



The Role of Communities in Stewardship Contracting: A Programmatic Review of Forest Service Projects

Executive Summary
Report to the USDA Forest Service –
FY2009

Prepared by the Pinchot Institute
for Conservation

January 2010



INTRODUCTION

This report conveys results from the FY 2009 programmatic monitoring and evaluation effort designed to fulfill the Congressional mandate to monitor the role local communities have in the development and implementation of stewardship agreements or contracts. The report briefly outlines the survey and interview methodology used by the Pinchot Institute and its regional partners, presents the results of the study, and offers several suggestions for improvement. The report also includes five regional summary reports from the areas that were monitored. These regional summaries contain a wealth of information including direct quotes from first-hand participants in stewardship contracts that express the frustrations and joys that characterize their experience with stewardship contracting.

CONTEXT

The USDA Forest Service (USFS) and the Department of the Interior's Bureau of Land Management (BLM) collectively manage approximately 450 million acres of federal public land. Along with the technical and administrative requirements of managing these lands comes a responsibility to engage the public in the management of these common-property resources. This engagement occurs structurally at many levels through formal governance and representation by the U.S. Congress, through citizen participation in the development and revisions of Land and Resource Management Plans under the National Forest Management Act (NFMA) and the Federal Land Policy and Management Act (FLPMA), and through the formal public involvement and review processes of the National Environmental Policy Act (NEPA). In addition to engaging the public through these formal administrative and regulatory structures, open and inclusive collaborative processes are necessary at the local level to effectively involve stakeholders in the management of these common-property resources.

Public policy has altered the management of the National Forest System (NFS) over the past two and a half decades as the public interest in these forest resources changed. Concerns over the impacts of timber harvesting on endangered species and old growth forest ecosystems contributed to a significant decrease in the use of these lands to support natural resource-based economies through timber extraction. Leading up to this period of change, attitudes and policies about wildfire were largely aimed at excluding fire from these landscapes, many of which evolved to depend on frequent low intensity fires for their growth and renewal. An unintended consequence of this era of change in public policy and attitude has been a decreased acceptance of, and capacity for, active forest management.

A complex mix of threats now confronts these public lands and the multiple benefits they provide the public. These threats include large stand replacing wildfires, invasive species, increased rates of disease and insect related mortality and other direct and indirect threats linked to climate change. The consequence of not addressing these threats may be the diminishment or complete loss of various ecosystem services (e.g. clean air, clean water, biodiversity, carbon sequestration) and cultural, spiritual and socio-economic values. While there is no broad public consensus on how to address these threats through policy, it is widely recognized that adaptive and flexible management structures are needed for the collaborative planning, implementation, and monitoring of land management activities. Contracting for the performance of these activities is a main way that federal land managers achieve their objectives. Stewardship end-results contracting was designed, and has proven, to be an adaptive and flexible land management tool for addressing these complex challenges.

Amidst the focus on the conditions of public forests, the socio-economic conditions of forest-based communities adjacent to these public lands are not to be ignored. These communities have much to gain or lose from the management of these lands. Their health and productivity is directly linked to the health and productivity of the forest resource, and they are thus vital stakeholders in the stewardship of these resources. Congress recognized this important linkage in the authorizing language of stewardship contracting, and requires both the USFS and BLM to report annually to Congress on their activities and accomplishments in stewardship contracting, including how stewardship contracts and agreements engage local communities, state, tribal and local governments, and other interested parties in the development and implementation of agency land management objectives.

Since 2005, the Pinchot Institute for Conservation has facilitated an objective programmatic-level review for the USFS and BLM that assesses the role that local communities and other stakeholders play in stewardship contracting. These reports capture the success and frustrations that both agency and non-agency participants experience through collaboratively defining, designing and implementing stewardship projects. This annual programmatic review has identified some major aspects in which stewardship contracts result in benefits to the forest resource (e.g. fuel reduction and habitat restoration), agency (e.g. improved public trust), and local community (e.g. economic development or adaptation).

FINDINGS AND CONCLUSIONS

Stewardship contracting is maturing and it has strong support from both communities of place (i.e. forest-based communities) and communities of interest (i.e. regional and national environmental groups and natural resource-based industries). Stakeholders like that stewardship contracting offers increased opportunities to frame a set of collaboratively defined desired future conditions for both the land and their communities. Stakeholders are increasingly welcoming to the idea of regional stewardship agreements and cite that these offer increased efficiencies, increased learning opportunities, more opportunities to engage both communities of interest and communities of place and a way to positively influence forest management and planning.

This maturation of stewardship contracting is occurring despite resistance to both its underlying philosophy of collaborative stewardship and its procedural application. A number of barriers discussed in this report continue to hamper the full engagement of communities in stewardship contracts. Many stewardship contracts exhibit increasingly passive and formulaic forms of collaboration and community engagement. These projects are often one dimensional, largely focused on the removal of hazardous fuel loads while only involving a few stakeholders in the process, possibly just a contractor and the agency. These types of projects are designed around utilizing the goods-for-services provisions of stewardship contracting, and not necessarily the full suite of authorities. This model is not necessarily about exploring the full utility of stewardship contracting or the opportunity to use collaborative processes to engage a broader set of actors in management of federal public lands. Even if the desired ecological outcomes are achieved by using this model, only part of the “end-results” intended by the authorizing legislation are met, as socio-economic objectives may not be adequately addressed.

According to the survey results from 2009, almost 60% of agency personnel view, and subsequently use stewardship contracting primarily as a goods-for-services funding mechanism. The focus on innovation and experimentation that marked the use of the other extended authorities during the

pilot phase has languished, despite the documented utility and importance that these other authorities play in achieving desired end-results. Not all stakeholders view stewardship contracting as primarily being a goods-for-services transaction. Only 31% of non-agency respondents viewed it this way, as they tend to view stewardship contracting as something greater than trading goods-for-services. These individuals frequently cite that opportunities for enhanced collaboration and for achieving economic and management efficiencies are perquisites for their participation in projects on federal public land. It is true that trading goods-for-services is an important part of achieving these efficiencies, but non-agency stakeholders often recognize that the other aspects of stewardship contracting may increase the potential for both the desired ecological and socio-economic end results to be met. They may not always fully grasp the details of all the extended authorities, largely because they have not been trained in their use; however they sense that the application of these tools may lead to greater benefits for local communities.

While the barriers discussed in this report are meant to specifically highlight limitations to the broader adoption of stewardship contracting, many of these barriers are not unique to stewardship contracts and constitute broad challenges to the management of public lands in general. For example, the Forest Restoration Title of the Omnibus Public Land Management Act of 2009 (P.L. 111-11) attempts to remove the cancellation ceiling barrier for federal contracts administered under the Collaborative Forest Landscape Restoration (CFLR) Program that is authorized by this legislation. This legislation also offers an encouraging incentive based approach to community engagement and collaboration.

The issues that this legislation attempts to address are the same issues that this annual programmatic monitoring and evaluation has identified over the past several years. The difference is that the CFLR program, attempts to bring additional resources for collaboration and remove certain barriers to stewardship contracting (e.g. the cancellation ceiling), it is however targeted at a limited number of acres, while the same barriers continue to inhibit stewardship contracts across the nation. Unless the barriers described in this report can be overcome, and the agencies' use of their stewardship contracting authorities and the tool itself improved, a more collaborative form of public land management and the benefits this brings will likely remain constrained to special programs and a limited number of exemplary projects.

Through examining the data collected in these annual monitoring and evaluation cycles, we have concluded that there are a number of steps that can be taken to overcome the barriers limiting the broader application of stewardship contracting. These recommendations include, but are not limited to the following:

- Provide the necessary training to both agency and non-agency collaborators alike to ensure that all stakeholders engaged in stewardship contracts are familiar with the philosophy behind and application of stewardship contracting and the purpose and use of all its special authorities.
- Ensure that as stewardship contracts are developed, agency personnel evaluate opportunities to use each of the extended authorities, not just the exchange of goods-for-services.
- Adopt employee performance measures that encourage the development and utilization of collaborative skills and a willingness to try new things. To facilitate this change, agency human resource policy should recognize the time required to build collaborative community relationships and include this as part of the core responsibilities of agency personnel.

- Improve the extent and frequency with which the “lessons learned” in stewardship contracting are shared among agency personnel, communities, contractors, and other stakeholders. Evaluate the effectiveness of these communication efforts and adapt future efforts based on results.
- Restore the operational flexibility that was provided in the enabling legislation for stewardship contracting, by streamlining agency administrative actions and revisiting internal policies that inhibit the use of stewardship contracting. Care should be taken in doing this as some of these internal barriers may be region and/or forest specific.
- Increase the awareness of personnel about the nuances of conflict of interest policy in NEPA processes and make clear where and how contractors can be engaged and encouraged to provide substantive input.
- Provide non-agency collaborators with the ability to more easily pool and leverage agency funds with external funds. The restriction on bringing additional funds into an Integrated Resource Timber Contract (IRTC) to carry out needed service items should be revisited.
- Consult with collaborators on the use of retained receipts and enable the use of receipts (or other funding mechanisms) for the multi-party monitoring of project implementation.