

# Possibilities of Forming an Ecological Restoration Trade Association

By **JOSH HURD**, **WILDLANDS CPR**

IN CONJUNCTION WITH THE **NATIONAL FOREST RESTORATION COLLABORATIVE**



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## About the Author

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## Project Partners

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**The National Forest Restoration Collaborative** is comprised of environmental and community-based forestry groups dedicated to providing national leadership to advance comprehensive forest and watershed restoration that is ecologically sound and benefits rural communities.

**Wildlands CPR** revives and protects wild places by promoting watershed restoration to improve fish and wildlife habitat, provide clean water and enhance community economies. We focus on reclaiming ecologically damaging, unneeded roads and on stopping off-road vehicle abuse.

**American Lands Alliance's** mission is to protect and restore America's forest ecosystems by providing national leadership, coordination and capacity building for the forest conservation movement.

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## **Abstract**

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Organizing interests into associations that influence various levels of government is an important aspect of public policy within the United States. Given the dependence of ecological restoration firms on the government—either through direct funding or regulatory mandates requiring restoration—it is in the industry’s best interest to influence public policy. Growth within the industry is closely tied to expanding government funding programs. For too long these restoration firms, conscious or not, have relied on public interest organizations to lobby for them, at least in terms of promoting ecological restoration as a concept and securing funding for on-the-ground work. In order to further the interests of the ecological restoration sector of the economy, restoration-related businesses should create a trade association that conducts lobbying and outreach in order to expand market opportunity, influence regulation, and maximize profits for shareholders. Industries with similar dependencies on the government can serve as examples for such a restoration trade association, primarily as to in what activities in which it should engage, how it should be structured, and how it should organize its membership. Creating a viable and active ecological restoration industry trade association is an important step in ensuring a long-term thriving ecological restoration sector of the economy.

The ecological restoration economy—comprised of those businesses that directly and indirectly produce the goods and services that facilitate ecological restoration—is largely dependent on the government for its existence. The government both passes regulations that require private entities to restore damaged areas, and finances res-

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*Other industries that are similarly dependent on the government in some way for their existence have formed themselves into trade associations to influence public policy to their advantage*

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toration on public lands. Thus, unlike most areas of the economy, changes in public policy greatly affect the ecological restoration industry. Many other industries that are similarly dependent on the government in some way for their existence have formed themselves into trade associations to influence public policy to their advantage. In doing so, they leverage the respect, influence, and resources of their entire industry to help shape their own future.

The firms that comprise the restoration sector of the economy have yet to formally organize. They have no spokesmen and are reliant, consciously or not, on public interest organizations for much of their publicity and lobbying. This report outlines the possibility for ecological restoration businesses to form a trade association. First, it analyzes the theory and reality behind interest groups and trade associations. Second, it discusses the Society for Ecological Restoration, which is the closest entity restoration practitioners have to a trade association. Third, it summarizes characteristics of four analogous trade associations. Fourth, the report provides recommendations for incorporating the businesses in ecological restoration sector into a trade organization.

## **A Framework for the Formal Organization of Industries**

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Many scholars argue that freedom of speech laws enshrined within the constitution are in part designed to ensure that organized interest groups have access to the government.<sup>1</sup> These interest groups advocate to support

<sup>1</sup> Theodoulou, Stella Z., and Chris Kofinis. 2004. *The Art of the Game: Understanding American Public Policy Making*. Belmont, CA: Wadsworth/Thomson Learning.

new policies and prevent existing programs from being changed, in order to protect their economic, professional, or ideological well-being.<sup>2</sup> Furthermore, they undertake important research that individual firms and organizations by themselves would not have the resources or standing to do. Research topics often include areas such as an industry's contribution to the national economy and the impact of certain policies on the public interest of the people. This lobbying and research is useful to decision-makers, as frequently these officials do not have the internal capacity to undertake research that allows them to make informed decisions.<sup>3</sup> Of course, occasionally the research results and materials that interest groups provide are biased and misleading.<sup>4</sup>

Three general types of interest groups exist: economic groups, such as trade associations and farmers' unions; professional groups, such as those of doctors and lawyers; and promotional groups, such as environmental

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and civil rights organizations.<sup>5</sup> Currently, only promotional groups, primarily in the form of environmental, conservation, fisheries, and community-based forestry organizations, actively engage ecological restoration issues in the policy realm. However, decision-makers at times view economic groups as being the most legitimate in arguing on certain issues.<sup>6</sup> For ecological restoration, promotional groups tend only to look at the end product—ecological restoration—rather than the economic well being of the restoration industry itself. Thus what

<sup>2</sup> Kingdon, John W. 2003. *Agendas, Alternatives and Public Policies*. New York: Longman.

<sup>3</sup> Laumann, Edward O., and David Knoke. 1987. *The Organizational State: Social Choice in National Policy Domains*. Madison: University of Wisconsin Press.

<sup>4</sup> Saloojee, Yussuf, and Elif Dagli. 2000. Tobacco Industry Tactics for Resisting Public Policy on Health. *Bulletin of the World Health Organization* 78 (7).

<sup>5</sup> Theodoulou, Stella Z., and Chris Kofinis. 2004. *The Art of the Game: Understanding American Public Policy Making*. Belmont, CA: Wadsworth/Thomson Learning.

<sup>6</sup> Hillman, Amy J., Gerald D. Keim, and Douglas Schuler. 2004. Corporate Political Activity: A Review and Research Agenda. *Journal of Management* 30 (6):837-57, Damania, R. 2001. When the Weak Win: The Role of Investment in Environmental Lobbying. *Journal of Environmental Economics and Management* 42 (1):1-22.

the promotional groups advocate for might not actually be in the best interest of the industry.<sup>7</sup> Ecological restoration businesses need an entity that conducts lobbying and outreach in order to expand market opportunity,

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influence regulation, and maximize profits. Developing such an entity, if it also includes advocacy groups, can help ensure that as the restoration economy develops, it will be focused on policy changes and market opportunities that specifically promote and reward high-quality ecological restoration work while discouraging controversial or low-quality work.

A gap exists in groups that advocate for furthering the restoration economy. Another promotional interest group cannot fill this void. Only an organization that speaks for ecological restoration businesses themselves, and thus has the capacity to undertake research relevant to these firms, will do. Businesses and firms that restore ecosystems and provide the goods and services that facilitate restoration projects should formally organize themselves into an ecological restoration industry trade association—it is in both their business interests and the public good to do so. While the ecological restoration industry itself has yet to be strictly defined,<sup>8</sup> and questions of what precisely constitutes restoration remain,<sup>9</sup> these ongoing questions should not preclude proposals for actions to bolster ecological restoration activities.

## **Why the Society for Ecological Restoration Will Not Suffice**

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The closest entity to a formal representative for the ecological industry is the Society for Ecological Restora-

tion (SER). SER is a tax-exempt 501(c)3 not-for-profit organization whose mission is “to promote ecological restoration as a means of sustaining the diversity of life on Earth and reestablishing an ecologically healthy relationship between nature and culture.”<sup>10</sup> Their work primarily consists of journals, conferences, and restoration networks. They produce two journals, *Restoration Ecology* and *Ecological Restoration*, which provide a formal avenue to publish findings of ecological restoration

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*The Society for Ecological Restoration is a scientific, researched-focused, professional organization, not a trade organization that lobbies for the industry’s economic interests*

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research from both a scientific and practitioner point of view.<sup>11</sup> Multiple yearly conferences bring together restoration scientists and practitioners from around the world, providing a venue in which they can share research findings, experiential outcomes, and best restoration practices. SER also oversees multiple restoration networks, including the Indigenous Peoples’ Restoration Network, which brings together various first peoples to discuss ecological restoration and traditional ecological knowledge; and the Global Restoration Network, which is a repository of case studies, resources, and knowledge on restoration practices around the world.<sup>12</sup> SER is an asset to the restoration community. However, it does not formally represent the restoration industry, nor act on behalf of what is in restoration businesses’ best interest.

The Society for Ecological Restoration is a scientific, researched-focused, professional organization of restoration practitioners and scientists, not a trade organization that lobbies for and looks after the industry.<sup>13</sup> As such, it focuses on those individuals who research and monitor restoration activities and also those who carry out restoration efforts from a scientific, rather than business, perspective. While it is within their organizational

<sup>7</sup> Anderson, Neil. 2009. Reforestation Technologies International. Interview with Author. April 22, 2009.

<sup>8</sup> Hurd, Josh. 2009. Business and Regulatory Environments of Watershed Restoration. In *The Political Economy of Watershed Restoration Series*. Missoula, MT: Wildlands CPR.

<sup>9</sup> Allison, Stuart K. 2007. You Can't Not Choose: Embracing the Role of Choice in Ecological Restoration. *Restoration Ecology* 15 (4):601-605, Davis, Mark A., and Lawrence B. Slobodkin. 2004. The Science and Values of Restoration Ecology. *Restoration Ecology* 12 (1):1-3, Jackson, Laura L., Nikita Lopoukhine, and Deborah Hillyard. 1995. Ecological Restoration: A Definition and Comments. *Restoration Ecology* 3 (2):71-75.

<sup>10</sup> Society for Ecological Restoration International. 2009. Society for Ecological Restoration International 2007 [cited April 21 2009]. Available from <http://www.ser.org/about.asp>.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> ———. 2007. Bylaws of the Society for Ecological Restoration International. Tucson, AZ.

purview to “contribute to public policy discussions,”<sup>14</sup> this “contribution” currently contains no political activities.<sup>15</sup> They only occasionally issue policy statements and briefing papers, without actually lobbying for what they

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*A variety of other industries are similarly reliant on federal, state, and local governments for the majority of their business*

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say. Furthermore, these policy papers are usually limited to how policy impacts the science of ecological restoration. Rarely do they focus on the funding and regulatory aspects that are so important to the firms that actually undertake restoration activities.<sup>16</sup> Also, SER is limited by its 501(c)3 tax status as to what formal lobbying activities it can undertake. Clearly SER is not currently the trade association that the restoration industry needs.

## **Examples of Analogous Industries and their Trade Associations**

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In order to draw from the examples of other industry trade associations, attention must be paid to ensure that the industries are comparable to ecological restoration. While no comprehensive research exists on the attributes of the ecological restoration sector of the economy as a whole, reports have shed light on some trends. The ecological restoration sector of the economy tends to be dependent on local, state, and federal governments, through either regulations requiring that restoration occur or through funding programs.<sup>17</sup> Governmental regulations greatly affect the business environment in which ecological restoration happens.<sup>18</sup> Many restoration-related firms tend to be small businesses that employ less than 15 people, although among firms that compete for federal contracts, approximately 15 percent have more than 50 employees. Of the firms that compete for fed-

eral contracts, almost 40 percent have more than one million dollars in annual revenues.<sup>19</sup> These firms undertake a variety of different ecological restoration-related activities, but are dominated by projects that are either construction or forestry in nature.<sup>20</sup>

A variety of industries are in comparable situations to ecological restoration. They are reliant on federal, state, and local governments for the majority of their business, either through direct funding or regulatory require-

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*The ecological restoration industry can learn a great deal from the petroleum, aerospace, and ethanol industries without necessarily agreeing with what these industries do*

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ments. Many of these industries have a combination of small and large firms. Changes in government policy greatly affect these industries. In response, they have created trade associations to represent their interests in the public realm, and oftentimes are successful at doing so. These trade associations provide examples to the ecological restoration industry as to what structure and functions a restoration trade association might take. The next sections of this report highlight four industry trade associations that are applicable to ecological restoration in certain ways: the National Mitigation Banking Association, Aerospace Industries Association, American Petroleum Institute, and Renewable Fuels Association.

It is important to note that these trade associations were chosen because their industries are reliant on the government, either through regulations or funding. Other trade associations, such as the Outdoor Industry Association, might appear more similar to ecological restoration, but their economic structures are sufficiently different that a comparison would not be as relevant. Furthermore, not all relevant trade associations could be included, such as the Land Trust Alliance. The four groups highlighted here were chosen for the economic structure of their industries, the variety of activities that the groups undertake, and the different ways that they organize their members. The actual content of what they lobby for is irrelevant, as is to what degree their research is based on

<sup>14</sup> ———. 2009. Society for Ecological Restoration International 2007 [cited April 21 2009]. Available from <http://www.ser.org/about.asp>.

<sup>15</sup> Alexander, Sasha. 2009. Project Director, Society for Ecological Restoration. Email with Author. April 14, 2009.

<sup>16</sup> Hurd, Josh. 2009. Business and Regulatory Environments of Watershed Restoration. In *The Political Economy of Watershed Restoration Series*. Missoula, MT: Wildlands CPR.

<sup>17</sup> ———. 2009. Characteristics of Watershed Restoration Funding. In *The Political Economy of Watershed Restoration Series*. Missoula, MT: Wildlands CPR.

<sup>18</sup> ———. 2009. Business and Regulatory Environments of Watershed Restoration. In *The Political Economy of Watershed Restoration Series*. Missoula, MT: Wildlands CPR.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

honest science and economics. The ecological restoration industry can learn a great deal from the mitigation banking, petroleum, aerospace, and ethanol industries without agreeing with what these industries do.

## National Mitigation Banking Association

The National Mitigation Banking Association (NMBA) is a 501(c)6 not-for-profit organization that represents the various wetland mitigation banks around the country. Its mission is to “bring together leaders who are committed to a unique concept for restoring and conserving America's wetlands and other natural resources—a concept that unites sound economic and environmental practices.”<sup>21</sup> Wetland mitigation banking is similar to ecological restoration in that without state and federal legislation that mandates no net loss of wetlands within the country, which in turn creates a market for newly created or restored wetlands, few wetland mitigation banking businesses would exist.<sup>22</sup> The same holds true for ecological restoration. Without significant federal, state, and local monies to restore damaged ecosystems, few ecological restoration businesses would exist. Also, wetland mitigation banking consists of many small and medium-sized businesses, similar to ecological restoration.<sup>23</sup>

NMBA was established in 1998, primarily for the industry as a whole to influence federal legislation and regulatory policy, but also to create research, education, and outreach pursuits to better the industry.<sup>24</sup> In the policy realm, it has five separate goals:

1. Lobby for legislation that supports mitigation banks;
2. Standardize mitigation bank documentation;
3. Standardize mitigation approval processes;
4. Ensure that mitigation banking is an acceptable means of wetland mitigation; and

5. Promote mitigation banking among the general public.<sup>25</sup>

Examples of legislation that supports mitigation banking includes tax reform to enable long-term capital gains treatment of mitigation banking revenues<sup>26</sup> and enhanced Department of Defense (DoD) rulings on the use of wetland mitigation banks on DoD property.<sup>27</sup>

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Each spring the association has a Washington, DC Fly-In, in which NMBA encourages members to converge on the nation's capital to lobby elected officials and federal agencies about wetland mitigation banking issues. NMBA also maintains legal council in order to advise the industry on changing policy issues.<sup>28</sup> According to federal disclosure records, NMBA spent \$20,000 on lobbying the federal government, through the lobbying firm Venable LLP, during the first quarter of 2009.<sup>29</sup>

NMBA has three different membership levels in order to maximize the numbers of organizations it can represent, and thus the amount of resources it has to spend on activities. Mitigation Bank Members—federally approved firms that can legally transfer mitigation credits—must pay \$5,000 in annual dues. Affiliated Members—firms in the process of obtaining approval—must pay \$2,500 in annual dues. Associate Members—“corporations, consultants, attorneys, engineers, contractors, surveyors and other businesses or individuals associated with the mitigation banking industry”—must pay \$1,000 in annual dues.<sup>30</sup> As of winter 2008, the association counted

<sup>25</sup> ———. 2009. NMBA in Action 2007 [cited April 21 2009]. Available from <http://mitigationbanking.org/nmba/>.

<sup>26</sup> ———. 2009. Spring 2009 NMBA Newsletter: Legislative/Tax Update. Orlando.

<sup>27</sup> ———. 2006. Spring 2006 NMBA Newsletter. Orlando.

<sup>28</sup> ———. 2009. Spring 2009 NMBA Newsletter: Legislative/Tax Update. Orlando.

<sup>29</sup> U.S. Senate Office of Public Records. 2009. Lobbying Report. National Mitigation Banking Association. Q1 2009. Washington, DC.

<sup>30</sup> National Mitigation Banking Association. 2009. Join NMBA 2007 [cited April 21 2009]. Available from <http://mitigationbanking.org/joinnmba/index.html>.

<sup>21</sup> National Mitigation Banking Association. 2009. National Mitigation Banking Association (NMBA) | Home 2007 [cited April 21 2009]. Available from <http://mitigationbanking.org/index.html>.

<sup>22</sup> Environmental Law Institute. 2002. Banks and Fees: The Status of Off-Site Wetland Mitigation in the United States.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

as members 25 Mitigation Banker Members, five Affiliated Members, and 25 Associate Members, which combined would generate revenues of \$162,500 per year.<sup>31</sup>

A possible ecological restoration industry association can learn many things from the National Mitigation Banking Association. NMBA's history shows that an obscure industry with no dominating firms can still effectively form a successful trade association. Furthermore, it shows that a trade association with a relatively small budget can influence policy, such as in NMBA successfully lobbying the DoD to adopt favorable wetland mitigation banking policies.

### **Aerospace Industries Association**

The Aerospace Industries Association (AIA) represents “manufacturers and suppliers of civil, military, and business aircraft, helicopters, unmanned aerial systems, space systems, aircraft engines, missiles, materiel, and

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*AIA lobbies primarily to either ease the regulatory process through which contractors deal with the government or increase aerospace and defense spending*

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related components, equipment, services, and information technology.”<sup>32</sup> The AIA seeks to ensure that these aerospace industries remain competitive and profitable, influencing public policy accordingly.<sup>33</sup> Ecological restoration is related to the aerospace industries because both are largely dependent on the government for funding. In 2008, AIA estimated that approximately 60-percent of industry revenues came from government contracts, mostly through defense and space funding.<sup>34</sup> Also, healthy ecosystems and a strong national defense are both public goods, and as such are usually provided by the government. Thus, even though the ultimate goals of the two are vastly different, the industries' dependence on the government is similar enough to warrant AIA's inclusion.

<sup>31</sup> ———. 2008. Winter 2008 NMBA Newsletter. Orlando.

<sup>32</sup> Aerospace Industries Association. 2009. History 2009 [cited April 17 2009]. Available from [http://www.aia-aerospace.org/about\\_aia/history/](http://www.aia-aerospace.org/about_aia/history/).

<sup>33</sup> ———. 2009. Mission 2009 [cited April 17 2009]. Available from [http://www.aia-aerospace.org/about\\_aia/mission/](http://www.aia-aerospace.org/about_aia/mission/).

<sup>34</sup> ———. 2008. Year-End Forecast & Review. Arlington, VA.

AIA lobbies primarily to either ease the regulatory process through which contractors deal with the government or increase aerospace and defense spending. An example of the former is a 2008 special report and continuing campaign to reform the defense acquisition system, in order to make the system more predictable and cost-effective

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*According to federal disclosure records, AIA spent \$180,000 lobbying the federal government during the first quarter of 2009*

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for aerospace contractors.<sup>35</sup> An example of the latter is a 2009 special report and campaign to increase spending on NASA and other space-related agencies. The report warns that the United States has “credible competitors with the vision and resources to equal or even supplant our dominance—a situation that would adversely affect both our economy and national security,” and as such that we must increase our space funding.<sup>36</sup> This increase in space funding, of course, would greatly benefit the aerospace industry. According to federal disclosure records, AIA spent \$180,000 lobbying the federal government during the first quarter of 2009.<sup>37</sup>

AIA also researches and reports on the industry itself. It published a 2008 report on workforce training and the plight that the industry faces as significant numbers of workers begin to retire.<sup>38</sup> In response to the economic downturn and prospects of stimulus funding, AIA researched employment characteristics of the industry, concluding that it directly employs 831,000 Americans, indirectly employs more than two million Americans, and pays an average wage of \$29 per hour.<sup>39</sup>

Membership within AIA is composed of 100 Regular Members, which are the manufacturers themselves, and 175 Associate Members, which are aerospace suppliers. Regular Members dues are calculated by a progressive

<sup>35</sup> ———. 2008. U.S. Defense Acquisition: An Agenda for Positive Reform. Arlington, VA.

<sup>36</sup> ———. 2009. The Role of Space in Addressing America's National Priorities. Arlington, VA.

<sup>37</sup> U.S. Senate Office of Public Records. 2009. Lobbying Report. Aerospace Industries Association of America, Inc. Q1 2009. Washington, DC.

<sup>38</sup> Aerospace Industries Association. 2009. Launching the 21st Century American Aerospace Workforce. Arlington, VA.

<sup>39</sup> ———. 2008. Aerospace and Defense: The Strength to Life America. Arlington, VA.

formula dependent on total revenues, with most dues between \$10,000 and \$50,000 per year.<sup>40</sup> Associate Members pay either \$3,000 or \$5,000 per year, depending on sales revenues.<sup>41</sup>

The Aerospace Industries Association can teach a possible ecological restoration industry association many things. AIA influences both the government acquisition regulations and funding for public aerospace programs. Ecological restoration has a similar dual relationship with the government, and could structure its lobbying activities on AIA's example. Furthermore, a restoration trade association could learn much from how AIA reaches out to the public. AIA frames its issues to appeal to American's concepts of the common good, in ways that rarely outright talk about the aerospace and defense industries themselves. An ecological restoration association could frame its issues in similar ways.

## American Petroleum Institute

The American Petroleum Institute (API) represents the oil and gas industry. While petroleum extraction and ecological restoration are two often-contrary activities, both largely rely in part on governments to exist. Resource extraction occurs frequently on federal lands or waters,<sup>42</sup> and thus requires legal sanction. Ecological restoration relies upon government regulations to mandate it or funding to finance it.

API carries out four primary activities: advocacy, research and statistics, standards and certification, and education.<sup>43</sup> In the advocacy realm, API is the spokesman for the petroleum industry, lobbying for favorable regulations and legislation. They "negotiate with regulatory agencies, represent the industry in legal proceedings, participate in coalitions and work in partnership with other associations to achieve our members' public policy goals."<sup>44</sup> API has lobbied for expanded access to U.S. petroleum reserves, being instrumental in the rever-

sal of offshore drilling bans.<sup>45</sup> It wages an ongoing public relations campaign in opposition to windfall profit taxes, superfund taxes, and production excise taxes.<sup>46</sup> It also

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opposes "boutique fuel" requirements, in which states have their own gasoline blend standards.<sup>47</sup> According to federal disclosure records, API spent \$1,259,437 lobbying the federal government during the fourth quarter of 2008.<sup>48</sup>

API also actively supports research on the industry itself and its impacts on the American economy. Much of this research has recently focused on the importance of the petroleum industry, publishing figures on how the industry directly employs 1.8 million Americans, indirectly employs four million Americans, and pays over twice the average wage.<sup>49</sup> It undertook research on the future energy needs within the country, forming those research findings into a "Hard Truths" campaign designed to convince people that adequate energy is not available without coal, oil, and natural gas.<sup>50</sup> Furthermore, API publishes research on "all aspects of U.S. industry operations, including supply and demand for various products, imports and exports, drilling activities and costs, and well completions."<sup>51</sup> This research is used both internally to bolster a greater understanding of the industry and its trends, and externally to improve public perception and raise awareness of petroleum issues.

API is a membership organization, with only private entities within the U.S. oil and gas industry qualifying to

<sup>40</sup> ———. 2009. Member Dues 2009 [cited April 17 2009]. Available from [http://www.aia-aerospace.org/membership/regular\\_membership/member\\_dues/](http://www.aia-aerospace.org/membership/regular_membership/member_dues/).

<sup>41</sup> ———. 2009. Associate Membership 2009 [cited April 17 2009]. Available from [http://www.aia-aerospace.org/membership/associate\\_membership/](http://www.aia-aerospace.org/membership/associate_membership/).

<sup>42</sup> American Petroleum Institute 2007. Hard Truths: Facing the Hard Truths About Energy. Washington, DC.

<sup>43</sup> ———. 2009. About API 2009 [cited 22 April 2009]. Available from <http://api.org/aboutapi>.

<sup>44</sup> Ibid.

<sup>45</sup> ———. 2009. Offshore Access to America's Oil and Natural Gas Resources. Washington, DC.

<sup>46</sup> ———. 2009. Tax and Trade 2009 [cited 22 April 2009]. Available from <http://api.org/policy/tax/index.cfm>.

<sup>47</sup> ———. 2009. Fuels 2009 [cited 22 April 2009]. Available from <http://api.org/policy/fuels/index.cfm>.

<sup>48</sup> U.S. Senate Office of Public Records. 2008. Lobbying Report. American Petroleum Institute. Q4 2008. Washington, DC.

<sup>49</sup> American Petroleum Institute. 2009. Offshore Access to America's Oil and Natural Gas Resources. Washington, DC.

<sup>50</sup> ———. 2007. Hard Truths: Facing the Hard Truths About Energy. Washington, DC.

<sup>51</sup> ———. 2009. About API 2009 [cited 22 April 2009]. Available from <http://api.org/aboutapi>.

apply. As of 2009, over 400 members supported API, from all parts of the industry. While no public figures exist on the size of API's budget, the minimum annual membership dues are \$1,375.<sup>52</sup>

The principal lesson an ecological restoration trade association can learn from API is the importance of research in influencing both public policy and the general public. API comprehensively understands what helps and hinders its industry, how various proposed policies affect its industry's bottom line, and what it does to influence these policies. Its large membership shows that petroleum-related firms perceive a positive return on investment for their annual dues. An ecological restoration trade association should invest in similar industry research and create a positive value for its members.

## Renewable Fuels Association

The Renewable Fuels Association (RFA) represents the ethanol lobby. The ethanol industry is similar to the ecological restoration industry because demand for ethanol would not be as high as it presently is without government mandates on how much ethanol must be produced and blended with gasoline fuels. Furthermore,

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### *The RFA primarily lobbies for governmental policies that increase ethanol demand*

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federal and state governments offer numerous tax breaks for ethanol production. Thus like ecological restoration, without government regulations and funding the ethanol industry would be greatly diminished.

According to their promotional materials, RFA "serves as a vital link between the ethanol industry and the federal government, including the Congress and Administration, to promote increased production and use of ethanol through supportive policies, regulations, and research & development initiatives."<sup>53</sup> RFA has four primary goals:

1. Lobby for governmental policies that increase ethanol demand;

2. Create and disseminate information to the auto industry, media, politicians, marketers, refiners, and the public;
3. Portray ethanol as a renewable fuel that increases America's energy independence, strengthens the economy, and promotes a healthy environment; and
4. Provide relevant business and economic information to RFA members.<sup>54</sup>

During the past year, RFA has researched and published figures on its "green jobs" and economic contributions to the economy, arguing that stimulus monies and government programs should expand the use of ethanol within the country in order to provide people with employment.<sup>55</sup> According to federal disclosure records, RFA spent \$124,500 lobbying the federal government during the fourth quarter of 2008.<sup>56</sup>

Membership within RFA is broken into four different levels. Producer Members actively produce ethanol, Prospective Producer Members have plants in development, Associate Members provide products and services to the industry, and Supporting Members are non-profit, academic, and government entities that have relevance to the ethanol industry.<sup>57</sup> RFA currently has a total of 305 members (50, 62, 140, and 53 firms, respectively), which comprise 90-percent of the U.S. ethanol industry.<sup>58</sup>

The Renewable Fuels Association shows the importance of active information campaigns in influencing public opinion, and therefore public policy. RFA has linked expansion of ethanol use to increased national security, addressing global warming, protecting the environment, and decreased fuel prices. An ecological restoration trade association could model public relations campaigns on RFA's example.

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<sup>54</sup> ———. 2009. 2009 Ethanol Industry Outlook. Washington, DC.

<sup>55</sup> Ibid.

<sup>56</sup> U.S. Senate Office of Public Records. 2008. Lobbying Report. Renewable Fuels Association. Q4 2008. Washington, DC.

<sup>57</sup> Renewable Fuels Association. 2006. Membership Brochure. Washington, DC.

<sup>58</sup> ———. 2009. Renewable Fuels Association Members, as of 2/5/2009. Washington, DC.

<sup>52</sup> ———. 2009. Faqs 2008 [cited 22 April 2009]. Available from <http://api.org/aboutapi/joinus/faqs/index.cfm>.

<sup>53</sup> Renewable Fuels Association. 2006. Membership Brochure. Washington, DC.

## Recommendations for Ecological Restoration Industry

Many scholars have documented the characteristics of successful interest groups. The core of what an interest group must undertake consists of:

1. Mobilizing and organizing its members;
2. Raising monetary resources to facilitate its mission;
3. Developing political resources to ensure access to high levels of government; and
4. Applying these resources to issues of significant importance.<sup>59</sup>

Interest groups should establish long-term relationships with government officials and be persistent in their lobbying efforts.<sup>60</sup> Successful interest groups should develop coalitions and a consensus behind the policy issue at hand, as individual groups or interests often do

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*Interest groups must provide relevant, timely, and trustworthy information to government officials*

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not, on their own, bring about policy change.<sup>61</sup> They should have “monitoring capacity,” to keep updated on the constantly changing policy environment, and a “resource endowment,” with significant human, monetary, and reputational assets.<sup>62</sup> Interest groups must provide “relevant, timely, and trustworthy” information to government officials.<sup>63</sup> Lastly, for trade associations in particular, the groups should have internal cohesion, being viewed as the legitimate spokesman for the industry, with no dissension of individual businesses or groups under them.<sup>64</sup>

<sup>59</sup> Theodoulou, Stella Z., and Chris Kofinis. 2004. *The Art of the Game: Understanding American Public Policy Making*. Belmont, CA: Wadsworth/Thomson Learning.

<sup>60</sup> Kingdon, John W. 2003. *Agendas, Alternatives and Public Policies*. New York: Longman.

<sup>61</sup> Ibid.

<sup>62</sup> Laumann, Edward O., and David Knoke. 1987. *The Organizational State: Social Choice in National Policy Domains*. Madison: University of Wisconsin Press.

<sup>63</sup> Kingdon, John W. 2003. *Agendas, Alternatives and Public Policies*. New York: Longman.

<sup>64</sup> Ibid.

A trade association does much more than just lobby. Especially for the ecological restoration industry, economic research and public outreach are just as important. The most important preliminary research activities for an ecological restoration trade association would include:

1. Understanding the characteristics of the industry itself, including the types of jobs that it provides, what type of restoration work the industry as a whole undertakes, the geographic distribution of restoration work, and how restoration projects are funded;
2. Comprehending the economic contributions that the ecological restoration industry makes to local and national economies, primarily in regard to the number of people employed (directly and indirectly), wages, and tax revenues contributed to local, state, and national coffers;
3. Deciphering how exactly public spending and regulations translate into specific types of jobs;
4. Discerning the long term contributions of restored ecosystems to communities, in terms of future cleanup costs averted, increased quality of life, and ecosystem resiliency; and
5. Unraveling the greatest problems that currently beset the ecological restoration industry and crafting public policy solutions to them.

Existing non-governmental organizations and government research bureaus do not have the time, resources, or funding to undertake this research. Furthermore, they

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*An ecological restoration trade association would support legislation that increases the number of programs requiring or funding mitigation, reclamation, and restoration activities*

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would not have as great of an ability to apply this research to the progressive policy changes that are needed in the restoration realm. A trade association would have these capabilities. Most importantly, the organizational

values and objectives of a trade association are uniquely suited to accomplish these goals, because trade associations inherently look after the economic self-interest of their industries. This is something that non-governmental organizations and government research bureaus do not do.

The activities undertaken by the interest groups outlined in the case studies provide models for program planning for a restoration trade association. These activities

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*In order to prove itself a legitimate sector of the economy, those engaged in ecological restoration need to start lobbying and engaging in outreach themselves*

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should be split between lobbying, research, outreach, and education. Membership should include all types of businesses that engage in restoration efforts, including construction companies, consultants, and makers of restoration-related products. Non-profit organizations may be included as well.

All of the member firms and organizations would pay yearly dues, with the amount dependent on the firm type. With even minimal tiered fees, a restoration trade association could be viable quickly—even if only half of all known firms who undertake federal restoration contracts joined. For example, firms with annual revenues

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*The benefits to ecological restoration firms of joining a trade association must outweigh the costs to them in time and money*

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less than \$100,000 could pay \$250, between \$100,000 and \$500,000 could pay \$500, between \$500,000 and \$5,000,000 could pay \$1,000, and greater than \$5,000,000 could pay \$2,500. This would yield an annual budget of \$183,500, which is larger than the National Mitigation Banking Association's 2008 budget. These revenues could be spend on hiring initial staff (e.g. executive director and lobbyist) and preliminary research for lobbying and public relations activities.

Much work needs to be done before an ecological restoration trade association could come into existence. Most importantly, the benefits to restoration firms of a trade association must outweigh the costs to them in time and money. The firms must perceive that a trade association and only a trade association can best look out for the industry's interests—that current public interest organizations will not suffice. More specifically, ecological restoration businesses should feel that not contributing to the industry association would harm their bottom lines. Businesses must conclude that spending time and money on a trade association is a sound and wise investment. These issues are beyond the scope of this report, but they must be addressed in order for an ecological restoration trade association to form.

## Conclusion

The ecological restoration sector of the economy depends on the government for its existence. As such, the industry itself should have formal representation to influence its interests in the public realm. The ecological restoration industry needs to be able to affect legislation and regulations. Furthermore, a trade association is uniquely qualified to research business trends and provide insight into the industry as a whole. Whether these aspects are significant enough to pass an individual restoration firm's cost benefit analysis is yet to be determined.

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