forest Service on cross boundary projects because they do not wish to expose their own land management to the same environmental regulatory processes required of work on federal lands. This issue is seen as one of the potential barriers to implementing the \$1.8 billion National Fire Plan, which requires landscape level efforts in fire suppression and rehabilitation encompassing both public and private lands.

It is important to note that although some Forest Service partners are frustrated by the burdensome implementation of NEPA and ESA, the majority of partners recognize and support the purpose and intent of the laws. Many of their frustration with these regulations are related to the processes that have been developed for their implementation and the inability for well-intended, environmentally sound projects to advance in a timely manner.

Other Barriers

Several other legal barriers to partnerships have been raised both in the recent discussion and in past forums with agency partners. Some of these barriers relate to restrictions and the lack of authority to fund certain types of partnerships with the Forest Service. The Southern Group of State Foresters has faced problems in developing a forest risk assessment project in partnership with the Forest Service because of current authorities language. According to the National Association of State Foresters, the Forest Service could not directly fund the regional association of state foresters and was instead required to grant the work through a single state. Likewise, one forestry extension agent complained that the requirement of passing all cooperative extension education funds through state foresters doubles bureaucratic obstacles and delays funds from actually getting to the ground.

The National Fish and Wildlife Foundation, which funds habitat improvement projects on public and private lands, has also run into authority-related obstacles in using resources from partnerships with the Forest Service to fund some of its projects. Multiple restrictions on how Forest Service dollars can be used pose significant barriers to partnering and require the Foundation to seek outside funding (sometimes from other federal agencies) to accomplish work on national forests. For example, because Office of General Counsel (OGC) rules prevent the Forest Service from directly receiving federally-originated funds from the National Fish and Wildlife Foundation, non-agency contractors must be hired to carry out many of the Foundation's projects on national forests – even though Forest Service employees would be a better choice to perform the work. In land conservation partnerships, Forest Service funds can be used by partners to purchase conservation easements but not to acquire conservation land. This forces land conservation organizations that conserve private in-holdings on National Forests with conservation easements to play the difficult role of separately managing an island within a National Forest and having to find outside funding to do so.

In addition, several other laws have been identified as barriers to partnering with the Forest Service. The National Forest Management Act is laden with formal procedures that are not conducive to collaborative planning processes. If the NFMA planning process better incorporated local partners, such as watershed councils, early on, the Forest Service could prioritize its management and restoration work within the context of an entire watershed. The Freedom of Information Act⁵ (FOIA) can also hinder partnerships because it discourages private partners from sharing sensitive information with the agency for fear that it will be made public through a FOIA request.

2.2 Recommendations

It has been recommended that the Forest Service carefully consider the consequences of making legislative changes to existing partnership authorities, taking into account the input from a diverse group of public and agency partners. A focused approach to revising and expanding partnership authorities should be preceded by an examination of the laws, regulations, and rules governing all aspects of partnerships for the agency. Much concern was raised about the ultimate effectiveness of a global “fix” to partnerships, as would be sought through new omnibus legislation. It has also been suggested that the Forest Service would have a greater likelihood of success if it starts smaller and focuses on working through barriers to specific partnerships that need attention. From past experience with the agency, some partners fear that sweeping changes in legislation will merely result in more work for the agency and greater inefficiency.

FACA

Several partners suggest changing the FACA process so that it is more open and accommodating to working partnerships. One suggestion is to legally clarify what types of collaborative relationships are subject to or exempt from the requirements of FACA. Sharing examples of collaborative groups that are exempt from FACA would also help existing and potential partners better understand how to structure their own partnerships with the agency to avoid roadblocks late in the process.

NEPA/ESA

With respect to reducing partnership barriers posed by NEPA and the ESA, some partners are supportive of current legislative efforts that examine the effectiveness and associated obstacles of the NEPA process. Another suggestion is to further consider using categorical exclusions for small research projects in order to cut through some of the bureaucracy and allow researchers leeway to conduct time-sensitive experiments. In both cases, a thorough review of the Federal regulations for implementing these laws is needed before consideration of amending the laws themselves.

Other Recommendations

A number of other recommendations for legal changes that might foster more productive partnerships provide avenues for further investigation. It was suggested that the Forest Service be granted permanent authority to provide technical assistance to rural communities and to extend granting authorities of State and Private Forestry beyond State Foresters, allowing for direct grants to non-profit partners. Without a corresponding increase in funding, however, this would severely disrupt State and Private Forestry’s current partnership with the State Foresters. The expanded authorities for partnering provided under the National Fire Plan were also thought to be a good start and it has been recommended that they be applied throughout the entire agency.

⁵ Freedom of Information Act. 11-21-74, P.L. 93-502, 88 Stat. 1561.

Specific recommendations to provide further resources for partnerships include enabling multi-year budgeting and funding for partnership agreements, exploring the applications of the Wyden Amendment⁶, which authorizes the Forest Service to spend appropriated dollars outside of National Forest System boundaries, and lifting the Forest Service's restrictions on paying indirect costs or tuition remission under cooperative agreements⁷.

Finally, examples from other federal agencies offer some useful models of how the Forest Service might go about improving partnership abilities. The first is to adopt the model of the Wildlife Refuge System and encourage the drafting of "centennial language," to take advantage of the agency's upcoming anniversary and focus attention and energy on partnerships. Another suggestion is to follow the U.S. Fish and Wildlife Service's example and draft legislative language that encourages and enables the establishment of "friends" organizations, which can be extremely beneficial partners for the agency.

3.0 INTERPRETATION OF AUTHORITIES

While the inadequacy of the Forest Service's existing partnership authorities is generally recognized, problems with partnerships can sometimes be attributed to the way in which the Forest Service interprets these authorities. Problematic interpretations of authorities can be a result of conflicting or confusingly worded legislation, misinformation on the part of agency decision-makers, overly restrictive advice from internal counsel, or inconsistent agency policy. Issues regarding the interpretation of authority are often very difficult to resolve because they reside at the interface between legislative and internal agency authority. Discussion and feedback raised a number of issues and recommendations regarding the agency's interpretation of authority, including its implementation of FACA and the use of contracting authorities.

3.1 Issues

Partnering with the Forest Service can be challenging, even when the relevant authorities exist to form partnerships. Some partners see the Forest Service as being unable to give up enough control to allow balanced partnerships to develop. While this stems in part from the culture of the agency, it is also a result of confusion on the part of agency staff over their role and responsibility as federal land managers. Prospective partners report having received mixed messages from different levels within the agency. The "Authorities Run-Around," is the name dubbed by one participant to the situation in which agency staff in the field claim that they do not have authority to do something, while the Washington Office simultaneously claims that they do. While this type of situation suggests that employees throughout the agency have different understandings of the authorities, it might instead indicate that employees have different perceptions of the willingness of their leaders to support them in their decisions. Such inconsistency leaves potential partners with the feeling that local officials are simply using authorities as an excuse to avoid working with outside organizations. This has been the case with the implementation of the National Fire Plan, in which communities, non-profits, and the private sector have encountered great reluctance on the part of some line officers to partner with organizations outside of the agency, despite having a special mandate to do so.

⁶ Omnibus Consolidated and Emergency supplemental Appropriations Act, 1999 Sec. 323. 10-21-98, P. L. 105-277, 112 Stat. 2681.

⁷ The National Agricultural Research, Extension, and Teaching Policy Act of 1977(P.L. 95-113), as amended, by The Food Security Act of 1985 (Title 7 U.S.C, 3319, P.L. 99-198).

Additionally, inconsistencies in the interpretation of agency authorities occur between regions, providing partners and agency employees with the impression that certain partnerships are only possible in some places. One example of this is the agency's lack of uniform approach to the enforcement of the trust and treaty rights of Native Americans. Defenders of these rights have encountered widely variable levels of enthusiasm and action from different places within the Forest Service.

FACA

As mentioned in Section 2.1, FACA has been identified as a persistent barrier to building partnerships. Some partners, however, agree with the 1997 report, "Findings and Recommendations from the National Collaborative Stewardship Team (Estill Report)", that FACA is primarily a perceived barrier to collaboration. The ambiguity and varied application of the law have resulted in confusion among federal employees and partners in determining what is appropriate consultation. At times, the agency's interpretation of FACA is so strict as to lead partners to believe that it is being used by federal employees to thwart collaborative activities that they wish to avoid for other reasons. Many partners believe that the misinterpretation of FACA impedes valuable input from key partners and prevents the agency from engaging universities, landowners, environmental organizations, and private industry early on and throughout the process of planning programs.

Contract Authorities

The Forest Service's erratic interpretation of their own contracting authorities leads to further difficulties in establishing partnerships with outside organizations. The agency's persistent struggle to build its internal capacity necessitates a consistent, unified interpretation of its contracting authorities. Partners working under complex institutional relationships with the Forest Service quickly learn that not all agency employees share a common understanding of what a working relationship entails. Internal debates over the freedoms and limitation of partnership authorities can delay projects and bring work to a standstill.

The experience of American Forests, a non-profit forest conservation organization, serves as an example of how confusion over applicable authorities has had direct impact on the implementation of a project. In its Fire ReLeaf project, which utilizes corporate, federal and private partners to rehabilitate fire-impacted lands on and off national forests, American Forests and the agency have signed a Memorandum of Understanding (MOU) outlining specific project objectives, goals, and anticipated partnership roles. For several months, the project has floundered as the agency and other government entities (e.g., the Office of General Counsel) debate over the correct authorities to reference in the MOU. Currently, three specific authorities are cited. Ultimately, the project may lose over one hundred thousand dollars of private matching funds if the agency does not soon decide on which authority to use to release its portion of the funding.

The Forest Service's difficulties in interpreting its authorities are also a challenge for partnering in cross-boundary efforts such as large-scale watershed restoration projects and work under the National Fire Plan. In some of these projects, field-level agency staff reportedly do not know the correct planning or implementation mechanisms to use in working with other landowners. The result tends to be inaction on the part of the agency and frustration for its implementing partners.

3.2 Recommendations

The Forest Service's partners would like the agency to take a more innovative, yet consistent approach to using its existing partnership authorities. Weary of being told different excuses by different employees in the agency, they would like to see partnerships become an institutional priority for the agency and greater effort made to improve the capacity of agency personnel to work with partnerships. As part of this capacity building, the Forest Service should work on better defining the purpose of its partnerships and developing a view of partnerships that emphasizes benefits for both parties.

FACA

FACA may require further legal interpretation before it can effectively serve its intended purpose. A new rule, published in the Federal Register on July 19, 2001 (volume 66, number 139) provides administrative and interpretive guidelines as well as management controls, intended to assist with the understanding of the requirements of FACA. The clearer language and specific examples provided in this final rule may help clarify existing issues and concerns, but there will also need to be a concerted effort in the agency to train employees of its proper application and dispel the myth that the Forest Service should limit its communication with external partners.

Contract Authorities

The Forest Service's interpretation of contract authorities could be made more uniform if a greater investment was made in clarifying them. Handbooks and toolkits⁸ have already been developed to help personnel better understand how to use existing authorities, but more can be done. Currently, too much of the expertise in interpreting authorities to promote partnerships is concentrated within a small number of key agency offices. The Forest Service must encourage its line officers and contracting officers to think of its authorities not in terms of what they prevent the agency from doing, but how they can be used to enable effective partnerships. Finally, greater exchange of experiences and examples across forests and regions will help the agency become more consistent in its interpretation of authorities. Greater analysis of the successes of specific partnerships, such as the Blue Mountain Demonstration Project on the Malheur, Umatilla, and Wallowa-Whitman National Forests, will also help officers begin to think of authorities as tools that are enabling rather than limiting.

4.0 ADMINISTRATIVE POLICIES

The internal administrative policy of the Forest Service represents another component of the agency's capacity to create and sustain partnerships. Within the agency, budgets, staffing, and decision-making processes are all significant in fostering partnerships. In many cases, however, these policies do not meet the agency's current need for or emphasis on developing new and diverse partnerships. Through their experiences working with the Forest Service, partners have developed important insight into how agency policy can influence, and often improve working relationships. Their recommendations reflect changes that can be made within the agency, largely without the need for new legislative authorities.

⁸ For examples, see: *Toolkit: Promoting Health and Sustainability; A Stewardship Approach to Ecosystem Management*. USDA Forest Service, Pacific Northwest Region, July, 2001. *Land Stewardship Contracting in the National Forests: A Community Guide to Existing Authorities*. Paul Ringgold, Pinchot Institute for Conservation, June, 1998.

4.1 Issues

In developing partnerships, the Forest Service can do a much better job of being receptive to the communities of interest and constituents that it serves. Some critics believe that the partnerships are driven too much by current policy and trends within the agency with little consideration of public needs. This purported policy vacuum isolates public land managers from participating in the cultivation of a shared natural heritage. Under current policy, the agency seems to be doing an incomplete job of determining who it should be partnering with in order to accomplish its stewardship goals. An egregious example of the agency's lack of receptivity to certain partners is the absence of a formal consultation and coordination policy for working with tribal governments. Formal coordination with other agencies is also necessary. Frequently, the agency's private sector partners find themselves dealing with conflicting processes and poor interagency communication when their projects involve multiple agencies.

Budgetary

The Forest Service clearly faces a greater challenge than simply rewriting its internal policy. The government has witnessed enormous cutbacks in its budget and the result is that fewer resources are available to invest in the costly processes of building relationships and reaching out to the public. Nonetheless, partnerships are clearly an area where initial investment may reap large benefits further down the road. The value of cost-share investments, volunteer support, improved public relations, and less litigation should be factored into the process of developing and orienting agency policy. Some partners also complain that the Forest Service's technological infrastructure (e.g., computers and software) suffers from being outmoded, unsupported, and incompatible with external systems.

Staff/Personnel

Much of the investment needed for building partnerships should go into strengthening the agency's own staff. This includes expanding the number of personnel working on partnership activities and providing them with adequate training in the use of existing partnership authorities. Unfortunately, the current trend of reducing budgets and staffing levels appears to counter this need. The agency tends to ignore the value of consistent, personal, staff attention in the management of partnerships. Frequently, partnerships fail when a key agency contact is replaced or relocated to another office. Productive relationships are also strained when partners must deal with too many people within the agency just to accomplish a simple task. In an extreme example, the Malpai Borderlands Group, a citizens group working with ranching and land management issues in New Mexico, has dealt with three Chiefs, numerous Deputy Chiefs, two Regional Foresters, two Deputy Regional Foresters, two Forest Supervisors, two District Rangers, and two Malpai Coordinators in a decade of working with the Forest Service.

Processes

Agency policy tends to manifest itself in rigid and complex processes. These processes can frequently pose barriers to partnering. Bureaucratic red tape and an abundance of paperwork required with various partnership processes can scare off potential collaborators and intimidate the agency's own staff. Typically, lengthy processes delay action on the part of the agency, while partners are simultaneously required to meet rigid schedules for decision-making, reporting, and production. Copious meetings and long project development procedures can also exhaust the patience and resources of community groups and small non-profits, ultimately forcing them to drop out of the partnership. In other cases, partners are brought into the process too late for them to have meaningful input in the goals or design of a project.

Within the agency, there is little communication or follow-through from one department or program area to the next. Thus, when process requires that a district ranger submit a partnering agreement through a myriad of authoritative levels, it is destined to get caught up at some stage when it lands on the desk of someone who has no knowledge or interest in the partnership. Lack of communication can also result in individual forests making decisions and setting priorities that are inconsistent with cooperative arrangements and agreements already set at the regional level. At other times, effective tools developed through partnerships at one level are ignored, and subsequently reinvented, at other levels wasting time and resources.

In addition to communication problems, the Forest Service is infrequently held accountable for holding up its end of a partnership. Most often monitoring and evaluation of the partnership is neglected in the process, leaving partners with no guarantee that what is planned is actually accomplished. Positive efforts to improve the agency's performance in partnerships include the Service First program, established as a joint effort between the Forest Service and BLM. By maintaining a private industry style focus on customer service, the agencies hope to develop a more streamlined, business-like process for working with partners.

4.2 Recommendations

The agency can resolve many of its partnership issues through appropriate changes and clarifications in its own internal policy. Ultimately, such policy should emphasize outreach to appropriate partners, a streamlined, supportive process for relationships to develop, and an evaluation process for partnerships in order to learn from successes and failures. In creating policy, the agency should also bring together all of the Deputy Offices to comprehensively examine and integrate the social goals of the agency. Among the outcomes should be a formalized internal approach to cross-boundary work, (e.g., as required by the National Fire Plan and wildlife habitat projects) and an official commitment to improving partnerships with local communities.

Budgetary

Forest Service partners are adamant about the need for sustaining funding for partnerships. In a climate of cutbacks and reduced capacity for land management, research, and extension, partnerships are a sensible way to pool resources and get work accomplished. Additionally, partnerships established with one branch of the agency (e.g. watershed protection on the National Forest System), may also provide collaborative opportunities for other branches (e.g., research and education) thus allowing the agency to achieve multiple goals from single projects.

Staff/Personnel

Partners also emphasize the importance of maintaining knowledgeable staff with enough time to adequately work with partners and assist them through the difficult processes required by the agency. Where possible, there should be continuity in this staff. It should also be Forest Service policy to recognize and reward employees who work hard at building and supporting innovative partnerships.

Processes

A variety of recommendations from agency partners could help facilitate the process of partnering with the Forest Service. The agency should engage outside organizations early in the partnership process in order to build trust. In doing this, it should consider using different forms of outreach to engage traditionally under-represented groups. Once partnerships have been formalized, the agency should help walk participating organizations through complex paperwork and contracts using an approach similar to those used by the Bureau of Land Management and

the U.S. Fish and Wildlife Service. Keeping in mind that successes and failures each provide their own important lessons, the Forest Service should also implement monitoring and evaluation of partnerships- including analysis of business processes, budget formation, and accomplishments.

5.0 FUNDING

In many of the Forest Service's partnerships, there are problems with the availability and allocation of resources. Stringent contractual requirements, burdensome payment processes, and underfunding are among the most common complaints expressed by partners. Discussion and feedback from partners provides a number of recommendations for the agency, ranging from specific changes in existing policies to general requests to make funding requirements more flexible and amenable to the needs of partners.

5.1 *Issues*

Cost Share Agreements and Other Contractual Arrangements

Challenge cost share agreements are commonly used to fund partnership activities that are mutually beneficial to both parties. This mechanism requires that the partner or cooperator provide a negotiated percentage of matching funds in order to carry out the activity. Although there is no specified percentage for the cooperator's contribution, Forest Service contributions must be matched or exceeded annually by cooperator contributions and agency personnel are instructed to negotiate a dollar-for-dollar match from the cooperator⁹. The matching contribution can include cash, real or personal property, services, indirect costs, and/or in kind contributions, such as volunteer labor. Community organizations, small non-profits, and universities report difficulty meeting what they feel are often cost share requirements higher than those of other federal agencies. Some cooperators also find that it can be challenging to fundraise matching dollars for projects with the Forest Service, because the agency is so restricted in what it can fund and the resulting projects tend to be limited in scope and design. Short fiscal timeframes, often no more than two years, and unreasonable expectations on the part of the Forest Service of what can be accomplished during those timeframes, add to the burden of entering into a cost share agreement with the agency.

A condition of cooperative agreements requires a 50% or more cash contribution from the cooperator if the cooperator contracts all or part of the work¹⁰. This has been a barrier for a non-profit partner that provides workforce training to local displaced contractors through ecological restoration work. This match requirement is prohibitively high and does not account for the significant non-cash value to the government of providing critical workforce training.

Budget Structure

Problems partnering with the Forest Service also center on the structure of the budget. Even when proper authority exists for creating a partnership, current budget line items for the agency are often so restrictive that they leave no resources for funding that partnership. If local partnerships identify new spending priorities, the agency has little flexibility to adjust programs and redirect appropriations accordingly. Some of the fundamental agency missions driving the formation of partnerships, such as collaborative stewardship and public involvement, do not receive their own separate line items in the budget. Furthermore, there are no accountability measures for working in

⁹ Forest Service Manual 1587.12a

¹⁰ Forest Service Manual 1587.12a

collaboration with communities, thus line officers direct their emphasis and resources toward other priorities for which they will be held accountable. In general, very little money is appropriated to the Forest Service for capacity building, planning, and overhead, all essential components of the partnership building process.

Budget Process

The budget process is also a barrier to partnering with the Forest Service. Repeatedly, partners complain that Forest Service funds are not distributed in a timely manner. Often funding for a specific partnership is not released until the entire agency budget is developed, even if a particular deputy area has its own budget in order. The annual outlook of the agency budget is further constraining for partners who must invest in new staff and expensive equipment for a project that is not guaranteed to last more than a year. Significant delays in the release of State Financial Advice has made it difficult for state foresters to pull together budgets for their programs based upon Forest Service allocations. Lengthy turnaround times for grant approval also interrupt projects and frustrate partners. Furthermore, some state and private sector partners with fiscal years beginning on July 1 face challenges working with the federal budget year, which begins October 1. All of the delays and uncertainties within the budget process are especially difficult for small non-profits, which may not have sufficient financial reserves to wait for problems to be resolved.

Resource Availability

Finding the resources to partner with the Forest Service can be a tremendous challenge for organizations. Declining budgets within the agency have led to underfunding of key partnerships in the areas of research, extension education, and recreation. Partnerships are hampered when the agency is unable to fund travel to meetings or provide food for participants. Meanwhile, partners face challenges in bringing outside funding to the partnerships. Restrictions on the use of federal funds on National Forest System land force partners to find multiple sources of support to accomplish project goals. And, while the agency is not allowed to fundraise, it often interprets this restriction to mean that it cannot help its partners in their fundraising efforts.

5.2 Recommendations

Cost Share Agreements and Other Contractual Arrangements

Greater flexibility with challenge cost-share requirements may encourage more partnerships with the Forest Service, especially among community, tribal, and non-profit groups that may be currently excluded. Examples exist with other federal agencies that have matching requirements as low as 20% and allow for increased indirect costs that better reflect the true costs of completing a project. Additionally, cost share requirements could be met in part through non-monetary, high-value benefits that satisfy government objectives (e.g., offering of critical job-training programs in a timely manner).

Budget Structure

Budget structure could be changed to be more favorable to partnerships. Suggested changes to the budget timeline include instituting multi-year funding of projects and adjusting the timelines of specific project budgets to better match the needs of partners. Additional line items for addressing partnerships and developing cooperative projects, especially within the budgets of State and Private Forestry, would ensure that collaborative relationships get funded. There may also be value in collapsing specific line items in the Forest Service budget in order to provide more flexibility in budget planning and potentially free up resources that could be then be direct toward building partnerships.

Budget Processes

Partnerships would benefit from the Forest Service streamlining its budget process and making it more amenable to its partner's timelines. Partners also recommend that the agency ease its reporting requirements, which are much less flexible than those of other federal agencies. The process of transferring and exchanging funds between government agencies could also be simplified. Ensuring that funds are delivered where they are needed in a timely manner is a key tenant of a successful partnership. Internally, the Forest Service should concentrate on eliminating the barriers that keep money originating in the Washington Office from making it to projects on the ground. Some local partners also urge that appropriated funds for Economic Action Programs, Rural Development, or Economic Recovery are directly granted to projects and not channeled through state foresters.

Resource Availability

As long as federal funding declines, funding partnerships will always be a challenge for the Forest Service. Nonetheless, a number of creative suggestions by partners would help ensure that partnerships receive more resources than they do today. One suggestion is to allow the National Forest System to directly provide project grants, taking lead from State and Private Forestry. Another suggestion is to redistribute 10% of National Forest recreation fees to support restoration and partnerships. Greater support is needed for research and one suggestion recommended earmarking some research funds for long-term (at least 5 years) cooperative agreements and awarding them on a competitive basis. A cost-effective technique of tracking partnerships might be modeled after a system used by the Department of Education, which has established a volunteer team of individuals that reviews grants and agreements and identifies where money is going and to whom. Finally, corporate sponsorships, which have been used effectively by the National Park Service and attempted with less success by the Forest Service, deserve critical consideration as mechanisms for directing private money toward natural resource stewardship activity.

6.0 ORGANIZATIONAL CULTURE

The organizational culture of the Forest Service also plays an important role in its relationships with partners. The culture of the Forest Service is largely shaped by its history, internal structure, and leadership, but it is also articulated through the attitude and actions of its individual employees. Forest Service partners face challenges in dealing with a large, dispersed bureaucracy, as well as with a variety of employees who have varying abilities and commitments to collaborating. Issues and recommendations suggested by Forest Service partners all indicate that cultural change is needed to make the agency more accommodating of partnerships.

6.1 Issues

Agency Culture

Culture within the Forest Service is a very significant factor in partnership development. A strong institutional history and a formidable bureaucracy have the tendency to isolate the agency from outside organizations. Recent mandates and authorities to partner cannot alone bring about institutional change. Rather, efforts must be made to build the capacity of the agency to change. For example, despite specific authorities and recommendations to collaborate granted to the Forest Service under the National Fire Plan, the agency has been criticized by community organizations, state foresters, and the U.S. General Accounting Office (GAO) for its resistance to change traditional ways of doing business and develop new organizational structures and working relationships. Developing an integrated approach to fire management that spans landscapes, jurisdictions, and

disciplines poses a challenge to the agency's traditional strategy and organization, and will require more fundamental institutional change.

Several partners report problems with the Forest Service's reluctance to yield any significant control in partnerships. While they acknowledge that many individuals within the agency understand how partnerships should work, the philosophy of the agency appears to favor top-down delivery of programs and control at all times. Traditionally, the Forest Service has been self-reliant in accomplishing its work and therefore, the agency can be reluctant to engage partners who are willing and capable of helping the agency. This attitude is coupled by a concern over relying on help from organizations that do not have enough capacity or may not be around in the long-term. Trust is an element that many feel is missing from partnerships with the Forest Service as exhibited by unreasonably tight restrictions on how funding can be used. The agency has also been accused of needlessly micro-managing projects and being administratively overbearing.

There are also cultural issues within the institution that discourage employees from collaborating outside of the agency. Forest Service employees who get involved in partnerships sometimes feel as though they are taking risks with little guarantee of success and no opportunity for reward. Historically, there has been little incentive for taking this type of risk and, for many, partnership building is seen as uncompensated effort made in addition to a full workload.

Attitude

Attitudes within the Forest Service can pose a significant strain on partnerships. Traditional perspectives that the Forest Service is the dominant forestry authority in the United States and that outside expertise is not to be trusted stand in the way of building close working relationships. As a result, partners feel that the agency is not sincere about collaborating and enters partnerships with an arrogant authority.

At the local level, partnerships can be thwarted by uncooperative agency personnel. These include individuals who simply do not take the time to build relationships or answer invitations and others who waste too much time looking for "legal" answers rather than searching for common ground. Some staff sees its role in forest management to be above community needs and concerns, thus closing the door to local collaboration. Contracting officers can also be reluctant to partner due to ethics concerns, worries of internal audits, and confusion over inconsistent advice handed down by superiors.

Knowledge

The ability to successfully develop a partnership requires skills and knowledge gained through experience and training. Some agency personnel have the will to collaborate, but lack the people skills necessary to be effective. The collaboration problems surfacing under the National Fire Plan are in part due to the fact that few of the individuals charged with forming partnerships have had prior experience or training in this realm.

Many partnership problems suggest a breakdown in communication along the various chains of command, from national to local levels and from supervisors' offices to ranger districts. Authorities that are well understood at one level are virtually unknown at another. There is a trend of inflexibility in partnering at the local level, owing to a lack of understanding of the full complement of tools that can be employed. Partnerships can be further complicated by the agency's lack of institutional memory. As personnel transfer and new administration comes on board, it

become necessary for partners to remind the agency about past commitments and to brief the new employees on the purpose and goals of an existing partnership.

6.2 Recommendations

Agency Culture

Agency culture takes time to change, but effective leadership and an emphasis on capacity building can help catalyze the transition. The Forest Service's current goal of making partnerships an agency priority is a promising start, but more must be done within the agency to recognize positive change in the direction of partnerships. Employees should be evaluated on and compensated for their participation in partnership activities. The agency should place more emphasis on maintaining continuity and follow-through when dealing with partners. Employees also need to be provided with consistent messages from above concerning what is permissible and expected.

In building its capacity to partner, the Forest Service must consider how it will share responsibility and control. Accountability in partnerships should be equally shared by both partners and the way in which partnerships are evaluated must be jointly agreed upon. This may be one of the most difficult cultural changes for the Forest Service to make, but the BLM and US Fish and Wildlife Service may serve as successful examples to follow.

Attitude

Leadership and capacity building will also help bring about attitudinal change in agency employees. An atmosphere of receptivity to outsiders is needed to build trust and identify areas of common ground. The traditional agency "can do" attitude has its place, but the Forest Service must also learn to more realistically assess its abilities and to ask its partners for help when resource availability, understaffing, and policies limit what it can accomplish. Furthermore, small steps are most effective in building trust and demonstrating sincerity to partners. Some Forest Service partners have learned to expand their communication with the agency through regularly scheduled meetings and designating liaisons to meet with decision-makers. Organizations have commended the Forest Service's current practice of staffing federal employees in partner offices and designating liaisons to multi-agency projects (e.g., The Nature Conservancy, Trout Unlimited, Chesapeake Bay Program, etc.). When successes are made, celebrating and learning from them will also be instrumental in bringing about institutional change.

Knowledge

Some partners recommend providing all Forest Service employees with partnership training. In addition to understanding the authorities and internal policies related to partnering, employees would benefit from practicing interpersonal skills including leadership, teamwork, cultural sensitivity, and facilitation. Over the years, many of the agency employees with partnership skills have ended up in the Washington Office and more effort must be made to deploy some of these people back into the field or find opportunities for them to impart their knowledge to those working in the field.

Forest Service staff members have been some of the strongest agents for agency change. Most employees understand the value of partnerships and seek a better institutional framework with which to promote them. Innovative efforts, such as the "Enterprise Team," in Forest Service Region 5 (California), which has adopted a small

business style results-oriented approach, should be encouraged rather than labeled unagency-like. Employees will need new incentives and rewards for doing things differently and successfully. At the district level, employees should be rewarded for participating in meetings of landowners and community groups. This helps to strengthen the “eyes and ears” of local land managers, bring agency expertise into local decision-making processes, and demonstrate to the public a sincere commitment to collaborate.

7.0 CONCLUSIONS

7.1 Legislative vs. Non-Legislative Fixes

Considering that the impetus for this feedback and discussion on partnerships with the Forest Service was a congressional inquiry to examine potential limitations to existing authorities, it is noteworthy that relatively few of the recommendations offered by partners targeted specific laws or suggested legislative changes. Many of the responses conveyed a general frustration in partnering with the Forest Service, but as the structure of this report indicates, concerns ranged from problems with funding to difficulties working with the agency’s culture. The breadth of issues raised reinforces the notion that the complex set of institutional barriers to partnering within the agency stems from a variety of sources. For the most part, the participants in this conversation were experienced at partnering with the Forest Service, but were not experts in the laws relating to Forest Service activities. Their knowledge of why partnerships problems arise is based upon lengthy experience and acute insight into the agency, but they are not always aware of the specific root of partnership problems.

That partners themselves find it difficult to pinpoint the exact cause of their difficulties in working with the Forest Service is significant, because it leaves them feeling powerless as they try to resolve problems that appear to have no single solution. Often, a partner’s perception of a problem is shaped by the Forest Service employee with whom he or she has had the most contact. If that employee is not knowledgeable about authorities, then the partner may be told that a problem has a legal basis when in fact it does not. In other cases, the authority may ultimately be limiting a partnership, but partners may not fully understand the legal basis and end up blaming the failed partnership on an agency employee’s perceived unwillingness to cooperate. Thus, building knowledge and capacity for partnerships within the Forest Service will also require building capacity in partners to better understand the intricacies of working with the agency.

This inquiry has generated significant discussion between agency and external participants about the need for legislative fixes to partnership authorities. With so many different types of problems pertaining to the internal policy, organization, and culture of the agency, it is possible that changes in legislation will make little difference in its overall ability to partner. Furthermore, new legislation could likely result in increased work in terms of retooling agency policy and educating staff, thus taking time and resources away from actually building the partnerships. People both outside and inside the Forest Service hold the opinion that time and resources would most effectively be spent on building organizational and staff capacity to better work with existing authorities, which have already produced some successful results.

Others believe, however, that outmoded legislation and key gaps in authorities are fundamental barriers to the agency’s ability to partner. They recognize that training and capacity building are necessary for the agency’s partnership success, but they want to ensure that the Forest Service has the best tools to work with in the first place.

Also, the high cost and time required to build significant partnership capacity within the agency may be unrealistic given current budget constraints and the pressing need to form partnerships.

There is broad agreement that new authorities alone will not bring an end to the obstacles associated with Forest Service partnerships. An emphasis on capacity building both within the agency and among partners will be key. Continual consultation with partners and the public is also needed as the agency refines its policies and strategies for partnering. Any legislative changes that are made to encourage partnering should be accompanied by appropriations that can comprehensively fund the development, implementation, maintenance, and evaluation of partnerships.

7.2 The Information Gathering Process

In the process of putting together the Washington, DC workshop and gathering feedback for this report, several comments were received concerning the timeline and process of outreach. Most of these were in reference to the short lead-time partners were given to make arrangements to attend the meeting and to provide written comments. With only a few short weeks to plan, some partners were discouraged with the agency's last minute request for input and characterized it as "business as usual" with the Forest Service. Throughout this process, the agency has been clear about its firm deadline for responding to Congress, but the hurriedness of the workshop and feedback process unfortunately sent a message to some that the input from partners is not valued.

The Forest Service's Partnership Authorities Workgroup has been under tremendous pressure to accomplish the enormous task of reviewing partnership authorities and respond to the congressional request in a timely manner. Fortunately, for all agency partners, the process of examining authorities and informing institutional change is ongoing and will provide further avenues for external input in the future. In general, the Forest Service should always look to its partners, both existing and future, for fresh ideas on how to be a better collaborator. As is evidenced by this report, the wealth of knowledge and advice that can be gained through frank communication with concerned partners is a tremendous resource for the agency as it looks to improve its ability to work with others.

8.0 ADDITIONAL SOURCES

In completion of this report, the following sources were used in conjunction with workshop discussions and electronic feedback forms.

Bolle Center. 1997. Forest Service - Pathways to Collaboration. Missoula, MT.

Cestero, Barb. 1999. Beyond the Hundredth Meeting: A field guide to collaborative conservation on the West's Public Lands. Sonoran Institute.

The Forest Trust. 1995. The Federal Advisory Committee Act: Implications for Public Involvement on National Forests. Santa Fe, NM.

KenCairn, Brett. 2000. Public Agencies in Collaboration. Presentation at Yale University.

Moote, Anne. 1995. Partnership Handbook. University of Arizona.

Pinchot Institute. 2001. Proceedings from the Chief's Forum- June 2001, Washington, DC. Chief's Forum: Pinchot Institute, (June 25, 2001)

Pinchot Institute for Conservation. 2000. Proceedings from the Watershed Restoration Workshop- July 2000, Idaho and Montana.

Pinchot Institute for Conservation. 2000. Proceedings from the Winkler Preserve meeting- May 2000, Alexandria, VA (status review of the "Estill Report", see below).

USDA Forest Service. 2000. Estill Report: Findings and Recommendations from the National Collaborative Stewardship Team July 1997.

Wondolleck, Julia M. and Clare M. Ryan. 1999. What Hat Do I Wear Now?: An Examination of Agency Roles in Collaborative Processes. *Negotiation Journal*. April, 1999: 117-133.

Yaffee, Steven L., Julia M. Wondolleck, and Steven R. Lippman. 1997. Factors that Promote and Constrain Bridging: A summary and analysis of the literature. Report to the USDA-Forest Service Pacific Northwest Research Station, July 15, 1997. Cooperative Agreement # PNW 95-0728.

PINCHOT INSTITUTE
FOR CONSERVATION

**Partnership with the USDA Forest Service:
Improving Opportunities and Enhancing Existing Relationships**

Thursday, August 2, 2001

Location:
1616 P Street, NW
7th Floor Conference Facilities
Washington, DC

AGENDA

9:00 – 9:10 AM	Introduction/Logistics/Agenda/Ground Rules	Al Sample, Pinchot Institute
9:10 – 9:30	Self – Introductions	
9:30 – 9:40	Purpose/Objectives of Meeting	Scott Conroy, Forest Service
9:40 – 9:50	Setting the Stage: Challenges to partnering with the USFS	Phil Janik, Forest Service
9:50 – 10:30	Discussion: Problems and Success Stories in Partnering with the USFS <i>Participants are asked to share both problem areas and successes and reflect on how they relate to the following themes:</i> <ul style="list-style-type: none">(a) <i>Legal Authority</i>(b) <i>Interpretation of Authority</i>(c) <i>Formal Policy</i>(d) <i>Funding Issues</i>(e) <i>Cultural Factors/Attitude and Knowledge of Individual</i>(f) <i>Other Factors</i>	
10:30 – 10:45	Break	
10:45 – 12:00	Discussion: Problems and Success Stories in Partnering with the USFS (cont.)	
12:00 – 1:00 PM	Lunch (provided)	
1:00 – 3:00	Working Toward Successful Partnerships: <i>Time is provided for participants to discuss potential legislative solutions associated with overcoming current barriers to partnering with the USFS. Key FS employees will participate as resources to clarify questions about existing authorities and policies.</i>	
3:00 – 3:15	Break	
3:15 – 4:15	Working Session (cont.)	
4:15 – 4:30	Wrap-up/Adjourn	Phil Janik

Appendix B

PARTNERSHIP WORKSHOP ATTENDEES

The following individuals attended the August 2, 2001 workshop entitled *Partnership with the USDA Forest Service: Improving Opportunities and Enhancing Existing Relationships* held at the Pinchot Institute for Conservation in Washington, DC.

Adam Bailey

National Congress of American Indians

Terri Bates

National Association of Professional Forestry
Schools and Colleges

Andrea Bedell Loucks

Pinchot Institute for Conservation

Thomas Brendler

National Network of Forest Practitioners

Scott Conroy

USDA Forest Service – Programs & Legislation

Christina Cromley

American Forests

Michelle Dawson-Powell

Bureau of Land Management

Gerald Gray

American Forests

PJ Haar

USDA Forest Service – Grants & Agreements

John Henshaw

USDA Forest Service – Policy Analysis

Ron Hooper

USDA Forest Service – Business Operations

Jim Hubbard

NASF - Colorado State Forester

Phil Janik

USDA Forest Service – Chief Operating Officer

Gary Kannia

National Fish & Wildlife Foundation

Peter Kostishack

Pinchot Institute for Conservation

Bob Lange

USDA Forest Service – National Forest System

Sharon Metzler

USDA Forest Service – Appeals, Region 9

Mary Mitsos

National Forest Foundation

Bill Possiel

National Forest Foundation

Kathryn Reis

Wildlife Management Institute

Al Sample

Pinchot Institute for Conservation

Lois Schiffer

National Audubon Society

Ron Stewart

George Mason University

Paige Tucker

USDA Forest Service / George Mason University

Alice Ewen Walker

Alliance for Community Trees

Joan O'Hara Wehner

National Association of State Foresters

Partnership Feedback

Issues related to partnering with the USDA Forest Service

The following form is designed to provide past, current, and future partners of the Forest Service with an avenue to share some of the issues and obstacles they have faced in working with the Agency. Partner organizations are playing an increasing role in facilitating the Forest Service's accomplishment of important programs and activities, whether in National Forest management, research, state/private forestry or international forestry. Just as importantly, these partnerships often contribute to a closer, mutually beneficial working relationship between the Forest Service and its key constituents. In local communities, these partnerships are often the key to strengthening institutional capacity, and creating new opportunities for income and employment associated with responsible conservation and long-term stewardship of natural resources.

To help you with constructing feedback, we are providing several broad questions, which are based upon key obstacles identified during past meetings and discussions. By no means are you limited to these topic areas- they are merely suggested guidance. As you respond, please provide specific details (place, date, etc.), where applicable. Do not feel constrained by the space provided- attach responses as necessary. Responses are due to the Pinchot Institute by AUGUST 8th.

Please send your reply to Andrea Bedell Loucks at (email)
andreabedell@pinchot.org or (fax) 202-797-6583.

Has the Forest Service's internal structure hindered your ability to partner with the agency? In what way? Examples from the past include a lack of continuity in staff, poor communication between offices or deputy areas, lack of authority/flexibility at the local level, etc..

Does the Agency's role in collaborative endeavors adequately address your needs or the needs of your community/community of interest? Why or why not?

What types of partners should the Forest Service do a better job of engaging?

Have Forest Service budget requirements influenced your ability to partner with them? Please provide specific examples. (Examples from the past include funding requirements associated with cost share agreements, budget line item specifications, etc.).

Have current Forest Service mechanisms for partnership belabored the implementation of a project you were involved in/known of? Which types of contracts or agreements? Why?

What existing legislation or parts of legislation do you feel impede partnership with the Forest Service (e.g., FACA, contracting authorities, NEPA, ESA, etc.)?

Do you have an example of a successful partnership with a federal agency (not necessarily with the Forest Service)? What made this partnership successful?

If you were to make three (3) specific recommendations to Congress to improve the way the Forest Service partners with outside organizations, what would they be?

1.

2.

3.

Other suggestions or comments are welcome.

Please provide your name, organization, and contact information. Forest Service representatives may contact you in the future for clarification or further details.

Thanks for your time and assistance!

PARTNERSHIP FEEDBACK RESPONDENTS

The following individuals provided feedback on partnerships and the Forest Service via written comment. For a complete account of comments and issues raised, contact Scott Conroy at sconroy@fs.fed.us.

Larry Allen
Malpai Borderlands Group
Oro Valley, AZ

Michael Berry
National Ski Areas Association
Lakewood, CO

Linda Blum
Quincy Library Group
Quincy, CA

James E. Brown
Oregon State Forester
Salem, OR

Perry Brown
University of Montana
Missoula, MT

Hugh Canham
SUNY College of Environmental Science
and Forestry
Syracuse, NY

Farrell Cunningham
Maidu Cultural and Development Group
Taylorsville, CA

Carol Daly
Flathead Economic Policy Center
Columbia Falls, MT

Bob Edmonds
University of Washington
Seattle, WA

Nancy Farr
Partnership for a Sustainable Methow

Gary Goff
Cornell University- Extension
Ithaca, NY

Scott Heather
Michigan Department of Natural Resources
Roscommon, MI

George Hopper
University of Tennessee
Knoxville, TN

Lynn Jungwirth
Watershed Research and Training Center
Hayfork, CA

Sungnome Madrone
Redwood Community Action Agency
Eureka, CA

Milton Marks
Friends of the Urban Forest

J.F. McNeel
West Virginia University

Kimberle Midgley
Michigan Department of Natural Resources
Forest, Mineral & Fire Management Division
Lansing, MI

Tom Monaghan
Mississippi State University
Mississippi State, MS

Andrew Moore
National Association of Service and Conservation
Corps
Washington, DC

Dan Richter
Duke University
Durham, NC

Susan Probart
Tree New Mexico
Albuquerque, NM

Eric Sink
Michigan Department of Natural Resources
Forest, Mineral & Fire Management Division
Lansing, MI

Wayne Smith
University of Florida

Jeff Stein

University of Wisconsin

Andrea E. Tuttle

California Department of Forestry and Fire Protection
Sacramento, CA

Donald VanHassent

Maryland Forest, Wildlife and Heritage Service
Annapolis, MD

Bruce Ward

Continental Divide Trail Alliance
Pine, CO

Bob Wheeler

Alaska Cooperative Extension

GENERAL MECHANISMS FOR FOREST SERVICE PARTNERSHIPS

From USDA Forest Service Partnership Manual, 1999. Appendix A: General Authorities.

1. Challenge Cost-Share Agreements (FSM 1587.12);
2. Collection Agreements (FSM 1584);
3. Cooperative Agreements (limited for NFS)(FSM 1581);
4. Cooperative Fire Protection Agreements (S&PF, NFS) (FSM 1582);
5. Cooperative Law Enforcement Agreements (NFS) (FSM 1582);
6. Cooperative Research and Development Agreements (FSM 1587.14);
7. Cooperative Forest Road Agreements (NFS) (FSM 1582);
8. Grants (S&PF, R, IF) (FSM 1581);
9. Interagency and Intra-agency Agreements (FSM 1585);
10. Memoranda of Understanding (FSM 1586);
11. Letters of Intent (FSM 1586);
12. Participating Agreements (FSM 1587.11);
13. Joint Venture Agreements (R) (FSM 1587.13);
14. Cost-Reimbursable Agreements (R) (FSM 1587.13).

The acronym shown in parentheses after each of these instruments generally reflects which type of instrument may be issued by units receiving which designated Deputy Area appropriations. If no Deputy area appropriations are specifically identified, the instrument type may be issued using any Forest Service appropriations, for example, National Forest System (NFS), State and Private Forestry (S&PF), Research (R), and International Forestry (IF). However, use of some types of instruments may be limited as discussed in each applicable section of the Forest Service Manual, Chapter 1580 - Grants, Cooperative Agreements & Other Agreements, effective April 21, 1995.

SUCCESSFUL PARTNERSHIP EXAMPLES FOR FURTHER RESEARCH

The following are a list of comments from the workshop and feedback responses about successful partnerships with federal agencies. They may provide a useful foundation for further research into the authorities and institutional structure needed to build and maintain effective partnerships.

- Examine how BLM and USFWS are able to help partners with fundraising.
- Look at the “centennial” legislative language drafted by the Wildlife Refuge System in celebration of its 100th anniversary and explore similar opportunities for the Forest Service’s upcoming centennial.
- Study the BLM’s Resource Action Committees (RAC’s), especially their ability to set up subcommittees to deal with specific issues such as example grazing permits. Research should include examining whether or not the RAC’s fully represent all interest groups and stakeholders.
- The Cooperative Ecosystem Studies Units (CESUs) are an example of a successful, albeit new, partnerships involving the universities and different federal agencies in cooperative activities.
- The USFWS has specific legislation that encourages and enables the formation of “friends” organizations and the agency actively trains staff to work with such groups.
- Look into reporting requirements used by other federal agencies for funding and support. They are reportedly more flexible and easier for partners.
- Examine the way in which other land management agencies budget for planning and development, salaries, overhead, and administrative costs in conducting partnerships.
- The Department of Education established a volunteer team of individuals to review agency grants and agreements and help evaluate how money is spent. The Forest Service could set up an analogous ‘Partners Council’ to review partnership performance.
- The National Congress for American Indians has been successful with BIA and HUD, creating formal consultative policy that explicitly defines how the agencies will undertake consultations with Native American tribes, complete with timetables.
- The EPA funds Technical Advisory Groups that provide expertise to local communities in Superfund negotiations. This is a good model for providing capacity and expertise to community partners that would otherwise be unable to participate.