

# **Year 2001 Cave Junction/Brookings Wild Mushroom Monitoring Project Final Report**

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## **Forestry Action Committee**

### Forestry Action Committee Mission Statement

*To improve the health of the Illinois River Basin and its community through a broad-based consensus focus on sustainable forestry and restoration.*

### Forestry Action Committee Vision Statement

*To weave the web of relationships among people and environment that create empowerment, beauty and ecosystem balance.*

The Forestry Action Committee (FAC) of the Illinois Basin Interest Group (IBIG) is located in the Illinois Valley of southwestern Oregon. The IBIG process was initiated by the Siskiyou National Forest and Mike Lunn, then the Forest Supervisor, approximately ten years ago, to promote grass roots consensus actions to improve the health of the Illinois Valley watershed, its community and fishery. The process emphasizes community-agency cooperation to promote common goals. The Illinois Valley Ranger District gives the committee an office as an act of community support

FAC initiated the Cave Junction Wild Mushroom Monitoring Project in 1999 in response to social and environmental problems attached to the wild matsutake mushroom harvest in the Illinois Valley and along the entire West Coast. The next year the project expanded to the Crescent Lake area. It was set up there by the Jefferson Center and coordinated by the Institute for Culture and Ecology. FAC expanded the project this season to the Brookings area, which includes the Chetco and Gold Beach Ranger Districts of the Siskiyou National Forest. Also this year we expanded our multiparty monitoring to include timber issues and Sec. 339, a new law relating to nontimber forest products (NTFPs) administration on Forest Service land.

## **Project Background**

The environmental and social problems associated with wild mushroom harvesting on the West Coast have been negatively impacting the social well being of the local and mobile work forces, local communities, the ecological condition of the forest, the health of the mushroom harvest and the relations among government, local and mobile communities. These problems are:

- Lack of communication among local and mobile communities; among Euro Americans, Southeast Asians, Native Americans and Latinos: among all of the above and buyers; among all of the above and land management agencies.
- Pervasive citizen anxiety about the effect of high impact harvest technique on forest health.
- A lack of agency presence on the ground in the forest during the harvest season, a lack of enforcement of permit conditions, and a lack of agency understanding of harvester realities.
- Suspicion, anger, fear, violence and criminal behavior, with attendant weakening of social fabrics.
- Poor agency image with regard to mushroom harvest management.
- Lack of meaningful citizen-government dialog regarding legislation, land management, scientific study, and monitoring structures.

### **Project Philosophy, Structure and Description**

The structure of the project is based on the FAC mission of being broad-based, inclusive, courteous, and power from the bottom up. Our approach to Multiparty Monitoring entails participation by all interested parties in all aspects of monitoring, from the definition of problems through the formulation of investigative and monitoring procedures. Our “bottom up” philosophy is consistent with a focus on the health of the lowly forest fungi (the forest is only as healthy as its fungi), and a focus on empowerment of the mushroom harvesters (society’s superstructure is only as healthy as its base).

The project creates forums of communication and monitoring that have a strong emphasis on harvester and community participation, and builds partnerships with land management agencies and all interested social and ethnic groups. It provides a safe and congenial forum within which participating groups can get to know each other and develop problem solving. The project format is responsive to changing situations and issues, and adapts readily to different locations and different NTFPs on national public land. The inclusive process is a creative expression of ownership by all the people of the country. The project is four-pronged: 1) Partnerships; 2) Monitors; 3) Public meetings; and 4) Multiparty Monitoring.

#### Partnerships:

Following is a list of the calendar year 2001 mushroom project funding partners and each one’s particular focus:

- **Forest Community Research and the Surdna Foundation:** To develop multiparty monitoring guidelines, protocols and on-the-ground projects.
- **Alliance of Forest Workers and Harvesters:** To promote social, environmental and economic justice; empowerment of all nontimber forest workers on the West Coast.
- **USFS State and Private Forestry:** To develop a method for involving under-represented groups/communities in multiparty monitoring of the use of non-timber forest products in general and of anticipated impacts of Sec. 339 in particular, to enable and enhance wise USFS management.
- **Pacific West Community Forestry Center:** To pursue socioeconomic monitoring of underserved communities.

- **Bill Otani, USDA Forest Service Asian Community Liaison:** To enhance inclusion, education and empowerment of Southeast Asian mushroom harvesters in the ecosystem process and to lessen racial and ethnic tensions.
- **National Forest Foundation:** To enhance forest health, provide local economic benefit and build an informed constituency.

The following partners made significant in-kind and volunteer hour contributions:

- **Forestry Action Committee:** Funding development, project administration, food contributions, meeting attendance, publicity (1999, 2000, 2001).
- **Siskiyou National Forest, Illinois Valley Ranger District:** Office facilities for FAC; general support; attended weekly meetings (1999, 2000, 2001).
- **Bill Otani, USDA Forest Service Asian Community Liaison:** Ongoing advice, strategic planning and institutional support (1999, 2000, 2001).
- **Jefferson Center for Education and Research:** Strategic planning, advice and support (1999, 2000, 2001). Oversight of Crescent Monitoring Project, facilitated networking between the two projects (2000, 2001).
- **Methodist Church, Cave Junction:** Space for weekly meetings held in Cave Junction (2000, 2001).
- **Pheng and Limai Phonepaseuth:** Space for weekly meeting held at Asian harvesters' campground; meals for the meetings; participation in the meetings; networking (2000, 2001).
- **Illinois Valley News:** News coverage for the project (1999, 2000, 2001).
- **Concerned Citizens:** Attendance at meetings, welcome traveling pickers (1999, 2000, 2001). Work to develop Sec. 339 issues, strategy and communication (2001).
- **Pacific West Community Forestry Center:** Partnered in harvester outreach and in holding harvester meeting in Brookings, OR (2001).
- **Alliance of Forest Workers and Harvesters:** Partnered in holding harvester meeting in Brookings, OR, and in Sec. 339 research, strategy and communication (2001).
- **Hanscom Center, Brookings, OR:** Room for harvester meeting, general support.
- **Mushroom harvesters:** Partners in the effort to achieve long-term stewardship of the matsutake mushroom harvest in the Illinois Valley.

### Monitors

Their basic duties are to: 1) assess patterns of mushroom productivity and degree of harvest impact; 2) converse with pickers in the woods about the impact on forest health and mushroom productivity of differing harvest methods, and any other items of interest; 3) be an information bridge between harvesters, project administration and agencies; 4) provide on-the-ground orientation training for agency personnel, new pickers and interested individuals; 6) promote, attendance at and participate themselves in the weekly public mushroom picker meetings.

A great deal hinges on the personal character of the monitors. They need to represent the ethnic mix of harvesters in the area, be experience harvesters themselves, and be good bridge people. They should be liked and respected by the harvester community for their knowledge, personal character and for the quality of their harvest technique. The harvester community sets a high standard for their behavior. They become role models. This season, as well as

the two veteran monitors, Vern Oden and Kao K. Saechao, a third monitor, Noy was hired who then quit to become a mushroom buyer in Brookings.

### Meetings

The meetings are a framework within which the different groups can get take the time to get to know each other as well as work together to solve problems. Food is essential at the meetings. Harvesters work long hard hours. It is late. They have just finished selling their mushrooms and are tired and hungry. The next block of time must be spent either cooking and eating their evening meal, or going to a meeting and eating their evening meal. The meal is also a gesture of thanks and recognition to the pickers for giving time and energy out of their busy lives. Eating together also helps people get together and find common ground.

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#### (1) 2001 Mushroom Harvest

The matsutake harvest was minimal in the Illinois Valley this year and unusually good in Brookings, about 60 miles west on the Coast, so we followed the harvesters and expanded the project to Brookings this year.

Cave Junction. The 2001 matsutake season was poor in the Illinois Valley. The valley remained dry through the fall. Then an early snowstorm froze the mushrooms and set them back. Many local harvesters did not bother picking, and most traveling pickers moved on to Brookings. Toward the end of the season, which runs November-December in the Cave Junction area, pickers were bringing in large mature matsutakes to the one buyer who remained. A winter mushroom season comes on after the matsutake season, but not in commercial quantity.

The Illinois Valley Ranger District sold 24 matsutake daily permits and 47 seasonal ones for a total of \$4,940.

Brookings. The Brookings area suffered poor mushroom harvests for five years, possibly due to the weather being unseasonably warm. And now for the 2001 fall-winter mushroom season, they had lots of good cold rain in September and on through the winter, and a good matsutake-winter mushroom harvest. The matsutake season is October-December, then the winter mushrooms are harvested November-March. Winter mushrooms the buyers will take are black trumpets, hedgehogs, yellow chanterelles, yellow feet, cauliflowers, oyster mushrooms and angel wings.

## (2) Project Activities

### *Camping*

Cave Junction. When large numbers of Southeast Asians started coming to the Illinois Valley to harvest the matsutake mushroom, some camping problems arose: mainly litter and sewage accumulation and taking live wood for fires. The BLM established a camping area where dumpsters and porta potties were supplied, and this became the Asian camp. There were drawbacks. The camp was close to a road and sometimes at night there were drive-by shootings. People would come back from a day's picking and find things had been stolen. Sometimes the dumpsters and porta potties were overfull. There was no water supply. The serpentine rocky soil would just pack and puddle in the rain.

So the Asians began staying at the Country Hills Resort, where the rates are reasonable and the owners are friendly. The resort offers a camping area by the river where people can camp together, also cabins and motel rooms. The owners keep track of who comes and goes, so there are no drive-by shootings and people's property is safe. At the end of the 2000 season, Don and Judy Kelly, the owners, asked for a meeting with the project administrator and the two monitors to discuss some problems they were having with campers.

There were lots of little problems that added up to big ones. We discussed possible solutions and strategies. Then the monitors and I got together with Don and Judy again at the beginning of this season. I talked at a camp mushroom meeting about how Don and Judy participate in our Annual Riparian Tree Planting Project, and showed some pictures of volunteer planters and of the little trees carefully circled with white rocks. The Asian monitors each spoke to their ethnic group at the meeting. The monitors did their part very unobtrusively, talking in their own languages and not translating, so it was all very invisible. Apparently it worked, as the Kellys did not find their problems so overwhelming this season.

Brookings. In the Brookings area there are three campgrounds that are free if you have a mushroom permit. The camps have trashcans and porta potties. Campgrounds A and B are about 12–15 miles out of town, and Camp C is 20-27 miles out. .Mainly white campers use them. The Asians are afraid to camp there because of threats, sugar in the gas tank, etc. They stay in motels in town.

There was talk of a local deputy running the “dog boys” out of their campground in a bizarre and violent fashion. The dog boys are two brothers who travel with the mushroom season and take their hound dogs with them. Putting together input from various sources, what emerged is that the deputy is a well connected, out-of-control cop who behaves with excess violence and intimidation, the dog boys' dogs are a nuisance, and possibly got what they deserved even if it should have been done differently.

### *Monitors*

The monitors made every effort to inform harvesters of the existence of Sec. 339, the new law regarding NTFP permits and management, to distribute copies of Sec. 339 and its explanation page to harvesters in Cave Junction and in Brookings, and to collect comments. In response to input, together with organizational partners, we put together a petition that harvesters could sign. The petition states: **“We want to be consulted about laws that affect our interests. We, the undersigned, were not consulted about Section 339. We do**

**not want this law to go into effect until our concerns and welfare are reflected in the law and its rules.”** The petition and Sec. 339 are further covered under Multiparty Monitoring.

Cave Junction. With so few permits being bought, there was no reason for the monitors to help at the Ranger District this year with permit sales. They cruised the harvest areas, put up Forest Service “No Raking” signs, located harvesters in the woods and talked to them about environmental concerns, general items of interest, and informed them about Sec. 339. They found very few pickers in the field because production was so low. The locals quit going out, and the traveling pickers and buyers moved on to Brookings on the coast, which was having a better season than usual. There was very little raking or other harvest impact.

The monitors went on to Brookings and camped there. Then when the constant rain got to them they moved to a motel. They came back to Cave Junction once a week to share information, strategize, and to attend the weekly mushroom picker meetings, which we still held in Cave Junction.

Brookings. A lot of what happened is that it never stopped raining. There was the same ethnic mix of pickers as Cave Junction – local and traveling white pickers, traveling Southeast Asians, a growing Latino traveling component, plus a stable population of Hmung harvesters who live in Crescent City, approximately 50 miles south of Brookings and commute daily to Brookings.

Although both monitors were familiar with the Brookings from having picked there before, approaching it from the monitoring point of view was different. The vegetation is dense and wet. It was difficult to find harvesters in the woods and talk to them. It was hard to find and evaluate environmental impacts in the rain and wet dense coastal foliage. The best way to talk with harvesters was around the buying stations in the late afternoon. And that was limited because pickers were in a hurry to sell their mushroom and get out of the rain. Many traveling harvesters stayed in motels rather than in camping areas because of the weather, which made them less available in the evening.

The monitors did their best to contact FS personnel in Brookings to inform them of the project activities in their area. We will work to develop a local project management connection for the Brookings area.

### *Permits*

Cave Junction. Permits are sold at the Illinois Valley Ranger District. An education process that includes watching a video is attached to the permit sale. In 2000 the monitors began to assist in permit sales by helping with the education part. Being pickers themselves and representing different ethnicities, they were able to understand pickers’ questions and confusions and give useful friendly guidance and information in return. This year there was no reason for the monitors to participate because so few permits were sold.

Brookings. In Brookings, the permits are not sold at the Ranger District, but are sold by a store that has the concession, and there is no educational procedure attached. Pickers have to pay an extra dollar over the permit price to the concessionaire. Apparently the ranger district holds a meeting early in the season for local people that has an education component.

### *Winter Mushrooms*

Brookings has a commercial winter mushroom harvest that includes black trumpets, hedgehogs, yellow chanterelles, yellow feet, cauliflowers, oyster mushrooms and angel wings. Less money is made on winter mushrooms than on matsutakes, but it is a calmer situation. Some harvesters prefer the quiet steady atmosphere even if they make less money. The matsutake harvest seems always to have a tension connected to it. The winter mushrooms grow in Cave Junction, but not in commercial quantities.

### *Morel Mushrooms*

This year Vern Oden, one of the monitors, plans to follow the morel mushroom harvest, which goes on for a number of months in the spring, starting a little east of Medford, Oregon, moving to the far northeast corner of the state, on up into Idaho, and then over to Montana where a big morel harvest is anticipated following a large forest fire there last year. The Project has hired Vern to keep a daily log of his observations along the way, for there are many problems associated with the fire-induced morel harvests.

### *Ethnicities*

Cave Junction and Brookings are both basically white rural forest communities dominated by national public forestlands. Many local people harvest matsutakes. They run the gamut from weekend harvesters to 18-hour-a-day, 7-day-a-week, flashlight-in-the-teeth dedication. We also have traveling white pickers, some coming down from Canada. Also sometimes local pickers become traveling pickers. Southeast Asian harvesters include Laotian, Mien, Hmung, Cambodian, and Vietnamese. There is a Hmung community in Crescent City, 50 miles south of Brookings, who commute to the Brookings area on a daily basis during the fall-winter mushroom season. An increasing number of Latinos participate in the mushroom harvest.

Pheng and Limai Phonepaseuth, who are Laotian and live in Redding, CA, provide the meals for the Cave Junction harvester meetings. They are very supportive. Limai and I were talking after a meeting one night about how to increase attendance. She said she talks and talks to her friends, telling them they should attend, what gets said, how it is friendly, and still some never come. We mulled this over for a while, why they do not come, and then she said: "Maybe they are afraid of being noticed".

Poor people of all ethnicities, including local white pickers, are often afraid of being noticed. They have to break so many rules just to get by that fear of being noticed is a decisive factor in their behavior. There is a whole culture of pain, rage, frustration, secrecy and isolation among white harvesters, both local and traveling. They feel betrayed by their government. The Asians and Latinos have their own multiple reasons for clannishness and secrecy even though they are not yet burdened by an expectation that their government should do right by them.

So all harvester ethnicities tend to form closed groups and not share. However counterproductive this reality may be to long-term stewardship with unrestricted access, which may in the end be the only solution for NTFP management, it is a survival technique that has been a long time forming and has a hard shell.

When Asians first became mushroom harvesters in large numbers, white pickers blamed all environmental and social problems on them. Now whites and Asians blame the problems on the Latinos.

### *Meetings*

Cave Junction. We only held five harvester meetings in Cave Junction, because the season started slowly and, except for a few local harvesters, ended early. The meetings alternated between the Methodist Church in town, and the Asian camp out at the Country Hills Resort, the same as last year. We had a strong Asian attendance, no Latino attendance, local pickers and general community members, as well as Forest Service and BLM people, and representation from the Alliance of Forest Workers and Harvesters.

There is a growing number of Latino mushroom harvesters. We are as yet unable to get Latinos to meetings, although the monitors meet them in the woods and invite them. We will keep working on this situation, as it is important to get all the harvesters to the table.

We provided copies at the meetings of last year's final mushroom report translated into Lao and Cambodian, as well as in English. Quite a few copies were taken at the meetings, but we got no direct feedback. We also provided translations in Lao, Cambodian and Spanish of the text of Sec. 339, and of an explanation and issue page for Sec. 339. Copies of the Sec. 339 materials are included in the Appendix.

Input on the various topics discussed at the meetings is included in the Multiparty Monitoring section. Meeting Reports are included in the Appendix.

Brookings. Pickers asked for a meeting about Section 339.

The first meeting was put on in partnership with the Pacific West Community Forestry Center and the Alliance of Forest Workers and Harvesters. The meeting was large, loud and difficult to facilitate. We need to hold more meetings in the Brookings area. We need to work through the anger, frustration, the sense of desertion and isolation, which were expressed at this meeting. We need to develop patterns of how you behave at meetings. The pickers were cynical about the motives of the facilitators. It was difficult for them to imagine why we would go to all this trouble.

The meeting was mostly white people, with a small group of Latinos and a small group of Hmung, neither of whom said anything. There really wasn't the space. I have noticed that it is part of the white culture to fight over the space at public meetings: the one who gets to talk the most wins.

The Hmung group left when some unkind remarks about Asians were made, even though other white people countered the remarks. Before they left, they came around the room to thank us for putting on the meeting. I got a lovely hug from one of the women. I asked if they would like a meeting of their own, and a mid-level Hmung leader man said yes.

Having said all this, I must add that a lot got expressed and recorded at this meeting about a wide variety of issues, and a lot about Sec. 339 in particular; all of which is included in the section on Multiparty Monitoring. The Alliance of Forest Workers and Harvesters is doing a good job of organizing harvester input and taking it to Washington, DC.

The Forestry Action Committee put on a second Brookings harvester meeting. The motive was to provide a congenial opportunity for the Asians and the Latinos to have their say, since they had not felt able to speak at the first meeting. We were willing to do separate meetings, one for each group, or one meeting for both groups together. Khook Lakkham, a Laotian harvester proficient in English, Lao and Spanish, went to Brookings to put this

together. He discovered that we had waited a little long and many of the traveling pickers had moved on.

Khook approached the mid-level Hmung leader who came to the first meeting and he went to the Clan Chief, who said no to having a Hmung meeting. We are working with Bill Otani, Asian Community Liaison for the Forest Service, to build a communication bridge with the Clan Chief for the future. Khook found one group of Latinos still in the area and they said they would come to a meeting. Unfortunately, they were unable to find the building where the meeting was held. So the second meeting was all white people, many of whom were camped waiting for the Morel season to start somewhere.

This meeting was smaller and quieter. The drunks left when they had to behave. There was a lot of good input on Sec. 339 and other issues, which is included in the section on Multi Party Monitoring. An older local white couple stayed after the meeting to talk. He is a fisherman who has experienced the death of the fishing industry, and would like to see the mushroom industry continue. His wife volunteered to be a local volunteer person for the Brookings extension of the Mushroom Project.

### (3) Multiparty Monitoring

As part of its founding mandate to be broad-based and inclusive, FAC includes multiparty monitoring in all its projects. The components of multiparty monitoring pursued in this project are: (1) evaluation of forest health, mushroom production, harvest impacts, etc., by the project monitors, who are themselves experienced harvesters; (2) input by the harvesters on all of the above, and on any other subjects of interest; (3) conversations with local community, law enforcement, agencies, buyers, anyone with an opinion to share.

With the exception of the *Law Enforcement, Permits and Access to the Front Desk* topics, multiparty inputs from the Cave Junction and Brookings area were similar and are not separated below. Shorter topics are covered first. *Logging* and *Section 339* are longest and are covered last.

#### *Over-impact*

For many this is the most worrisome issue. There is an instinctive sense of over-impact – too many people, too much raking, too many babies taken, too many mushrooms taken, too much crudity - coupled with the fact that it has been some years since there has been a big matsutake harvest like there used to be. Maybe it is the weather, maybe the seral stage, maybe a lot of things. Older harvesters have an impression of a more resilient harvest regardless of the weather from their younger days.

People are bitter in their perception that the government is unable to manage for sustainability. They have seen the timber and fishing harvests destroyed, and they see the same agency patterns moving toward the extinction of the mushroom harvest.

Making matsutake production areas off limits to harvest does not work. People just sneak in, and often behave more harshly because they are in a hurry and do not want to be caught. Attaching rules to leases and contracts has not proven effective. Building a harvester ethic, combined with enforcement of permit rules, is considered to have the best chance.

A buyer estimates matsutake production for the year 1997, which was the high year, and an average poundage production for the last several years, for Crescent, Cave Junction and Brookings as follows:

Location	1997	Recent
Crescent		100,000
Cave Junction	70,000–80,000	25,000- 45,000
Brookings	10,000	50,000-60,000 (this year)

### *Harvest Technique*

The main harvest technique concerns regarding matsutakes are raking, the harvest of “babies”, and in Brookings the cutting down of brush with machetes.

Raking. Most harvesters have had the experience of losing matsutake beds to raking, and nobody knows when, if ever, these beds will come back. Pickers want a “no raking” rule on the permit and want it to be enforced. They want pickers caught raking to be fined, and to be fined enough to cover the fact that a raker can make more money than a non-raker can at the same time that they are decreasing future production for everyone. General belief is that a few tickets would go a long way to stop this practice.

People wonder how many natural forest processes, how many species of fungi, are disrupted by wholesale and repeated disruption of the duff layer and digging into the mineral soil caused by raking here in the Illinois Valley. Once the duff layer is visually disrupted there are no clues where to look for the mushrooms. The only available method then is further mindless and indiscriminant disruption of the duff layer, over and over again, a process offensive and demeaning to a harvester who is into low-impact harvest technique.

Babies. Some harvesters pick everything they find as they move through an area, kind of like a vacuum cleaner. Others harvest only those matsutakes that have reached maximum poundage short of that point of maturity where they break their veil, scatter their spores and drop in dollar value. You get the least value for the babies and at the same time you deny the possibility of spores, wildlife forage and other values. Buyers say they do not want the babies, but are fearful that pickers will sell to another station if they refuse to buy them.

There is considerable discussion about how to fix this problem. Pickers really want to get a handle on this one. They believe a resolution of this problem is fundamental to maintaining long-term matsutake production. They would have more confidence in land managers if the FS took an active role, entered into discussion with pickers, buyers and state legislatures on this one.

Some of their suggestions are as follows. It is clear that there needs to be interaction among all involved groups to work this one out.

A size limit needs to be on the permit. There needs to be enforcement.

.Fine the buyers if they buy mushrooms smaller than the legal size. If buyers are buying mushrooms harvested on both public and private land, and there are no minimum size laws for private land, how do you do this? Make the buyers check permits and keep the records the law already requires them to do, and if they have a bunch more small mushrooms that can be accounted for from private land, fine them.

Provide hands-on education to pickers on low impact harvest technique. I talked to a local picker about picking babies. He replied that every time he disturbs a matsutake, it stops growing, so he might as well pick it regardless of its size. But I know many pickers have mastered this problem, and can come back to a patch three or four days later, relocate that baby and the baby will have grown up, be ready to harvest, and be worth four times as much.

Brush. This is a problem specific to Brookings on the coast where it rains a lot. The matsutake grows in the duff layer and in the thick brush. This year harvesters were cutting

paths through the brush with machetes for easier traveling and cutting down the brush where the matsutake beds are for easier picking. The time-honored, minimum impact technique is to make your way through the brush somehow and to crawl around on your hands and knees through and under the drippy wet brush to actually harvest the mushrooms. White pickers claim the Asians are doing the cutting. Whoever is doing it, pickers are worried that radically changing the environment in this manner, opening it up to the sunshine, will harm matsutake production

### *Law Enforcement.*

Harvesters want law enforcement on the ground in the woods. They are cynical about agency management that only patrols the roads and only enforces the purchase of the permit but never walks in the woods to enforce the permit regulations that protect forest health. They see this as laziness, greed and a discomfort with the ground level realities the agency is supposed to be managing for.

I frequently encounter a Forest Service belief that attaching rules to the permit is all they can possibly be expected to do. Pickers do not believe the FS is earning its permit dollar unless it enforces its own regulations.

Cave Junction permits include “no raking” and “minimum harvest size” rules. Time was budgeted this year for a person with ticketing powers to go out in the forest two days a week. However, with no season, this proved to be a waste of time. Hopefully time will be budgeted again next year.

Forest Service and law enforcement attendance at the Cave Junction picker meetings has increased agency understanding of the harvester desire for in-the-woods enforcement, and for other harvester realities. Networking from monitors to the project administration to law enforcement, and law enforcement coming to the meetings has proven to be remarkably effective in eliminating violence and threats of violence. The networking, the spotlight of publicity, seems sufficient without any need of actual enforcement or ticketing. The violence issue did not arise this year.

Brookings. We get reports from both buyers and pickers that one particular deputy sheriff is a rogue cop who uses violence that is frightening and unnecessary. People consider him lawless and out of control. They are fearful and feel diminished by his bullying. They perceive his version of law enforcement as dominating the scene, with Forest Service law enforcement yielding to him.

Harvesters in Brookings also want enforcement of permit regulations. We can do a lot of good work building harvest ethics, but if the “bad apples” are never removed from the barrel, their “bullying” relationship toward the environment undoes the good work of careful harvesters, demoralizes people, and brings the situation down. And only the government can remove the bad apples. That is their job.

### *Long-term Stewardship with Unrestricted Access*

Mushroom pickers express a serious desire to achieve long-term stewardship of the resource and of the forest. This is why they ask for law enforcement. However most pickers express a strong aversion to contracts, leases, any access limitation. They value the freedom to “follow their noses” when out harvesting. Also they do not for the most part believe limiting access works. Instead of the forest being available to all the people, who do own the land, it is turned into individual turfs that must be defended from trespass. Enforcement is

expensive. High bid is hard on the environment. All the solutions, which emerge consensually from the picker meetings, fall under the category of “long-term stewardship with unrestricted access”. The limitation we always run into is unwillingness by the Forest Service to engage in on-the-ground enforcement activities.

### *Permits*

In Brookings, permits are sold at a private business location by a concessionaire. There were complaints about them not being open some hours. I am not sure whether the complaint is about unpredictable hours, or about the inconvenience of the hours. At the beginning of the season the ranger district holds one education meeting for the local people, but there is no education process attached to the permit sales. Also in Brookings the harvester is charged an extra dollar that goes to the concessionaire. In Cave Junction permits are sold at the district office and the monitors help with the education.

Local harvesters in both areas repeatedly say that pickers from out-of-state should have to pay more for a permit than local people do. They feel there should be some special recognition of their status as people who actually live there. There are also complaints about illegal aliens, and about the large number of people who do not buy permits. Pickers say there are a lot more non-permitted harvesters than the government claims.

In Cave Junction the permit prohibits raking and picking undersized matsutakes. I do not know about the Brookings permit.

Traveling pickers often express the desire that they be able to buy one permit for the whole season and then be able to go anywhere on that one permit, and not have to fuss with complexities and differences from one place to another. Local pickers are more concerned that the travelers be aware of and deal with local realities. Locals also are concerned that the permit price be low enough to be available for local people who, for instance, only pick on the weekend, but still value the supplemental income.

### *Access to the Front Desk*

Most civilians are aware of the Forest Service as a Front Desk. They come in the door to ask a question, offer an opinion, express a concern, at the front desk. If this is something the FS does not want to hear about or deal with, they tend to ignore the person and deny them a fruitful interaction. The civilian goes away with this brush off as their lasting impression of the agency, and often does not try again. But the frustration remains.

In Cave Junction, during the mushroom season we now have a lot of routes to communication. The Project is dedicated to making sure that all voices are heard and nobody gets to play gatekeeper. We hope we are effective. We did get complaints in Brookings of the Front Desk brush off.

### *Buyers*

Harvesters are baffled by price fluctuations and by price differences from one area to another. A Japanese gentleman, Takagi Tagao, who visited the United States to pick the matsutakes this season, told us that in Japan the price is the same for all grades, whereas at the buying stations the price differs from one grade to another. The idea of a buying cooperative is often brought up.

Buyers in Brookings had trouble with the same deputy sheriff mentioned before, who sort of kicked and slammed his way around the buying stations to make his point. They too felt that he dominated the FS law enforcement.

Harvesters deeply distrust buyers. Interested community members find buying stations to have a cold and uncomfortable atmosphere.

### *Trash*

This is a problem everywhere. It is visually upsetting. A visually degraded landscape snowballs, encouraging further offense. It is upsetting to those harvesters who want a quality relationship with the environment, upsetting to land managers who have to deal with it, and upsetting to interested community members who often spontaneously pick the trash up just to make things look better. Harvesters say to list it on the permit as an offense with a fine, and then enforce it. There is a sense that people who do not notice their trash impact probably do not notice their other environmental impacts either.

### *8. Logging*

In the second year of the project, logging began to emerge as a topic about which matsutake harvesters expressed concerns. Common themes emerged with geographic variations, from Crescent in the high plateau-pumice soil-lodge pole pine country, south and west through Cave Junction, an inland valley in the complex and diverse Siskiyou Mountains, on to Brookings on the Oregon coast with its sand dunes and rain.

The basic complaint is that there is no matsutake production after logging. People are guessing it will be 25, 50, 100 years, maybe never, who knows, before the matsutakes will come back. And the government is not tracking the fungal impact of logging. There is concern for the loss of income and for untracked environmental impact. Pickers wonder how the government can claim to manage for sustainability when they cause more destruction of the mushroom harvest than the pickers do, and never even notice.

Crescent. A buyer estimates that within his experience, 65% of the matsutake production area in Crescent has been withdrawn into Late Successional Reserves and a further 25% has been lost to logging.

The involvement of the Cave Junction project with the Crescent logging issue evolved in its own unexpected way. When the Crescent season ended, the Cave Junction season began, and the mushroom monitors came down to Cave Junction, they and Bev Brown, coordinator for the Crescent Lake Multiparty Monitoring Project, communicated concern about a logging sale being laid out in the prime Crescent matsutake area. An interproject overlap spontaneously formed as Cave Junction lent its energies to the situation.

We formed relations with Phil Cruz, ranger for the Crescent Ranger District of the Deschutes NF, and with Neil Bosworth, our assigned contact person, and informed them of the high global standing of their matsutake harvest. We communicated that the proposed logging precisely coincided with much of this world-class high production matsutake harvest area, and of the harvester concerns about this. The coincidence of overlap was so precise that harvesters came to the conclusion that the FS was deliberately acting to eliminate both the harvest and the harvesters. The Crescent RD denied this intent, stating instead that they were unaware of the location of the high production areas.

Phil Cruz, Crescent District Ranger, and the Forestry Action Committee have expressed a joint interest in utilizing the networking and harvester input capacities of the mushroom project to do multiparty monitoring of the impact on matsutake production of historic, present and future management activities.

Ranger District personnel were not sure where the matsutakes grow, so it was difficult for them to include the fungi in their planning. We offered to map production areas for them. This decision took some thought. We could not betray secrets of people's special harvest spots. On the other hand the ranger district cannot manage intelligently if they do not know where the matsutakes grow. The monitors and staff for the Crescent and Cave Junction projects met with Crescent RD personnel at the Prospect Ranger Station. We discussed a variety of issues and the monitors drew on a topographic map approximate large outlines of matsutake production areas, an approach to mapping that we considered was respectful of harvester rights, gave no secrets away, and gained much.

Neil Bosworth then overlapped matsutake production areas with some of the proposed logging activities on a GIS map and mailed us copies. The degree of precise overlap was startling. It will be interesting to learn what characteristics of these matsutake production areas drew the proposed management activities. On a conference call Phil Cruz agreed to drop from consideration several proposed timber harvest units that overlapped the high matsutake production areas. Upon subsequent receipt of more detailed mapping of all proposed harvest activities, we discovered that there are units of other timber sales that also overlap these high matsutake production areas. We have not as yet achieved clear communication with the Crescent RD regarding the fate of these units.

A number of issues came up during this process, and are covered in the Pacific West Community Forestry Center's 2001 Crescent Mushroom Project Report.

Cave Junction. Over and over again, pickers talk about good matsutake beds that have been lost to logging. No one knows when or if they will come back. There is as yet no process to track matsutake production, the impacts of management activities on matsutake production, or monitoring of the fungal impacts of different approaches to logging, on FS and BLM land in the Illinois Valley.

Brookings. It is the same thing in Brookings. Wild mushroom harvesters watch the mushroom beds disappearing, with no visible agency awareness or concern. The harvesters feel powerless and deserted in the situation.

## *7. Sec. 339*

Section 339 of the Appropriations Act of 2000 covers the collection of money for the harvest of "forest botanicals" or nontimber forest products on Forest Service lands; the allocation of funds collected; and includes a harvest sustainability requirement. The law requires that "fair market value" be charged for the right to harvest, that all the costs of managing a harvest program, including any environmental analyses, must come from whatever money is collected, and further states that harvest in excess of sustainable levels will not be permitted.

Apparently Sec. 339 originated in the Office of Budget and Management as a form of income generation for the Forest Service and as a method to keep some of that income at the local level. It was attached to the Appropriations Bill and passed with no committee or floor discussion. Its emergence as the law of the land came as a complete surprise to most of the people we have talked to, including harvesters and buyers of NTFPs and Forest Service staff at the forest and district level. Most people impacted by the law are unaware of its existence.

Any law or rule that affects the conditions of NTFP harvest also affects the health of the forest. The whole point of Multiparty Monitoring is that it takes the collective wisdom of all of us to come up with the best way to do things. The Project prioritized informing all interested parties about the law, its wording and possible issues. We worked to create the broad-based input process lacking in the law's formation. It is hard work reaching across lines of class, occupation, ethnicity, life experience, language, etc.; being faithful and not playing gate-keeper; organizing, simplifying and communicating.

Below is my best organization of the input we gathered.

*Process.* The most universal response from harvesters and buyers was shock and frustration that yet again they were not consulted about something that has a large impact on their lives and livelihood, as well as on the environment. There was a rare coming together of buyers and harvesters through a sense of shared danger and shared interest. The perceived lack of proper process in putting the law together reinforced people's lack of confidence in the Forest Service, a sense of disconnect between government and people and on-the-ground situations.

*Federal Register.* The "publish in the Federal Register, 60 day input period" process is not an effective process for engagement of NTFP harvester input.

The current Federal Register 60 day input system favors people who are skilled with written English, have a stable mailing address, have the mechanisms in place for rapid communication, can afford the time to study the draft rules, understand the draft rules, and make clear written response, within a two-month time period.

Many special forest product harvesters travel a good part of the year. Some have no base address at all. Some harvesters do not speak English. Many speak some English but lack proficiency and are shy in its public use. Many harvesters are not skillful with written English, either in reading or writing. Deciphering the meaning of the legal language used in laws is difficult for almost everybody.

When you consider that two and a half years after the law's enactment the federal government still has not put the draft rules for Sec. 339 in the Federal Register, it seems out of balance to start an arbitrary clock ticking on public input from the moment of Federal Register publication. The federal government demonstrates more understanding of its internal problems and processes than it shows for those of the citizenry.

The multiplicities of ways in which forest workers interact with the forest and with the community have a definitive impact on forest health and community health. The class bias of the current Federal Register 60 day input system works against ecosystem balance.

*Fair Market Value.* "The Secretary of Agriculture shall . . .charge and collect not less than the fair market value for forest botanical products. . ."

Workers constantly asked: "What do they mean by this term? What is fair market value, the price last week, yesterday, last year? How can they measure this fairly when it changes so much?" There are at least 6 market steps between picker and consumer. Which of these is fair market value? What is fair about what the buyers pay the pickers? It varies so much and in such strange ways that the pickers have no control over. There are hard feelings and suspicion that the buyers do price fixing and take improper advantage of the pickers.

A specific input from the Asians is that they need to know before they leave this year what they will be charged next year so that they can plan ahead, save and be prepared. This sort of orderliness and predictability is what government is supposed to create for people.

There is a deep sense of unease, a sense of lack of wisdom, balance and reality integration, about the Forest Service basing their approach to special forest products management on a narrow business concept of fair market value.

*Appraisal Formula.* “The Secretary (of Agriculture) shall establish appraisal methods and bidding procedures to ensure that the amounts collected for forest botanical products are not less than fair market value.”

We were told that the appraisal formula, which was specified by the law and was written at the same time by the same person as the other draft rules, will not be treated as a draft rule and will not be made available for public comment. The rest of the draft rules are awaiting the Federal Register public input process, but the appraisal process has been put in place and used to determine the permit fees for next year. When people asked how this could be done before the Federal Register public input period, we were told that the appraisal process is unrelated to the new law. There is a sense that the government is play fast and loose with our legal processes.

If the FS is going to update the permit fee frequently, pickers want to know how much they will be charged the next year before they leave a forest this year. They need to know so they can budget and plan, and have the money with them to cover the cost. A primary role of government is to promote order and predictability.

Some agency people who have utilized the new appraisal process express cynicism regarding the complexity of the formula.

*Cover All Costs.* “. . . the Secretary of Agriculture shall also charge and collect fees from persons who harvest forest botanical products . . . to recover all costs to the Department of Agriculture associated with the granting, modifying, or monitoring the authorization for harvest of the forest botanical products, including the costs of any environmental or other analysis.”

A common response from agency personnel is that it is unrealistic to expect NTFPs to pay for themselves. Some say that if the wording of the law is followed it will not be possible to sell any special forest product permits. There is a sense among various interest groups that while the degree of profit to the Forest Service is important and needs to be tracked, other factors need to be included in determining how much to charge.

The new law creates a food chain of high priced personnel being supported on the backs of poor harvesters who have to face a bottom line daily. There is no input system where pickers can evaluate the usefulness of the activities they are paying for.

A high price to access harvesting can enforce harsh, high impact harvesting to recover costs and make a profit. A low access price denies the government its rightful share. Some people like the idea of a tax at the point of harvester-buyer contact, a percentage of the money that changes hands, because it would be fairest and most accurate.

A common opinion is that the fairest way for the government to recover its costs is a tax at the buying station on the amount of money that actually changes hands. This spreads the cost between picker and buyer, and charges the picker without a permit equally with the permitted picker. Pickers believed the government would make far more with a 5% tax at the buying station than with a 10% tax on permits, because of the significant number of pickers who do not buy permits. Also this tax would accurately reflect what money is actually changing hands. Pickers are not burdened with high costs at times they are making no money. And if they make a lot of money they have to pay the tax on it.

Pickers do not believe it is fair to put the entire burden on the honest pickers who obey the law and buy a permit when so many do not.

*Variability.* Seasons vary: good seasons, bad seasons, high prices, low prices. Pickers want to know how the agency will figure all this out. If last year was a bad year and this is a good production year needing lots of administration, how will there be enough money to properly administer this year? How do these realities relate to “fair market value”? Pickers sense a lack of commitment by the agency to good administration. They do not think the agency realizes just how variable conditions are, or how important good administration is.

*Permits, Contracts and Leases.* There is a high level of concern that the Forest Service will go to leases and contracts for NTFPs as the way to make the most money for the least amount of work, and as the easiest way to determine fair market value. In this situation, the person who hires and fires, i.e., the contractor or leaseholder, is the only one with freedom of speech and the ability to communicate and interact with the Forest Service. The workers who are hired believe they will be fired if they participate in public dialog, or express concern about the environmental impacts of the ways they are being required to harvest. Setting of rules for the contract or leaseholder has not proven particularly effective for environmental or worker protection.

*Sustainability.* “The Secretary may not permit . . . the harvest of forest botanical products at levels in excess of sustainable harvest levels . . .”

Everyone wants sustainability. But the pickers believe it is neither fair nor rational to put all the burden of sustainability on them while the Forest Service is eliminating mushroom production wherever they do logging, and is not even noticing or tracking this impact. They are concerned the government, in its desire to generate revenue, may drive the cost of doing business up to the point where it forces excessive impact on the ground in order to cover costs; or drive out the full diversity of pickers, favoring only full- time traveling commercial pickers.

Also, as mentioned earlier, they are concerned about the alienation of harvesters from the sustainability dialog if the FS goes to leases, contracts and bosses.

There is a belief that the FS does not know what sustainability of the mushroom populations is, or how to achieve it. Picker input and engagement is necessary to define, measure and achieve sustainability, and they have already been excluded from the process of making a law to promote sustainability. Pickers say: “They ran the timber harvest into the ground.” On the coast they add: “And the fishing.” And end with: “Now we will lose the mushroom harvest too.”

Harvest technique is often the key to sustainability for NTFPs. Pickers want to see some level of FS commitment to enforcement of the permit regulations that govern acceptable harvest technique.

Various concerns were expressed about possible negative impacts of Sec. 339 on the environment. We would not want the government, in its desire to generate revenue, to drive the cost of doing business up to the point where it forces excessive impact on the ground in order to cover costs, or drives out the full diversity of pickers, favoring only full- time traveling commercial pickers.

Properly engaged and empowered, the harvesters can be effective and economical eyes and ears for the FS to enable management for sustainability for a variety of products and for forest health in general.

*Personal Freedom.* Many special forest product harvesters place a high value on the freedom to be their own boss, to decide for themselves when and where to come and go, on the freedom to work for themselves. Possibly this is part of what makes a good NTFP harvester, someone who is responding to messages from the land rather than to direction from a boss. They perceive the Forest Service as arbitrarily taking away yet more personal freedoms. They see the agency thinking of its convenience and profit, and not thinking about the greater good of the country and the environment, or about the welfare of NTFP harvesters.

Many older Asian harvesters who do not speak English well can work in the woods harvesting NTFPs and not be embarrassed about their problems with the language or customs.

*Petition.* When we informed harvesters about Sec. 339, they expressed a desire for an avenue of expression. The Forestry Action Committee, together with the Alliance of Forest Workers and Harvesters and Pacific West Community Forestry Center, put together a petition people could sign. The petition states: **“We want to be consulted about laws that affect our interests. We, the undersigned, were not consulted about Section 339. We do not want this law to go into effect until our concerns and welfare are reflected in the law and its rules.”**

Then when the monitors talked to pickers and buyers and gave them copies of Sec. 339 and the explanation page, people could sign something that expressed their feelings and they felt less helpless. We collected 66 signatures within our small window of opportunity. If this petition were taken around the country to harvesters of various NTFPs, the number of signatures would be quite large.

The petition was popular, but some people were afraid to sign because they were afraid to be noticed.

#### (4) Accomplishments

- Completed the third year of the project, expanding and deepening the ability of harvesters and other groups to work together to defend their welfare and the health of the forest.
- First expansion of the project to Brookings, OR.
- Clarification of the need for enforcement of the permit rules.
- Emerging awareness of the usefulness of NTFP harvesters as monitoring eyes and ears of the Forest Service.
- Demonstration of the project’s ability to adapt to new locations and challenges.
- Demonstration of the project’s ability to form useful partnerships.
- First steps toward tracking social and environmental conditions of the large fire-driven morel harvests in Montana.
- Worked to inform harvesters about Sec. 339, and to enable harvester input into the legislative process.
- Worked with partners to inform Crescent Ranger District of harvester concerns about proposed logging units in prime matsutake production areas, which resulted in dropping of several logging units.
- Began a relationship with the Crescent Ranger District to explore utilization of the communication network provided by the Project to enable harvester monitoring of the

impacts on matsutake production of historic, present and future management activities.

#### (5) Use as a Model; Protocols and Guidelines for Multiparty Monitoring

The basic model of (1) **monitors** who are experienced harvesters and who represent the various ethnicities, (2) public harvester **meetings**, (3) administration by an **NGO**, and (4) **multiparty monitoring** with an emphasis on harvester participation, is meeting the test of time, proving useful with a wide variety of NTFP locations, situations and challenges.

The project needs to be administered by a nonprofit group, thereby leaving the government e fully free to be a participant.

Multiparty processes mirror the forest's diversity. A human process that successfully merges various points of view and special interests is a mirror of the process by which a forest reinvents and maintains itself.

Patience and repetition are central. A successful multiparty process realigns realities. Realities realign themselves in their own time and in their own way. If these changes were easy, they would have happened long ago.

#### Conclusions

Harvester empowerment is essential. Their knowledge is profound. Leaving them out is like leaving the fungi, mosses, lichens and ferns out of the process of forest health. Harvester participation is only achieved when the harvesters have freedom of speech. They only have freedom of speech under the permit system. With leases and contracts, with bosses who hire and fire, workers do not have the freedom to speak their minds.

Harvester empowerment as a tool for ecosystem balance and forest health and for the monitoring of the impact of management activities on fungal health and productivity is in its infancy. Harvester empowerment leads us in the direction of long term stewardship with unrestricted access, which is possibly the strongest defense we can offer the forest.

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#### Future Courses of Action

- Expand communication among traveling and local harvesters, and among the different ethnicities.
- Develop the Brookings Project.
- Bring the Bureau of Land Management back on board as an active partner.
- Work with harvesters and partner organizations to craft an amended Sec. 339. Expand harvester participation in the legislative process.
- Pursue harvester monitoring of the impacts on matsutake mushroom production of logging and other management activities.
- Develop on-the-ground enforcement of permit rules.
- Maintain and expand a diversified funding base.
- Maintain and expand partnerships.

- Pursue long-term stewardship of the matsutake harvest incorporating the challenge of unrestricted access.

