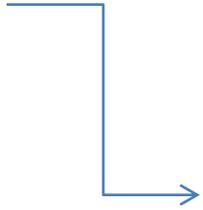


BLM Forested Lands in Oregon Collaboration Inquiry

Prepared by
U.S. Institute for Environmental Conflict Resolution
and
Oregon Consensus

September 2011



Presentation Overview

- Background and Approach
- Responses to Collaborative Inquiry
- Congressional Staff Perspective
- Collaborative Process

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Background

- BLM engaged the U.S. Institute for Environmental Conflict Resolution to assist in addressing issues related to Western Oregon forests
- The U.S. Institute is a program of the Udall Foundation, an impartial, independent federal agency
- The U.S. Institute partnered with Oregon Consensus to co-conduct the collaborative inquiry
- Oregon Consensus is Oregon's legislatively created public policy conflict resolution and collaborative governance program

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Approach

- Created interview questions
- Created list of stakeholder representatives
- Interviewed stakeholder representatives from 34 organizations
- Asked 16 questions in three general categories
 - Lessons Learned and Innovative Approaches Going Forward
 - Designing a Successful Collaborative Process
 - Land Management Objectives

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What the neutrals heard from stakeholder interviewees

Stakeholder Interviewees

- **Tribal**
 - Coquille Indian Tribe
- **Federal Government**
 - U.S. Forest Service
 - U.S. Fish & Wildlife Service (including LCC)
 - National Oceanic and Atmospheric Administration
 - Environmental Protection Agency
- **State and Local Government**
 - Oregon Department of Forestry
 - Benton County Commission
 - Lane County Commission
 - Jackson County Commission
- **Environmental Interests**
 - The Nature Conservancy
 - The Larch Company
 - Klamath Siskiyou Wildlands Center
 - Oregon Wild
 - Pacific Rivers Council
 - Umpqua Watersheds
 - Geos Institute
 - Western Environmental Law Center

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What the neutrals heard from stakeholder interviewees

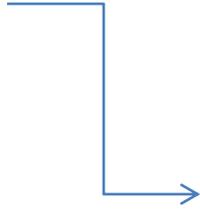
Stakeholder Interviewees

- **Forest Product Industry**
 - American Forest Resources Council
 - Herbert Lumber Company
 - Rosenberg Forest Products Company
 - Rough and Ready Lumber Company
- **Fishing Interests**
 - Northwest Steelheaders
- **Tourism and Recreation Interests**
 - International Mountain Biking Association
 - Trout Unlimited
- **Academic Interests**
 - Oregon State University, College of Forestry
 - Portland State University, Department of Anthropology
- **Others**
 - Southern Oregon Small Diameter Collaborative
 - Applegate Partnership Board of Directors
 - Communities for Healthy Forests

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What the neutrals heard from stakeholder interviewees



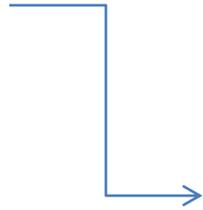
Collaborative Inquiry Interview Results

Note: These slides present a range of interviewee responses, not necessarily recommendations endorsed by the interviewers/neutrals.

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What the neutrals heard from stakeholder interviewees



Lessons Learned and Innovative Approaches Going Forward

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What Has Worked Well?

- BLM is increasingly using collaborative processes
- BLM has made some progress with pilot projects
- BLM is a “can do” agency
- BLM structure is decentralized; BLM district managers work well in local communities
- USFS, BLM, USFWS, and NOAA are communicating and resolving disputes better
- Thinning stands of trees 80 years or less

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Suggestions for BLM

- Decision making works best when BLM approaches the community early in the process. Works less well when decisions are handed down from the top.
- Stakeholders desire a strong BLM leader in the process
- Consistency is important
- One source of inconsistency is political change
- BLM needs to have a clear idea of what they want

“Engage early on with stakeholders.”

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What Could be Done Differently?

- BLM needs to adhere to the O&C Act
- BLM needs to interpret the O&C Act less stringently
- Revisit mandates of O&C lands; make O&C Act more compatible with what majority of public would like to see
- Stands over 80 years and salvage areas from insect and fire destruction are not managed as well
- BLM needs to work with other parties to meet all needs, not just timber interests; BLM needs to be more sensitive to old growth and species conservation issues

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What the neutrals heard from stakeholder interviewees

Innovative Approaches to Management

- Landscape scale assessment followed by a restoration-based plan with resiliency for climate change
- Sustainable and adaptive management plans, allow for experimentation
- Sell "Carbon Credits" for polluters
- If you want a plan with environmental certainties, you also need commodity certainties

"A new look at these lands may not appear any different. We need a plan that is scientifically sound, ecologically responsible, and within the laws. We cannot forget human, economic, and social dimensions."

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What the neutrals heard from stakeholder interviewees

Specific Activities Needing Improvement

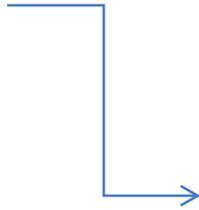
- Work toward consistency and continuity in management policies and directives thereby reducing variables
- Reduce scale to site-specific regions (i.e., watersheds) for the ideal geographic size to divide lands
- Ensure commitment of resources to insure completion and implementation
- Continue to implement the Western Oregon Plan Revisions

"Improve Washington DC BLM interactions with Oregon BLM; and, Oregon senior management working relationship with the Oregon field staff."

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What the neutrals heard from stakeholder interviewees



Designing a Successful Collaboration

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What the neutrals heard from stakeholder interviewees

Definition of Collaboration

- Discover common interests; define goals; involve a manageable number of participants; foster respect for others; agree to work in good faith
 - Not the lowest common denominator
- “You have to come into the process with the idea that you will work together to create a management plan that will address the needs of all stakeholders—not just yours.”*

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What the neutrals heard from stakeholder interviewees

Would a Collaborative Process be Helpful?

- Yes: If the right people are willing to come together and have serious conversations and try something new; if legislators set goals first; start by defining values and needs of parties
- No: WOPR took five years, can't do better; will be more difficult than east side; not sure people are ready to compromise

“The focus should be on values rather than positions with clarity on decision space.”

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What the neutrals heard from stakeholder interviewees

Recommended Primary Objectives of a Collaborative Process

- Figure out “how” after legislators define “what”; collaborative should not be undertaken at same time competing federal legislation is being negotiated and written
- Provide a sustainable, predictable supply of BLM timber; pursue a lasting outcome that cuts through all the litigation; define goals in all areas: e.g., recreation, harvest, fish and wildlife, and the economy

“The collaborative effort should start with senior officials working together to find common ground and define sideboards.”

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What the neutrals heard from stakeholder interviewees

What Scale?

- All western Oregon; all types of forested land
- Start small; localized as much as possible; focus on individual timber sales

“The scale is dependent upon the level of consistency required to manage lands effectively.”

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What the neutrals heard from stakeholder interviewees

Who Should be Engaged?

- All interested parties; people directly impacted; the beneficiaries of O&C lands; representatives of local communities
- A broad spectrum, but not the extremes
- O&C lands are trust lands; engage beneficiaries of the trust
- Bring together entities willing to attempt to meet others' needs

“Remember, successful collaboration usually grows organically—from the ground up.”

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Key Considerations in Ensuring a Successful Process

- Ground rules; a code of conduct; strong political commitment of true collaboration; the right parties at the table; good, neutral facilitation
- Pursue a product that addresses deliverables
- Steer clear of controversial science issues

“We need to engage a representative sample of a broad range of interests.”

What the neutrals heard from stakeholder interviewees

You or Your Organization Interested in Participating?

- Yes, if it is a legitimate process not driven by agency or political needs; yes, if the right people are participating
- Our agency is committed to a collaborative process, but we're not interested in being the "whipping boy"
*"I have no desire, but I will because I need to stay at the table.
With a new framework, I would participate enthusiastically."*

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What the neutrals heard from stakeholder interviewees

Factors Limiting Participation

- Limited staff
- Budget cuts
- Time—it takes time to build relationships
- Lack of advance notice

“I don’t have time to spare. This is not a hobby for me. People with valuable opinions are professionals.”

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Lessons Learned From Other Collaborative Activities

- Must be time sensitive
- Must have a common goal; enter the process with a goal of reaching a common solution; must have outcomes that people agree to reach
- Start, finalize decision, move forward, keep promises

“Collaboration doesn’t happen unless there is a critical moment in time when it needs to happen.”

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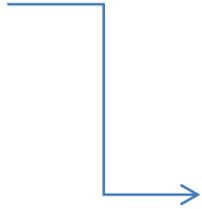
Who Should Convene Collaborative Process?

- Political convener—a governor or senator or congressman
- Governor Kitzhaber
- Secretary Salazar

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What the neutrals heard from stakeholder interviewees



Land Management Objectives

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What the neutrals heard from stakeholder interviewees

Priority Objectives for Managing BLM Lands

- Generate revenue for counties
- Split between: all multiple uses evenly balanced; environment primary; timber primary
- Recognize that management strategy must be in compliance with current laws

“Even though there are economic objectives, need to include all economic factors, including fish, drinking water, tourism, etc.”

“Given unique role of federal lands in Oregon, the priority for objectives should be ecological, recreational, multiple-use, and economic.”

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What the neutrals heard from stakeholder interviewees

Are Current Management Objectives Being Met?

- There is a range of beliefs about whether BLM is managing in accordance with O&C Act and meeting objectives of this act
- Desire from many that in addition to the mandates of the O&C Act, BLM's management objectives take into account other laws and other objectives

“BLM is struggling to meet current management objectives, but, the objectives of 1999 Forest Plan Revision and WOPR are different.”

“O&C Act is dominant use act requiring timber production as its highest priority. BLM is supposed to be a multiple use agency, but O&C is law.”

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What the neutrals heard from stakeholder interviewees

What Should be Done to Pursue Management Objectives?

- Tackle western forest issues regionally and incrementally
- Develop small-scale, site-specific plans

“Eliminate the legal quagmire that clogs the system and requires Congress to act to remove unnecessary roadblocks.”

“Increase revenue that will benefit local economy based on site specific plans. Can do thinning without harming recovery process for clean water, habitat for ESA fish, wildlife, wetlands, and recreation.”

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Measuring Successful Management

Examples of suggested measures include:

- Healthy stands, consistent flow of timber, clean water, protection of species, conservation
- Public satisfaction, lack of litigation, achievement of desired conditions
- An easily understandable goal (like half a billion board feet a year)

“A forest strategy must be created.”

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What Agencies or Entities Are in the Best Position to Manage BLM Lands?

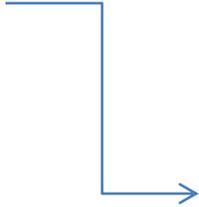
- BLM is in the best position to manage these lands—Forest Service does not want to manage them
- Forest Service
- Give the land back to the counties
- Create an Oregon Natural Resources Department and give it responsibility for managing the lands

“I have a high degree of respect for BLM and their people. They must operate under restrictions that make it difficult.”

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Neutrals' analysis



Collaboration Process Overview

The collaboration process should be:

- Clear
- Well informed
- Transparent
- Attuned to next steps

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Clear Process

Clearly define:

- Issues, options, and timeline; i.e., the sideboards for the larger collaborative process
- Roles of the Governor, the Secretary of the Interior or his designee, and the Congressional Delegation in defining the sideboards (“the senior leaders”)

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Well Informed Process

Create a well-informed process through:

- Joint direction from the senior leaders
- Discussions among staff designees of the senior leaders
- Availability of neutral third-party facilitation for staff-level discussions
- Access to results of the collaboration inquiry for all senior leaders and their staff

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Transparent Process

Create a transparent process through:

- Access to results of the collaboration inquiry for those who participated in it
- Ongoing access to information about the progress of the collaboration for stakeholders

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Examples of Issues and Assumptions for Defining the Sideboards (I)

Senior leaders might address the following types of questions to define collaboration sideboards:

- Is the collaboration taking place in the context of the existing O&C Act or in the context of potential changes to the O&C Act, including fundamentally different approaches to managing western Oregon forests?
- If the collaboration is in the context of the existing O&C Act, do the senior leaders wish to provide guidance on fundamental interpretation of the Act (e.g., balancing timber harvest with other uses and values)?

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Examples of Issues and Assumptions for Defining the Sideboards (II)

Types of questions:

- How should the provisions of the O&C Act be interpreted in light of other major legislative mandates (NEPA, ESA, National Indian Resources Management Act: Tribal Timber Law, FLPMA, etc.)?
- Should it be assumed that there will be no changes in management responsibility for O&C lands (or do the senior leaders wish to invite discussion of alternatives to present management responsibility)?
- How can senior leaders ensure appropriate resources for a sustainable outcome?

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Examples of Issues and Assumptions for Defining the Sideboards (III)

Types of questions:

- Should the collaboration assume the scope of the discussion is solely O&C lands or western Oregon forested lands more broadly (and if it is broader than O&C lands, what should be included)?
- Can the senior leaders convey an ongoing message about the importance of resolving issues within the collaboration and not undermining the process through other avenues, including litigation?

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Examples of Issues and Assumptions for Defining the Sideboards (IV)

Types of questions:

- Beyond the collaboration process, will BLM undertake a NEPA process related to the Western Oregon Plan Revision (WOPR)?
- Should the management of O&C lands be guided by the principles underlying the NW Forest Plan? If so, to what degree?
- Should the management of O&C lands be consistent with the “Framework to Guide Forest Service & Bureau of Land Management Land Use Plan Revisions and Amendments?”

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Neutrals' analysis

Next Steps

Once sideboards are provided by the senior leaders, the next steps could be:

- Neutrals would conduct a full situation/needs assessment
- Based on the outcome of that assessment, the neutrals would work with key stakeholders to design and implement the collaboration

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Information Sharing

1. How do we report back the results of the collaboration inquiry to:
 - a. Collaboration Inquiry interviewees
 - b. Stakeholders/public in general

2. How do we report on the progress of collaboration next steps to the above groups?

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Timeline

- What is the timeline for a decision by the Interior/BLM and Governor's office to proceed?
- If Interior/BLM and Governor's office decide to move forward with asking the senior leaders (Governor, the Secretary of the Interior or his designee, and the Congressional Delegation) to set the sideboards, what is the desired timeframe for:
 - Receiving sideboards from senior leaders
 - Initiating a situation/needs assessment conducted
 - Beginning the collaboration

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