

Volunteer and Cooperator Groups and the USFS Saw Policy

Volunteers and Cooperator groups are an important component which leverage limited resources in order to accomplish important work on National Forest System Lands. This work varies greatly from simple trail maintenance to fuels reduction projects, campground maintenance and complex trail/infrastructure building/maintenance. This is work which may not otherwise be accomplished if it were not for the time and dedication of these groups.

The US Forest Service National Saw Program, FSM 2358, came into effect on July 19, 2016. The objective of the new policy is to *“...to establish minimum prerequisites and standards for training, field proficiency evaluation, and qualification and certification requirements for the safe use of saws by Forest Service employees, training consultants, volunteers, and cooperators on NFS lands, including the development of stand-alone cooperator and volunteer training and certification programs for sawyer instructors and sawyer evaluators.”*

To accomplish this objective a special provision (FSH 1509.11 sec. 91.2) was written and required to be inserted into all cooperative agreements. (Other than Interagency Fire Management Cooperative Agreements)

1509.11, Section 91.2—TRAINING, EVALUATION, AND CERTIFICATION OF SAWYERS USED BY COOPERATORS. Any of the cooperator’s employees, and any participants and volunteers engaged on behalf of the cooperator and Forest Service, who will use chain saws or crosscut saws on National Forest System lands to conduct the program of work contained in this agreement must be trained, evaluated, and certified in accordance with Forest Service Manual 2358 and Forest Service Handbook 6709.11, section 22.48b. The cooperator is responsible for providing this training, evaluation, and certification, unless the Forest Service and the cooperator determine it is not in the best interest of the partnership. In these circumstances, the Forest Service, upon request and based on availability of Agency funding and personnel, may assist with developing and conducting training, evaluation, and certification of the cooperator’s employees, and any volunteers and participants engaged on behalf of the cooperator and the Forest Service, who will use chain saws or cross cut saws on National Forest System lands.

So first a clarification of a few terms and concepts:

- For the purposes of Grants and Agreement policy a Cooperator is defined as: *“An individual or entity that voluntarily desires to cooperate with the Forest Service on a project and is willing to formalize the relationship by entering into a form of written agreement.”* (FSM 1580.5) This definition **does not exclude** states or other bodies of government and is the definition any partnering organization would fall under for partnership arrangements-- participating, challenge cost share, etc.
- Cooperators must be trained, evaluated, and certified in accordance with Forest Service Manual 2358 and Forest Service Handbook 6709.11, section 22.48b.

- It is because of the OSHA multi-employer rule that the USFS can require Cooperators (including Fed, State, Tribal and County) to comply with our standards. The rule affects 4 types of employers; creating, correcting, controlling and exposing. OSHA considers the Forest Service a “controlling” employer. OSHA defines a controlling employer as follows:

A "controlling employer" is one who has general supervisory authority over the work site, including the power to correct safety and health violations itself or require others to correct them. Control can be established by contract, or in the absence of explicit contractual provisions, by the exercise of control and practice. A controlling employer must exercise reasonable care to prevent and detect violations on the site.

In order for Volunteers and Cooperators to become compliant, they may submit a Cooperator Saw Program proposal describing the details of the proposed program. Once approved they would be meeting the 1509.11 provision of the agreement.

To meet the requirements in FSM 2358 and FSH 1509.11 sec. 91.2 Cooperators have three options:

- **Forest Service Saw Program** (Option 1)-Working in coordination with local and regional agreement administrators and local Agency staff, Regional Saw Program Managers can provide, upon request and based on availability of Agency funding and personnel, organizations/groups with appropriate training and evaluation opportunities. Successfully evaluated sawyers will receive certification.
- **Forest Service Saw Program** (Option 2) – The Forest Service Saw program can be implemented by Forest service volunteers, cooperators, consultants and/or contractors who are certified as C Sawyers or C Sawyer Evaluators who in turn can train, evaluate and certify their own organization’s members, other cooperating organizations, and/or Forest Service employees.
- **Cooperator Saw Program**-Organizations/groups proposing their own training, evaluation and certification programs will present their proposed saw training and evaluation program structure to the National Saw Program Manager who will consult with the Saw Program Technical Advisory Group (TAG) for review. Upon a successful review the National Saw Program Manager will approve the cooperator program through issuance of official correspondence. Once approved, the cooperator will coordinate with the appropriate Forest Service Regional Saw Program Manager(s) to conduct their program in accordance with FSM 2358 and FSH 6709.11 (FSH 6709.11)

So what does this all mean? It means Volunteers and Cooperators have the ability, if all requirements are met, to train and evaluate members of their own groups or other groups under these options. Individual Forests or Districts may not organize under any of these options.

Which option is the most appropriate for which group? The answer lies in the scope of the agreement.

- Individuals or small groups of Volunteers wishing to work on a single Ranger District or Forest may be best to utilize **Forest Service Saw Program option 1**. This would require training and certification to be put on by USFS designated Sawyer Instructors and Sawyer Evaluators (these can be either FS employees or designated

members of other volunteer or cooperator groups or an approved Training Consultant). Sawyers trained and certified must follow the requirements of FSM 2358 and FSH 6709.11

- Larger more organized groups working across multiple District or Forest boundaries and who have the expertise with-in their organization may choose to utilize **Forest Service Saw Program option 2**. Letters of Designation would be issued by to individuals meeting the requirements of Sawyer Instructors and Sawyer Evaluators. These letters are issued by Regional Saw Program Managers only. These individuals could then in turn train, evaluate and certify their own organization's members, other cooperating organizations, and/or Forest Service employees.
- Organized groups which work across multiple Forest and/or Regional boundaries and who have the expertise with-in their organization may choose to utilize **Cooperator Saw Program option 3**. These organization typically have hundreds of members and allowing them to manage their own program which meets the standards and intent of FSM 2358 only makes sense given the scale and scope of the organization. Letters of Designation would be issued to individuals meeting the requirements of Sawyer Instructors and Sawyer Evaluators. These letters are issued by Regional Saw Program Managers only. These individuals could then in turn train, evaluate and certify their own organization's members, other cooperating organizations, and/or Forest Service employees. It should be recognized that FSM 2358 allows for *"...the development of stand-alone cooperator and volunteer training and certification programs for sawyer instructors and sawyer evaluators."*
- State, County and local government groups who would be best managed under Option 3. Most of these organizations are using "Fire Crews" to accomplish fuels reduction projects and utilize S-212 as a training tool. A cursory review of their instructors and evaluators would meet the intent of Option 3

Recognizing there is apprehension and uneasiness around some of these options, none of them preclude the prudent monitoring and correction of deficiencies. This is no different than the requirement for program managers to monitor and correct deficiencies of Forest or District programs. Currently there are 3 nationally recognized saw training courses (NRSTC), the MTDC Saw course, S-212 and the Game of Logging curricula. Some groups use a mixture of MTDC and S-212 this meets the intent of FSM 2358. I would be hesitant to allow another program to be recognized as a NRSTC at this time because of the amount of time needed to audit and certify it.

I hope this has helped to clarify any of the issues around Volunteer and Cooperator groups.

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