

## PARTNERSHIPS IN RESOURCE POLICY AND LEGISLATION: A FEDERAL PERSPECTIVE

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What you know now of my background and experience is that it is one encompassing a variety of wildlife, range, forestry and general resource administration roles. I am definitely not an expert on political or social sciences. What you don't know much about is my youthful heritage, and I would like to talk a bit about that because I think it may come as some surprise that my family was responsible for draining a large share of our vast marsh and wetlands of the northern midwestern United States. How ghastly, and you're a biologist you say! My grandfather, a brilliant thinker, invented the world's first backhoe and several wheel and boom type trenching machines with names like the "Parsons," "Buckeye," and of course the "Greiman Ditcher": (The motto on an early marketing brochure proclaimed, "Digging out the profits of the land with a Greiman Ditcher." How true! Doesn't that fit in with other slogans of the time, like "progress is our most important product"?). Besides growing up with building the machines that converted thousands of acres of prairie and wetlands to agriculture, I was fortunate to accompany my father around the Midwest to view some of the family's drainage contracts in operation. As you can see, my conservation values were established at an early age!

Now there is more to this story than the demolition of waterfowl habitat: My father and his brothers were very avid duck hunters as well. We used to hunt at a small lake about four miles from home. Even though it was close, the lake had a row of "duck shacks" along the west shore where hunters could spend the night before an early morning shoot. My cousins and I used to lie in our bunks and listen to the men while they played a few rounds of poker, told a few off-colored jokes, talked about ducks...or the lack thereof, and discussed why there were so few ducks around the country! This was male bonding at it is 50's best! They blamed the dramatic decrease in duck numbers on overshooting "up north" or down the flyway in the Mississippi Delta; but mostly they blamed it on the politicians for not regulating hunting with appropriate laws.

My hunting ethic was clearly developed during these years; we were forbidden to shoot even one second before legal time, or to shoot hens, or redheads or canvasbacks, because there were no longer as many divers as there used to be. So we were conditioned to shoot mainly mallard drakes since there were literally hundreds slamming into our decoys. This ethic was steeped in the conservation values system of the times, and it was probably a good one for those times.

Not once, never, never, do I recall my grandfather, father or uncles talking about the dramatic loss of waterfowl habitat due to drainage of our midwestern wetlands! (To clear the record for the moment, my father, now 85 years old, has spent much of the past several years working with the Iowa Historical Society's heritage program to help save remnants of prairies and wetlands in the State. Also, he is an avid supporter of no-till farming and sustainable agriculture systems).

Anyway, few people talked much about declining habitat conditions. In fact, the only knowledge of this problem from a young boy's perspective was brought to my attention by reading J.N. "Ding" Darling cartoons printed in the *Des Moines Register*. But, my point with all this storytelling is that we need to ask where were we, the professionals! We had a role then as we do now to clearly communicate wildlife and resources issues to the public and to our legislator's who make the laws!

This morning I want to share some thoughts on how and why we can perform a role in the political process as professionals, both individually and collectively as true partnerships between our agencies and organizations. How can we provide the bridge between science and the changing values and attitudes of the public in the development of resource policy? And perhaps most importantly, I hope to impress upon you all how important it is to deploy the findings of science from the professional community to the political community to assure that the best science is used appropriately in our democratic process.

Before you form any of your own opinions, let me remind you of that well known oxymoron, "military intelligence" (An oxymoron is a combination of words that creates a paradox or absurdity.) After listening to what I have to offer, you will likely believe that "political science" is an oxymoron as well.

I, like many of you, was exposed to the politics of trees, wildlife, fish, and grass at an early point in my career. When I worked in Colorado, we used to hold interagency meetings to establish season bag limits for big game. We used the best biology in providing the needed recommendations to maximize big game hunting opportunities from a purely scientific standpoint. Unfortunately, we had little influence over the significant habitat influences like ski area development and associated growth patterns, large water developments, and interstate highways.

But that too was a different time and our societal attitudes reflected different values toward wildlife and natural resources in general. Colorado was still developing energy and water, those seemingly limitless resources, to feed a rapidly growing economy.

Most importantly, even when socioeconomic impacts to the wildlife resource were recognized, they were not appropriately considered in the total framework of decision-making processes. These critical influences were largely politically dependent and outside the sphere of control of professional biologists.

Clearly there have been some changes in how we view the role of wildlife in our decision-making processes. But have the processes changed sufficiently to provide the consideration we as professionals believe wildlife deserve? I think many of us believe they have not. But, I am an optimist and believe we are seeing a renaissance of change in the way resource law, regulation, and policy are being made.

The number of initiatives sponsored by citizens and interest groups dealing with resource issues on the California ballot has brought attention to the need for not only good legislation, but good regulatory and policy formulation as well. The President wants to be known as the environmental president, and California's new governor ran on a platform committed to a quality life for Californians. Many state and Federal legislators are very sensitive to environmental issues, and at the least, want to be known for their "balanced" approach to resources issues. To be anti-environment is no longer "in" politically. But that doesn't necessarily mean to be an "environmentalist" legislator is the political norm.

What happened? Why is there increased political interest in such issues?

Not long ago most political environmental issues were localized; a local issue could likely be resolved locally because there were few known impacts to those living on the "other side of the mountain" or "down the river." But the problem was, those living on the other side of the hill thought exactly the same way. And all of a sudden those issues being pushed over the hill collided at the top!

As the issues become more complex and expand beyond the local area of influence, the general public's attention is drawn into the formula; and once issues are beyond local interest (as so many of today's environmental issues are), they tend to seek resolution at the next higher level of government. And as resolutions are made at levels further away from the problem, the less consideration is given to the real issue. And I have found that most state and Federal legislators do not want to be forced into elevating regional issues to the national level, because if elevated, they [regional issues] usually result

in lose-lose resolutions unfavorable to the local interests, and thus to the legislators' constituents. This makes a case for looking at resource issues and allocations on a regional scale...something I see beginning to gain interest in California.

Here are some more indicators of change:

Many of us heard President Bush proclaim in the State of the Union message that decision making and controls have to be done at the local level, with more "empowerment to the people."

The Governors met this week in Washington, D.C., where they requested more decentralization of power and more flexibility in managing the Federal States Grants Programs, and they got it. Now they only have to convince Congress. These are clear political signals from our top elective leadership that they want more local and regional controls.

Here in California, where 1 out of every 9 Americans lives, and where soon 1 out of every 8 members of Congress legislates; we find ourselves to be the Nation's most culturally and naturally diverse state. We proclaim to be the world's sixth leading economic power. Our population has expanded to 30 million, and is growing at a rate of about 800,000 additional people per year. With this expanded growth have come incredible pressures upon our natural environment and its life supporting systems.

And today, like no other time in history, we have the public's interest, and thus an opportunity and challenge to facilitate local and regional resource decisions that reflect good conservation and good professionalism. And I believe we can consider western Nevada and the Hawaiian Islands in this regional perspective as well, because the pressures that modify and influence our natural environment are also being felt similarly in those states.

We professionals have to facilitate good conservation by using new approaches to transfer good science to our decision makers, our political leaders, and the public. We can do this by demanding almost day-to-day communications between the policy makers and leadership of interested and responsible organizations. We need to bridge communications between the legislative, executive, and judicial branches of our state and federal governments. We need to make policies and regulations that consider a mix of contemporary biological, social, and economic science. We need to look at the health of biological regions and ecosystems. We need to challenge the state, Federal, and local political barriers that have impeded our progress towards a unified approach to environmental health across administrative and ownership boundaries. We need to accept the global shift in values from an industrial/agricultural-dependent to

ecological-driven paradigm. We need to take a hard look at traditional doctrines and institutional protocols that have guided environmental policy in recent years. We need to recognize that a strong sustainable economy is essential to maintaining a quality environment. This, my fellow professionals, is a big, big job. It is a major change in our occupational culture.

As professionals, we perceive that environmental policy and decisions must be based on scientifically sound dogma. But as I heard an old Baptist minister once say, "Beware of the expert who believes only in sound dogma, for it may be only sound"!

But the public, just like the old Baptist preacher, perceives that environmental policies and decisions need to be based upon moral values and attitudes. Legislators come from the general public and thus represent a complex of backgrounds. Few are scientists. But they do represent their constituents and thus reflect the same values and attitudes of the general public.

So to communicate our science to the public and to the politicians, we as professional "biologists" need to develop a better delivery system. Clearly, we must be responsive to the values and attitudes of the public as public policy is being developed. We have spent generations promoting our professional value systems without considering those of the public and they are screaming for us to hear them!

We might not all agree with the messenger; however, there is a message being heard by the general public, and it is not that from the professional community. It is one based upon emotions, attitudes, and values, and it is a message calling for an end to the way we have managed our wildlands and their resources according to our current way of thinking. Incredibly, the communication strategy is to use celebrities whose believability is founded on the high moral character developed in a movie or TV role. The message we are hearing from them is "don't trust the professionals"! Right or wrong, the messages these celebrities send are those that we in the resource professions individually or collectively would not communicate to the public.

Far too often we try to resolve environmental issues with the wrong players. For example, to apply local or regional solutions to issues of national interest is not politically possible at the local, regional or state level. In fact, there is a trend to nationalize local and regional environmental issues through Federal legislation, legislation which is more and more frequently sponsored by members far removed from the region of the country where the issue exists. Much of this legislation is written, and its final language is negotiated, not by professional scientists, but by well-intending staff and zealous advocates who have more experience as lawyers or

political scientists than they do as experts in the field to which the legislation applies.

Although we should make every effort to resolve resource issues at the local and regional level, how should we handle an issue once it becomes nationalized?

One strategy is to use a political model similar to that which was used with the spotted owl and old-growth issue; clearly a regional issue of national interest.

The key to this design is that it submits the best available scientific information to the public forum for a political decision; society and our democratic process then determine the final outcome.

The "Interagency Spotted Owl Report" report, better known as the Jack Ward Thomas Report, is the single most intensive biologically based management strategy for management of a single species in history. It has changed the way lawmakers and policy makers view the professional scientific community. Even though it stimulated controversy, it has brought scientific credibility to the professional community, because it was a document supported by an overwhelming majority of peer professionals. Although it does not completely support many of our desires to get away from managing single species, it opened the door to management of ecosystems by proposing a combination of conservation and management of large habitat areas required for a variety of habitat-specific species. This strategy made darned good sense to a lot of interested publics and political leaders, particularly those who understood the mission of the task force and the context of the Endangered Species Act. Interestingly, during the past year the ball was passed back and forth between the three basic powers of government: judicial, executive and legislative. But most importantly, the process involved the best combination of key players, both political and scientific.

Clearly we all realize that current management policy of Northern Spotted Owls and the issues of managing and preserving old-growth forests have not been resolved in total. And I might add that the California Owl is soon to become the "Rocky II" of the Owl controversy.

Only a partial resolution will come out of the recently appointed recovery team, and that process could take up to 18 months! Also, we will see another effort in the 102nd Congress to better clarify the intent of Congress to resolve the issues from their perspective.

Within a few weeks, the U.S. District Court will consider litigation proposing to prevent the harvest of timber in Spotted Owl habitats on National Forest and public lands of Oregon and Washington in violation of the Endangered species Act and absent a recovery plan. Obviously, a quick-fix solution in the 1990 appropriations bill was an example of Congress being forced into

providing a temporary resolve. Additional lawsuits will soon be heard in California over the California subspecies.

The Owl controversy has resulted in some interesting outcomes; compare the likes of our past Surgeon General C. Everett Koop, to Jack Ward Thomas, and yes, even Cable News Network's Wolf Blitzer; they have all brought credibility to their profession in a media-assisted way. I certainly don't want to attribute most of the credibility to charm, because, the success of the Interagency Scientific Committee was due to a true partnership of agencies and individual scientists. And perhaps most importantly, we need to remember that the report is accepted by the public because it can see a strategy that protects its value perceptions of what the forest environment should be.

But while we capitalize on the successes of the Interagency Scientific Committees' strategy, we must not become overzealous and go beyond reason and established science. We must next strive to manage entire ecosystems with an overall objective of providing for healthy functional, ecosystems. And to do that we must do what I said earlier, we must work together and apply our ecosystem management strategies across administrative and ownership boundaries, and we must incorporate the social and economic values into the formula for success.

Managing entire ecosystems will also require real partnerships between all political interests. It will require consensus from all interests. It will require that legislative mandates and administrative policies between state and Federal levels of Government are made consistent with one another. It will require bold departures in long-standing traditions, doctrines and institutional protocols. Perhaps most importantly, it will require that legislators offer a vote of conscience rather than one of caucus-influenced party line when deciding the fate of environmental legislation.

Some very sensitive basic tenets of property rights will need to be addressed. This may be the toughest political barrier to resolving resources issues of the 90's. For example, what role will private lands play in contributing to healthy ecosystems over an entire wildlands landscape? This question will require creative new measures and incentives to justly compensate private property owners for lost prerogatives of land use.

Should we spend several hundred million dollars on preserving an important few thousand acres of old-growth redwoods, or should we spend that amount on a statewide program to manage functionally critical wetlands and riparian areas? Which is the most ecologically significant priority? Who in fact is setting these kinds of priorities? I don't see evidence that it is we professionals in this room. And remember, these kinds

of public expenditures incur incredibly high costs of scarce funds at a time when a greater share of public dollars will be allocated to defense and social demands.

We will, of course, ask a similar question for the role public lands will serve. These lands have always been looked upon as a sink for uses and activities not available on privately held property. Because we have a long history of placing stressors on public lands when private lands could not fill a given use or resource void, these stressors increase, and there is no way public lands alone can continue to withstand more of the burdens. Thus, it will require changes in the way we rely upon commodity production from our resource-producing lands, whether they be public or privately owned.

For example, what would happen if public forestlands were placed in a massive reserve system? Commodity production pressure on private lands would result in an environmental overload, and the public would demand increased regulatory control only after costly resource damage was incurred. Owners of private forestlands would lose even more controls over their own entrepreneurial destiny, and thus economic incentive to survive. And the public would end up paying the high costs of restoration. We are scientifically ignorant in thinking that we can manage for biological diversity only by setting aside public lands as preserves. We, of course, have to identify those public lands which are critical—that is, they play a role in the total health of an ecosystem function—and not randomly designate vast areas to be preserved.

Another significant political event has provided impetus for us professionals to move visibly forward in a political sense: the recent environmental initiatives in California. Clearly, the voters' rejection of the measures can be attributed to the high costs involved during a recessionary period, complexity of the measures' content, and frustrations with legislating without participation of the established legislative process.

The significant message from the popularity of these initiatives to us resource biologists is that the voters are in fact interested in a quality environment and given more favorable economic and foreign relations stability, voters would have handily passed the measures. Their failure at the ballot box did not signal diminished public concern about the basic issues; if changes are not forthcoming in how we manage our environment, environmental initiatives will be back in 1992.

The business community clearly understands the message as well. Recently I heard Kirk West, President of the California Chamber of Commerce and director of his California Governor Wilson's Policy Advisory Council, tell Chamber members that they had better listen to the message of the voters—their sentiments are

here to stay. He told them to develop their own initiatives to leave the public with a favorable perception of the business community by initiating some bold and creative pro-environmental measures and company policies.

Likewise, here's a quote from Bill Dennison, President of the Timber Association of California: "In reflecting upon the outcome of the November election, we must look thoughtfully at what really happened. Environmental initiatives were defeated, but polls tell us that environmental issues are still high in the mind of the public.... We in the industry must seize this opportunity to be players on the local, state and Federal levels, and must recognize reasonable changes to enhance our environment."

I am sure some of you are skeptical about our becoming involved in the political processes in a more active way. Of course there are a few hazards in doing this, and I sincerely believe that we professionals do not politically and should not ethically align ourselves with either side of either industrial or environmental political forces. Rather, we should ask how we can help bring the opposing interests closer together. It may very well be, however, that our professional positions may tend to support the interests of one side or the other; but if that is the case, then that is in the best interest of the resource we manage and as such will clearly serve to strengthen our political credibility.

Now let me move on to some examples of legislative and policy changes reflecting the changing attitudes of voters, interest groups, and political leaderships.

I mentioned that there is a trend to nationalize environmental issues, even those limited to local and regional interest. I have already used the spotted owl/old-growth controversy as an example of a regional issue that has become a national one. Because the issue has not been resolved to everyone's satisfaction, we will see at least two pieces of Federal legislation and at least three or four of State legislation attempting a resolve (in Oregon and Washington as well as in California).

Sponsors of the Federal legislation are not legislators from the western United States, and because the issues are of national importance and involve Federal public lands, there is no legislative rules in Congress limiting who sponsors national interest legislation affecting public lands in the west. I recently returned from Washington, D.C., where I attended meetings with legislators, committee staff, and agency advocates discussing upcoming Federal legislation relating to the Forest Service. There is quite an agenda of resources-related legislation, addressing topics from increasing grazing fees to a complete overhaul of the 1872 mining law. Congressman Bruce Vento (D), Minnesota, intends to reintroduce his legislation to preserve old-growth forests

by establishing a reserve system of older forest stands in the Pacific Northwest. Congressman James Jontz (D), Indiana, has reintroduced his legislation which will do the same, but will broaden the scope of the legislation to preserving older forest communities throughout public lands of the west coast. Congressman Scheuer (D), New York, again introduced legislation defining a Federal policy on biological diversity.

You may ask why we in California should be so concerned about this Federal legislation. For one thing, it is critical to see that any Federal mandate is consistent with what will work or is working in California. For example, the Timberlands/Wildlife Taskforce, an outcome of Assembly Bill 1580, has established a forum of the top leadership of Federal and state agencies, academia, environmental and industry interests in the State to address wildlife/timberlands issues. The potential for this taskforce to provide statewide leadership in managing forest and rangelands issues dealing with mixed ownerships, landscape management, and ecosystems is extremely encouraging. (In fact, The Audubon Society's Western Regional Representative, Dan Taylor, has said publicly that it is the "only hope" to resolve some of these issues; Doug Wheeler, California's new Secretary for Resources and Task Force Chair, has expressed strong and optimistic support for this group; and, President of the Timber Association, Bill Dennison, has expressed similar strong support for the task force effort.) But if federal mandates provide for the delineation of large forest preserves they will preclude discretionary options to manage entire landscapes and ecosystems for which the coordinated management of both public and private mixed ownerships are essential for maintaining their functional integrity.

Legislation in California will likewise address critical resources issues. A recent article in The Sacramento Bee indicated that the Planning and Conservation League intends to support legislation which parrots Proposition 130, the "Forests Forever" initiative. You have likely heard that members of the "Forests Forever" sponsorship have held meetings with the timber industry to come to consensus on mutually acceptable language for new regulations or state law. A group of state legislators is awaiting the outcome of these meetings; if consensus is not reached, the "Forests Forever" members will certainly introduce separate legislation offering their proposed solutions. You can bet on seeing legislation proposing some kind of sustainable forestry. There will likely be biological diversity legislation and an approach to bioregional management as well. There will be additional legislation pertaining to wetlands. Like last year, there could very well be proposals changing the makeup of the State Fish and Game Commission and perhaps the Board

of Forestry to provide a better balance of public interests on those two boards.

As you are aware, there is a high degree of anxiety and political paranoia in both Sacramento and Washington, D.C. The grave events in the Middle East and fear of recession have taken the attention of our national political leaders away from domestic environmental issues. The reality of change in a new State administration in California and a major budget deficit is stimulating interest among citizens, employees, and interest groups alike. These two international and domestic situations have clear implications for all of us in this room.

This is why it is so important, so critical, for each of us in our own way to clearly articulate a clear perspective of resources issues to our leadership. This is why we need to strengthen our coalition of partnerships in dealing with the political issues which will change the future of our natural environment in California and consequently the quality of life we all desire.

And I am personally convinced that if we all don't jump on this train to the future, and work on these issues together, those left standing behind at the station will have absolutely no role in changing that which we all desire.

Let me close with a thought paraphrased from a speech given to the U.S.D.A. Forest Service leadership in Washington a couple of weeks ago by Assistant Secretary James Moseley: Moseley asked if we are going to decide that we as professionals can contribute to society more than that of a "Competent Scientist" and accept the challenge to serve as a professional who is astute in social and political skills as well...

Accepting Moseley's challenge, we must strengthen our partnerships between agencies, organizations and individuals interested in the products of our chosen profession! Today the public asks no less of us than to hear it's message, and they demand that we professionals lead the way.