Sierra Forest Legacy
*Protecting Sierra Nevada Forests and Communities*

**Testimony to the Little Hoover Commission**
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**August 24, 2017**

Thank you for the opportunity to speak to you about the role of collaboration in advancing forest conservation and restoration. Sierra Forest Legacy[1] has been working on forest conservation on national forest lands for over twenty years. Our mission is to engage land managers, scientists, and other stakeholders in the conservation of ecosystems in the Sierra Nevada, and to protect and restore the unparalleled beauty and natural values of the region. The integration of science into forest management is a focus of our work on the national forests of this bioregion. We lead a coalition of conservation stakeholders who actively provide feedback to the U.S. Forest Service on the best practices to manage forest lands to protect biodiversity and to maintain ecological integrity.

We use collaboration as a tool to improve conservation outcomes for management actions that affect forestlands. Our engagement in collaborative processes has ranged from small, relatively informal settings focused on a single vegetation management project to collaborative processes aimed at addressing land management over large landscapes. Based on our experiences, collaborative processes are productive and more likely to be successful when they are:

- Driven by people willing to look at new ways to solve problems;
- Respectful of the contributions from stakeholders and based on mutual learning;
- Strongly supported by the decision makers who will be receiving the recommendations; and
- Managed and facilitated by individuals who bring an unbiased and open approach to overseeing the collaborative process.

The testimony below highlights our experiences with the Dinkey Collaborative Restoration Landscape Project ("Dinkey CFLRP"), located east of Fresno on the Sierra National Forest, and also draws on our work in other collaborative projects throughout the bioregion.

**Prelude to the Dinkey CFLRP**

We have a long standing interest in the conservation of at-risk species associated with old forests, such as Pacific fisher and California spotted owl. We use the public processes establish by the National Forest Management Act (NFMA) and National Environmental Policy Act (NEPA) to engage the Forest Service in the design and adoption of projects and land management plans in order to improve conservation outcomes for these species and other sensitive resources. We had been following a Forest Service project, the Kings River

[1] https://www.sierraforestlegacy.org/

Administrative Study (KRAS), since the mid-1990s. This project had the potential to adversely affect thousands of acres of habitat supporting two highly sensitive species – Pacific fisher and California spotted owl. Our many years of effort to engage the Forest Service on this project had not resulted in improved conservation, and we were at an impasse on the project in 2008.

By this time, we recognized that our conservation goals were not being met. We believed that it was important to undertake management to reduce the risk of uncharacteristic fire affecting Pacific fisher, but disagreed with the approach being pursued by the Forest Service. With support from fisher scientists and forest ecologists, we were able in 2009 to convince the Forest Service to set aside the KRAS and take a fresh look at designing a smaller logging project (within the same footprint) with the mutual goals of reducing fire risk and protecting Pacific fisher and spotted owl. This agreement with the Forest Service to work on the design of a smaller project, called "Dinkey North and South," served as the precursor to the Dinkey CFLRP.

Our agreement to work on the smaller project included a commitment from the Forest Service to fund a third-party facilitator to help a small group of stakeholders design the project. The stakeholders included Sierra Forest Legacy, the Forest Service, SoCal Edison (a major local landowner), owners of the local mill, tribal interests, FireSafe Council, and a small local land owner. Over the course of 8 months, this group worked on designing a project that the Forest Service ultimately adopted as their proposed action through a subsequent NEPA process. From the beginning, all parties appeared willing to approach the problem differently, but were wary of direct engagement with each other.

The neutral third-party facilitator[2], funded by the Forest Service, helped the group establish an investigative approach and structure that supported mutual learning and problem solving. This approach was essential to addressing the conflicts between logging and species conservation that had formed the basis of past conflict. Fundamental to the success of this process was the intentional engagement of a variety of scientists to help identify critical issues and provide feedback on the design of the approaches formulated by the stakeholder group. The scientists were also actively engaged in providing supporting information to the stakeholders.

**Development of the Dinkey CFLRP**

With the completion the Dinkey North and South project, the stakeholder group agreed to develop a proposal for the Collaborative Landscape Restoration Program called the Dinkey CFLRP. This proposal included several elements that were foundational to the Dinkey North and South planning effort, including:

- An open process with third-party facilitation;

[2] Gina Bartlett, Center for Collaborative Study, Sacramento, CA

- Equal footing among participants including the Forest Service;
- Active engagement of scientists and long-term funding to support research on Pacific fisher and California spotted owl; and
- Mutual learning and a commitment to undertake adaptive management and monitoring.

The proposal that we developed with the group met our interests to design projects that conserved fisher and other at-risk species in the short and long term, and increase the use of prescribed fire to levels that substantially exceeded the area to be treated with commercial logging.

Once funding was awarded to support the Dinkey CFLRP, the core team who developed the proposal began work with the facilitator to recruit other stakeholders to join the effort. We recruited representatives from several environmental organizations. We sought out our conservation allies who had been working on fisher and spotted owl conservation, but had not been satisfied with their progress. We suggested the collaborative as a new way of doing business that might result in an improved outcome. We emphasized the benefits of an equal footing among stakeholders, the expected engagement of scientists, and the commitment from the Forest Service to support and engage the collaborative. Others recruited the California Department of Fish and Wildlife, California Department of Forestry and Fire Protection, San Joaquin Air Quality Control Board, and local community groups and reached out to local elected officials.

The first series of meetings were focused on educating prospective stakeholders, developing the charter, and creating a program of work for the group. These steps provided the foundation for future work in the Dinkey Collaborative. The governance structure included a steering committee and several work groups focused on landscape planning, communication and outreach, monitoring, and fire management. The agenda for the monthly meeting is developed by the steering committee with support from the facilitator. By agreement from the full collaborative, the various work groups undertake more detailed work that supports the annual work plan. A work group then develops recommendations for action to the full collaborative, who vote on actions to take or actions to recommend to the Forest Service. An important aspect of the governing structure is that it is open to those who are willing to invest the time and offers a variety of opportunities for stakeholder engagement depending on technical expertise and interest.

The Dinkey CFLRP has been especially fortunate to work with highly skilled facilitators. The initial facilitators were especially committed to designing an open and transparent process that allowed interested parties with a variety of skill sets to engage productively in the process. Their attention to following adopted processes and protocols, and reminding others to do so as well, kept the group on track and focused in the early days. The facilitators' focus on problem solving and mutual learning also helped to diffuse early tension and debate about the natural resource issues we were confronting.

The work and relationships developed within the Dinkey CFLRP also created synergy to design other vehicles to work together to resolve resource conflicts. The Dinkey CFLRP proposal promotes an increased use of prescribed fire, but we encountered barriers to actual implementation of prescribed fire projects that had been approved. This was a concern to some Dinkey CFLRP members and others. In response, we became one of the founding members of the Southern Sierra Prescribed Fire Council[3] (SSPFC) that was formed in 2011. Based on the council model developed by the Northern California Prescribed Fire Council, the SSPFC brings together various agencies, including the California Department of Forestry and Fire Protection, to support and promote the use of prescribed fire in the southern Sierra Nevada. Challenges implementing prescribed fire in the Dinkey CFLRP provided the basis for further work of the SSPFC to reduce those barriers. Dinkey CFLRP, the SSPFC, and the Managed Fire MOU[4], a statewide collaborative effort, all work together, at their respective geographic scales, to increase the use of managed and prescribed fire for ecological and other benefits.

**Successes and Challenges of Collaboration and Scaling Up**

The success of a collaborative group depends on getting agreement among parties to problem solve in a fashion that acknowledges and considers the interests of other parties. The process essentially is an interest-based negotiation and requires that the parties be willing to engage. To understand the ramifications of expansion to larger landscapes and a larger group of stakeholders, a professional facilitator should be employed to complete a feasibility assessment to evaluate the readiness and capacity of the stakeholders to collaborate and problem solve.

Once collaboration is deemed feasible, a larger collaborative group will require more attention to facilitation and project management to ensure the open and productive engagement of stakeholders. In any collaborative effort and especially one that covers a larger geographic area or longer period of time, the stakeholder group undergoes changes in personnel. People, and even organizations/agencies, come and go, and a process to educate new parties while keeping ongoing stakeholders engaged will be needed. Foundational documents like a charter, which documents the governing structure, how the group will work together, and the process to resolve disputes, are critical to a strong and enduring collaboration.

Continuity in leadership is also important to success. As noted above, some turnover in people and organizations must be expected. This becomes a greater risk with larger landscapes, but can be overcome with long term continuity in leadership intent and commitment to the collaborative process from a foundational group of stakeholders.

**Lessons Learned**

We actively seek out or create collaborative efforts to solve resource problems. Our experiences remind us that not all problems can be resolved through collaboration. We

[3] http://www.sosierrapfc.org/calendar-of-events
[4] https://www.sierraforestlegacy.org/CF_ManagingFire/FireMOU.php

have been involved in efforts that achieved no or low levels of success; these experiences have helped us identify evaluation criteria. Whether we are designing a collaborative effort or assessing whether to join an ongoing collaborative effort, we use the following criteria to help us judge the likelihood of the collaborative group's success:

- Is the purpose and desired outcome clearly stated?
- Are the prospective decision makers committed to honoring and applying the results of the collaborative process?
- Is there a commitment to support neutral facilitation and project management?
- Is the process transparent with a clearly defined governing structure?
- Are the stakeholders willing to contemplate a resolution that meets their interests, but may be different from a position they currently support?
- Is mutual learning a cornerstone to the process?

One possible variant on a single expanded collaborative effort to cover a larger landscape might be to nest thematically similar collaborative efforts within a larger framework. The groups working on increasing prescribed or managed fire might severe as an example of such an approach. The Dinkey CFLRP, the SSPFC, and Managed Fire MOU each work on solving the same resource conflicts, i.e., limits to the use of fire as a management tool, but they do so at different geographic and political scales – 150,000 acres, 6 million acres, and 104 million acres, respectively. Because their concerns overlap, these groups periodically join forces to address cross-cutting issues. This integration is possible because membership and leadership in the groups overlap to some extent. With some attention to coordination, the work of collaborative groups focused on the same themes, but at different geographic scales could be integrated across larger landscapes.

**Forest Conservation and Restoration: Next Steps**

The State of California is uniquely positioned to provide both technical expertise and funding to support forest conservation and restoration across ownerships in California. Expert staffs with the CDFW, CALFIRE, and the water boards consult extensively with private landowners and to some extent with federal landowners. Increased participation from state agency experts could improve conservation outcomes for collaborative forest projects with additional technical knowledge and analytical support. The Sierra Nevada Conservancy and California Tahoe Conservancy each provide leadership and support for various collaborative efforts. Continued and expanded funding for their work will enhance the progress already made.

New funding for project implementation from sources like the Greenhouse Reduction Gas Fund or bond funds could be used to enhance collaborative efforts. This could be done by prioritizing for funding projects that are designed by stakeholder groups that reflect diverse interests. Funding from such sources could also be used to support facilitation services for collaborative efforts. The Integrated Regional Water Management Program is

one example of how funding can foster collaboration among stakeholders and can leverage the investments the State makes in resource conservation and restoration.

More and more state funds are available to accomplish restoration on federally owned public lands. The State's capacity to invest in restoration on federal lands reinforces the importance of these lands to protecting public trust values and the natural resources that are vital to the State. The Forest Service in recent years has promoted an "all lands, all hands" to restoration. The funding and technical expertise that the State can bring to the management of large landscapes can be used to leverage the completion of projects that meet the various goals of the State's resource agencies, including protecting biodiversity, enhancing ecological health, stabilizing forest carbon, and reducing fire risk to communities. Such support is especially important at a time like now when the federal administration and Congress are not wholly supportive of public lands and are looking for ways to defund or undermine the restoration objectives developed in recent years.