Quarterly ECR Forum

Council on Environmental Quality
722 Jackson Place, NW
June 17, 2009

DRAFT

MEETING SUMMARY

Participants

Mark Schaefer, U.S. Institute for Environmental Conflict Resolution
Horst Greczmiel, Council on Environmental Quality
Kerry Radican, U.S. Army Corps of Engineers
Patricia Orr, U.S. Institute for Environmental Conflict Resolution
Shayla Simmons, U.S. Department of the Interior
Elena Gonzalez, U.S. Department of the Interior
Maureen Sullivan, U.S. Department of Defense
William Bresnick, Department of Homeland Security
Kathy Binder, U.S. Department of Energy
Steven Miller, U.S. Department of Energy
Kimberly Moore, U.S. Department of Transportation
Bob Manley, U.S. Department of the Navy
Ron Borro, U.S. Department of the Navy
Donald Schregardus, U.S. Department of the Navy
Matt Leopold, U.S. Department of Justice
Rich Kuhlman, U.S. Environmental Protection Agency
David Emmerson, U.S. Department of the Interior
Will Hall, U.S. Environmental Protection Agency
Pat Collins, U.S. Air Force
Ruth Rentch, Federal Highway Administration, U.S. Department of Transportation
Joya Sonnenfeldt, U.S. Department of Justice

Welcome - Mark Schaefer, Director, U.S. Institute for Environmental Conflict Resolution

Mark Schaefer and Horst Greczmiel, Associate Director for NEPA Oversight, CEQ, welcomed the group and introductions were made and the agenda reviewed.

Agency Briefing from U.S. Army Corps of Engineers

Hal Cardwell, Ph.D.
Institute for Water Resources, USACE
http://www.iwr.usace.army.mil/cpc/

Environmental Conflict Resolution within USACE

- Corps has a long history of ECR/ADR/P2: Training programs at multiple levels; Readers on experience; ADR series on Tools, case studies, issues; Co-founders of IAP2; Hammer Award; ADR program discontinued; and Development of Shared Vision Planning - a practical forum for water management decisions that integrates tried-and-true planning principles, systems modeling and collaboration.

- ECR reporting recruitment: ASA-CW decided to submit its report separately (as well as part of DoD), and OMB/CEQ Requirement highlighted the need for a focal point for ECR & Public Participation Activities.

- Conflict Resolution & Public Participation Center of Expertise: Established by Dept Cmd Gen'l Riley 17 October 2008; Leverages IWR's history of leadership in ADR & public participation including Shared Vision Planning; Mission to help Corps staff anticipate, prevent and manage water conflict, ensuring that the interest of the public are addressed in Corps decisions; and Five Areas of Focus, Training, Technical/Process Support to Field, Support to USACE-HQ, Research and Information Exchange with the Field.

- Current initiatives – "Process" side: Assess Corps capacity for collaboration; Technical support to Corps Districts, Stakeholder assessment at a Formerly Used Defense Site in Nebraska and Process support for Columbia River Basin treaty study; Update 1990's era ADR manuals; Improve public involvement in Flood Risk Management (Actions for Change post Katrina); and Compile USACE's annual ECR report for CEQ; Obama Open Government Initiative.

- Current initiatives - "Shared Vision Planning" side: Next stage of SVP pilot on Water supply 404 permitting with Western States Water Council now being funded by cities; Studies sponsored by IJC - Lake Ontario (2001-2006) Upper Great Lakes Study (2006 – present); Support to State of California, Honolulu District, Portland District, USACE International programs; ECR and Tech Conference – info sharing and agenda development across the field; CADRe 09 – Multi-agency sponsored workshop in October 09 – part of National Science & Technology Council interagency initiative; and Further conceptual and methodological development, primers, training, research and outreach.

- Benefits to USACE of the ECR reporting requirement: Developing awareness and a community of practice; Highlight current and emerging issues/problems/successes from the field to HQ / ASA office; Provides recognition for collaborative efforts in the field - Why should agencies "Institutionalize ECR" - Services to field offices and to national initiatives - Visible focus within the agency for collaborative issues to synthesize needs, share information, direct research - Info sharing with other agencies (e.g. ECR & Tech, NCER conf, roster)

- Shared Vision Planning: It integrates tried-and-true planning principles, systems modeling and collaboration into a practical forum for making resource management decisions. Shared vision planning means involving stakeholders in the technical analysis – in the data and technical relationships. IWR has been a proponent since National Drought Study in early 1990s.

  Stakeholder Involvement in Technical Analysis is not just theory: Applied across different water issues: Droughts, TMDLs, Urban Water Mgmt, 404 Water Supply Permitting, Reservoir Operation, Water Allocation; Applied across various advocates/sponsors; Interagency federal initiative; Corps is mounting a major effort to support collaborative planning. "The process of building a model is a way of working out a shared view of what is being managed and how the managing should be done." K. Lee; SVP builds understanding of the system; SVP builds confidence in the analysis; and SVP builds trust between stakeholders.

  Wrap-Up - Conflict Resolution & Public Participation Center: New - 17 October 2008 – but based on long history; Expanding upon historic successes and Shared Vision Planning program; We envision increasing demand for Technical/Process Support to Field, Increasing needs for training, & information exchange w/field, Increasing demand to support to USACE-HQ programs, Further needs for research in applying process tools and technical tools to conflict resolution and public participation.

  Infusing Collaboration into Traditional Planning: Setting the stage for collaboration, traditional planning processes, collaboration during traditional planning process, adaptive management. (See Appendix A for additional details.)

  Outcomes of Ontario Case: Increased general understanding of how the system works and others' concerns; Models reflective of public concerns, with results understandable and accessible to those interested; Three new alternative plans identified; Status: Two alternatives refined, Proposed approach issued for public comment, One-year process proposed to address remaining concerns and to lead to inter-governmental concurrence.

  Wrap Up – Shared Vision Planning: Connecting collaboration & modeling is proliferating – with top-level Corps backing and a federal initiative; Shared Vision Planning integrates tried-and-true planning principles, systems modeling and collaboration; and openness in the process and the modeling foments trust in both and among stakeholders.

For more information:
Hal.E.Cardwell@usace.army.mil, (703) 428-9071
www.iwr.usace.army.mil/cpc

Discussion of ECR Policy Memo Future

Horst Greczmiel led this discussion. Horst indicated that a revised policy memorandum has been drafted and circulated to OMB and CEQ representatives. Horst indicated that he will be having further discussions with OMB and CEQ representatives and once he has gathered their feedback he will circulate a revised draft of the memorandum to the forum participants.

Briefing on the Technology in ECR National Strategic Planning Workshop

Patricia Orr provided an overview of the Technology in ECR National Strategic Planning Workshop hosted by the U.S. Institute on May 6-8, 2009. Patricia indicated that close to 90 participants representing the federal government, academia, technology providers, and ECR practitioners participated in this national planning effort. The effort resulted in a series of recommended next steps that will be used to guide the integration of technologies into environmental collaboration and conflict resolution processes.

Patricia indicated that workshop sessions engaged participants in discussions about the opportunities and challenges of integrating emerging technologies into environmental conflict resolution (ECR) processes. After framing the issues, participants developed a national vision and a preliminary strategic plan. Participants also identified the need to form a community of practitioners, consisting of technology providers and ECR professionals, to collaboratively implement the strategic plan.

In the coming months, Patricia indicated that the newly forming community of practitioners will begin to:

- *Develop resources to help facilitate the integration of technologies into ECR;*
- *Create incentives to encourage the innovative use of technologies;*
- *Build cross-disciplinary partnerships to promote the evolution of ECR appropriate technologies;*
- *Develop capacity for integrating technologies into ECR processes; and*
- *Encourage practice and policy development related to the integration of technology into ECR.*

See Appendix B for handout materials.

ECR2010 Conference Update

Patricia Orr led the discussion on the ECR2010 conference. Patricia indicated that the U.S. Institute, in partnership with several federal agencies, will host the sixth national ECR Conference in Tucson, Arizona. Conference events will take place at Tucson's Loews Ventana Canyon Resort, throughout the week of May 24-28, 2010. The ECR2010 conference will be a three-day conference filled with training workshops, panel sessions, roundtable discussions, technology fair exhibits, plenary discussions and presentations. Patricia indicated that preliminary conference planning is currently underway, and invited agency representatives to consider participation by being:

- Conference co-hosts
- Conference program volunteers (to define the call for proposals, review proposals, etc.)
- Conference track input (e.g., ideas include tech, policy, and intergovernmental tracks)
- Special events sponsors (e.g., sponsors for the ECR2010 Tech Fair, Plenary lunches)
- Requests to dovetail other meetings with the conference (e.g., ACR mid-year conference)
- Proposals for panels, roundtables and trainings (the official call will go out in September 2009)

See Appendix C for handout materials.

Interagency collaboration

Rich Kuhlman from CPRC led the discussion on interagency collaboration. Rich indicated that he felt there are opportunities for agencies to better work together on shared projects. Rich raised examples such as 404 permitting issues involving Army Corps of Engineers and EPA, and NEPA related projects involving DOI and EPA. He indicated that EPA was thinking about how to create mechanisms and fund interagency collaborations going forward, and he also encouraged other agencies to think about getting interagency agreements in place and other mechanisms that would further interagency collaboration. Rich also welcomed other department/agencies to call EPA when they see opportunities or needs for interagency collaboration. Patricia Orr indicated that the Open Government Initiative posting from June 17th launched a new track called 'Intergovernmental Collaboration – Achieving better results by working together." Patricia encouraged the forum participants to become involved in the Open Government Initiative and to track the postings on transparency, participation and collaboration.

Discussion on strategies for better showcasing the ECR work identified in ECR Policy Memo reports

Mark Schaefer led the discussion on how to better showcase the ECR work identified in the ECR Policy Memo reports. Mark asked the forum participants if it would be helpful if the U.S. Institute or CEQ were to forward the FY 2008 ECR Report Synthesis to new agency leadership. Patricia Orr asked if specific agency reports could be distributed with the FY 2008 Report Synthesis. The distribution idea was well received, and participants felt that distribution of the annual synthesis reports by OMB and CEQ would increase the visibility of the ECR work being done across the federal government. Forum participants recommended that a cover letter summarize major accomplishments that have resulted from the issuance of the ECR Policy Memorandum, in addition to highlight the contribution of the ECR work being done each department/agency. Kathy Binder from the Department of Energy suggested that it would be helpful if agencies shared their annual reports, so that there could be broader sharing of strategies, successes and lessons

learned going forward. The U.S. Institute indicated that it would work with Horst Greczmiel and others to make that happen.

FY2008 ECR Reports Synthesis and Revisions to the FY 2009 Report Template

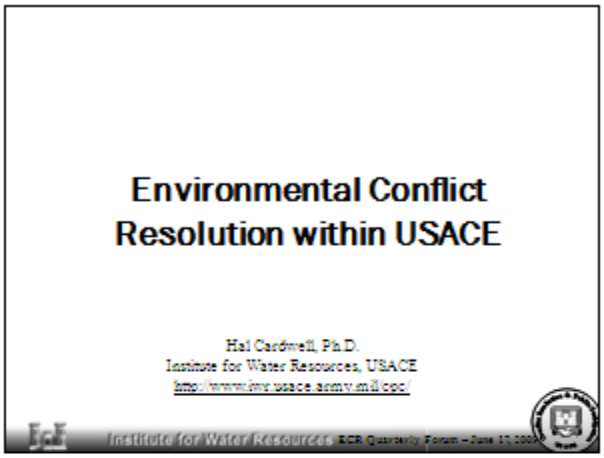
Dave Emmerson noted that the first draft of the FY 2008 agency report synthesis had been distributed on Monday, June 8, 2009. Dave indicated he had received feedback on the report from DOJ and he encouraged others to take the time to review the report. The deadline for feedback is June 30, 2009.

Patricia Orr noted that a draft of the FY 2009 report template was also distributed to forum participants on Monday, June 8, 2009. Patricia indicated that the report template would be finalized at the end of the month, and a fillable pdf and Microsoft Word versions will be distributed to department/agency contacts in early July. Rich Kuhlman from CPRC raised the concern about the broad scope of question 6. The forum participants agreed and discussed the advantages and disadvantages of the question design. It was decided to leave the question as is for FY 2009, but to consider revisions for the FY 2010 reporting cycle.

Next Meeting

The next Quarterly ECR Forum will be in September 2009.

Appendix A.


Environmental Conflict Resolution within USACE
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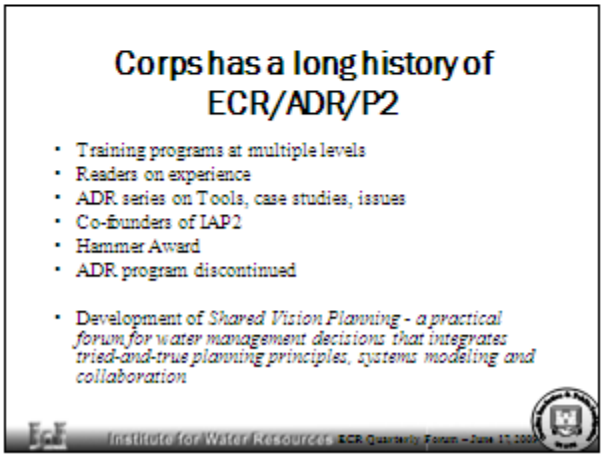
Institute for Water Resources
ECR Quarterly Forum – June 17, 2008


Corps has a long history of ECR/ADR/P2
Training programs at multiple levels
Readers on experience
ADR series on Tools, case studies, issues
Co-founders of IAP2
Hammer Award
ADR program discontinued
Development of Shared Vision Planning - a practical forum for water management decisions that integrates tried-and-true planning principles, systems modeling and collaboration
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ECR reporting requirement

- ASA-CW decided to submit its report separately (as well as part of DoD).
- OMB/CEQ Requirement highlighted the need for a focal point for ECR & Public Participation Activities

Conflict Resolution & Public Participation Center of Expertise

- Established by Dept Cmd Gen'l Riley 17 October 2008
- Leverages IWR's history of leadership in ADR & public participation including Shared Vision Planning
- Mission:
  - *Help Corps staff anticipate, prevent and manage water conflict, ensuring that the interest of the public are addressed in Corps decisions*
- Five Areas of Focus
  - Training
  - Technical Process Support to Field
  - Support to USACE-HQ (incl. nat'l & int'l interface)
  - Research
  - Information Exchange with the Field

Current initiatives – "Process" side

- Assess Corps capacity for collaboration
- Technical support to Corps Districts
  - Stakeholder assessment at a Formerly Used Defense Site in Nebraska
  - Process support for Columbia River Basin treaty study
- Update 1990's era ADR manuals
- Improve public involvement in Flood Risk Management (Actions for Change post Katrina)
- Compile USACE's annual ECR report for CEQ
- Obama Open Government Initiative

Current initiatives - "Shared Vision Planning" side

- Next stage of SVP pilot on Water supply 404 permitting with Western States Water Council now being funded by cities.
- Studies sponsored by IJC - Lake Ontario (2001-2006) Upper Great Lakes Study (2006 – present).
- Support to State of California, Honolulu District, Portland District, USACE International programs.
- ECR and Tech Conference – info sharing and agenda development across the field.
- CADRe 09 – Multi-agency sponsored workshop in October 09 – part of Natl Science & Technology Council interagency initiative.
- Further conceptual and methodological development, primers, training, research and outreach

Mark wanted me to talk about

- Benefits to USACE of the ECR reporting requirement
  - Developing awareness and a community of practice
  - Highlight current and emerging issues/problems/successes from the field to HQ / ASA office
  - Provides recognition for collaborative efforts in the field.
- Why should agencies "Institutionalize ECR"
  - Services to field offices and to national initiatives
  - Visible focus within the agency for collaborative issues to synthesize needs, share information, direct research
  - Info sharing with other agencies (e.g. ECR & Tech, NCER conf, roster)

For more information:

Hal.E.Cardwell@usace.army.mil, (703) 428-9071

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Shared Vision Planning

…integrates tried-and-true **planning principles**, **systems modeling** and **collaboration** into a practical forum for making resource management decisions

…means **involving stakeholders in the technical analysis** – in the data and technical relationships

IWR has been a proponent since National Drought Study in early 1990s

Stakeholder Involvement in Technical Analysis is not just theory

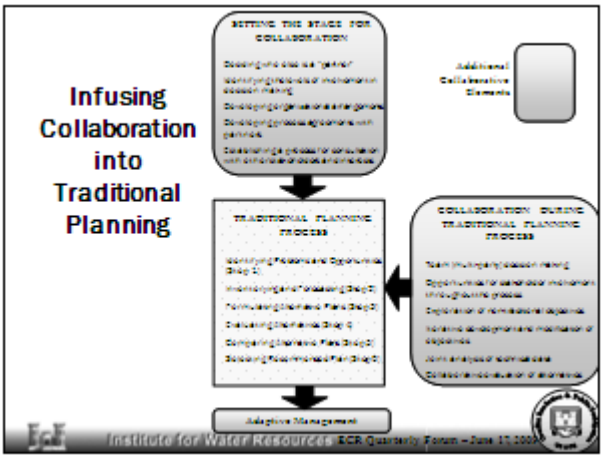
- Applied across different water issues:
  - Droughts, TMDLs, Urban Water Mgmt, 404 Water Supply Permitting, Reservoir Operation, Water Allocation
- Applied across various advocates/sponsors:
  - Feds, states, NGOs, private sector
- Interagency federal initiative
- Corps is mounting a major effort to support collaborative planning

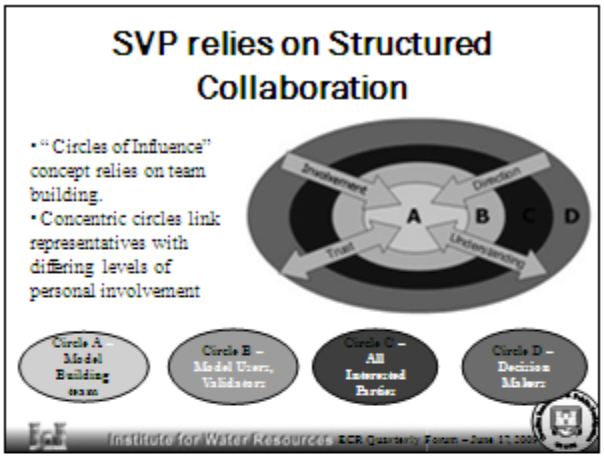
"the process of building a model is a way of working out a shared view of what is being managed and how the managing should be done." K. Lee

- SVP builds understanding of the system–
- SVP builds confidence in the analysis
- SVP builds trust between stakeholders

Wrap-Up - Conflict Resolution & Public Participation Center

- New - 17 October 2008 – but based on long history
- Expanding upon historic successes and Shared Vision Planning program
- We envision
  - increasing demand for Technical Process Support to Field
  - Increasing needs for training, & information exchange w/ field
  - Increasing demand to support to USACE-HQ programs
  - Further needs for research in applying process tools and technical tools to conflict resolution and public participation.


Infusing Collaboration into Traditional Planning
SETTING THE STAGE FOR COLLABORATION
Additional Collaborative Elements
TRADITIONAL PLANNING PROCESS
COLLABORATION DURING TRADITIONAL PLANNING PROCESS
Adaptive Management
Institute for Water Resources ECR Quarterly Forum – June 17, 2008


SVP relies on Structured Collaboration
• "Circles of Influence" concept relies on team building.
• Concentric circles link representatives with differing levels of personal involvement
Involvement
Direction
Trust
Understanding
A
B
C
D
Circle A – Model Building team
Circle B – Model Users, Validators
Circle C – All Interested Parties
Circle D – Decision Makers
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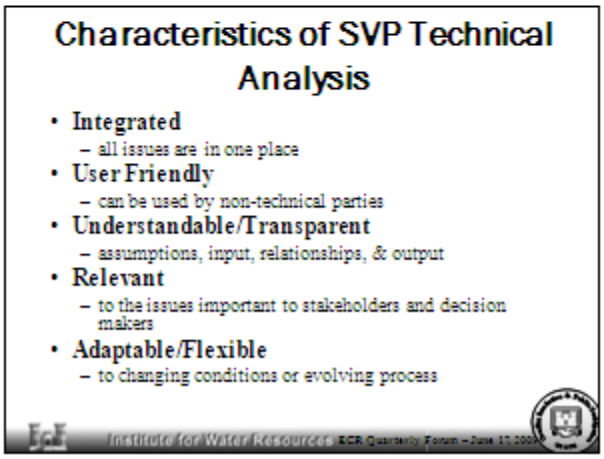
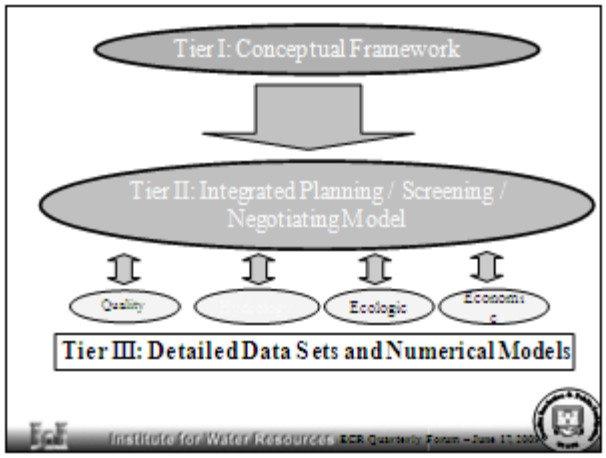
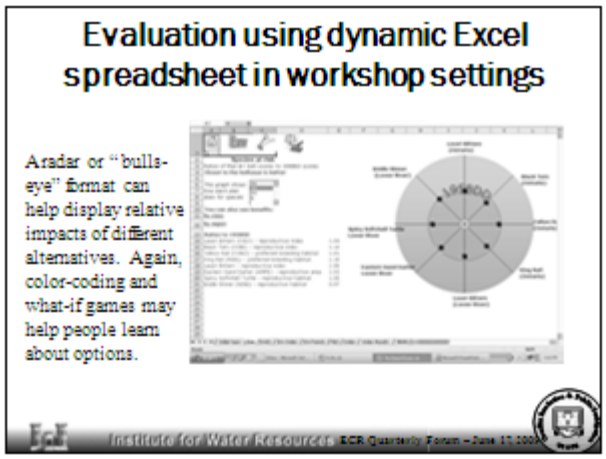

Characteristics of SVP Technical Analysis
• Integrated
– all issues are in one place
• User Friendly
– can be used by non-technical parties
• Understandable/Transparent
– assumptions, input, relationships, & output
• Relevant
– to the issues important to stakeholders and decision makers
• Adaptable/Flexible
– to changing conditions or evolving process
Institute for Water Resources ECR Quarterly Forum – June 17, 2008


Tier I: Conceptual Framework
Tier II: Integrated Planning / Screening / Negotiating Model
Quality
Ecologic
Economi
c
Tier III: Detailed Data Sets and Numerical Models
Institute for Water Resources


Evaluation using dynamic Excel spreadsheet in workshop settings
A radar or "bulls-eye" format can help display relative impacts of different alternatives. Again, color-coding and what-if games may help people learn about options.
Institute for Water Resources

Outcomes of Ontario Case

- Increased general understanding of how the system works and others' concerns
- Models reflective of public concerns, with results understandable and accessible to those interested
- Three new alternative plans identified
- Status:
  - Two alternatives refined
  - Proposed approach issued for public comment
  - One-year process proposed to address remaining concerns and to lead to inter-governmental concurrence

Wrap Up – *Shared Vision Planning*

- Connecting collaboration & modeling is proliferating – with top-level Corps backing & a federal initiative
- Shared Vision Planning integrates tried-and-true planning principles, systems modeling and collaboration
- Openness in the process and the modeling foments trust in both and among stakeholders

Appendix B. Technology in ECR National Strategic Planning Workshop

On May 6-8, 2009, the U.S. Institute for Environmental Conflict Resolution (the U.S. Institute) hosted a Technology in ECR National Strategic Planning Workshop. Close to 90 participants representing the federal government, academia, technology providers, and ECR practitioners participated in this national planning effort. The effort resulted in a series of recommended next steps that will be used to guide the integration of technologies into environmental collaboration and conflict resolution processes.

The workshop opened with a technology fair, with presentations from technology providers such as Google Earth and ESRI joined by a range of public, private, nonprofit, and academic presenters. The technology fair introduced participants to a growing suite of technology tools and applications that can enhance collaborative processes (Figure 1). Panel presentations and other keynote speakers provided participants additional exposure to emerging technologies.

In the coming months, the newly forming community of practitioners will begin to

Develop resources to help facilitate the integration of technologies into ECR;

- by creating mechanisms for identifying available ECR technology tools
- by creating mechanisms for identifying practitioners with ECR technologies experience

Create incentives to encourage the innovative use of technologies;

- by working to establish award systems to motivate and recognize ECR technology innovations
- by identifying funding sources to underwrite pilot applications of ECR technologies

Build cross-disciplinary partnerships to promote the evolution of ECR appropriate technologies;

- by linking technology developers with practitioners to create a feedback mechanism to inform the evolution of ECR appropriate technologies
- developing training modules as a resource for technologists to better understand the processes of ECR

Develop capacity for integrating technologies into ECR processes; and

- by developing training modules that help practitioners, project managers, and stakeholders understand the range of technologies available; how these technologies might be used; and the relative strengths, limitations and best practices associated with use

Encourage practice and policy development related to the integration of technology into ECR.

- by establishing feedback mechanisms to document the adoption of technologies, the successes, and the lessons learned
- by creating baseline best practices for the appropriate and effective use of ECR technologies, and creating mechanisms to facilitate the evolution of these practices over time
- by engaging the research community and the ECR field in developing mechanisms to enhance the integration of appropriate science into decision-making.

The U.S. Institute would like to thank the workshop steering committee members: Lisa Bourget Stacy Lansdale, and Hal Cardwell, USACE Institute of Water Resources; Carie Fox, Fox Mediation; Jordan Henk, Redlands Institute; Philip Murphy, InfoHarvest; Tahnee Robertson, Southwest Decision Resources; and Peter Williams, USDA Forest Service.

The U.S. Institute would also like to acknowledge the many sponsors and supporters of the event, especially the technology fair exhibitors:

- Ecosystem Research Group: Gregory Kennett and Jim Chew
- ESRI: John Steffenson
- FRAME: Christine Turner, George Leavesley, and Jim Chew
- Google Earth Outreach: Rebecca Moore and Tanya Keen
- HydroLogics: Dan Sheer
- InfoHarvest: Philip Murphy and Patrick Crehan
- Mapping for Change: Coleen Whitaker
- PlaceMetters: Ken Snyder
- PMlink360: Steve Artis
- Tools Explorer: Jordan Henk
- U.S. Air Force Headquarters: James Sample
- U.S. Army Corps of Engineers: Institute for Water Resources and Sandia National Laboratories, Hall Cardwell, Lisa Bourget, and Vince Tidwell

To download the forthcoming **ECR 2.0 National Technology in ECR Strategic Plan** and to learn about opportunities to participate in the **ECR 2.0 Community of Practice**, visit http://sites.google.com/site/ecrtech2009.

For more information, contact Larry Fisher, project lead and U.S. Institute senior program manager at fisher@ecr.gov.

Appendix C. ECR2010 Conference Update

ECR2010 National Conference

The U.S. Institute for Environmental Conflict Resolution (U.S. Institute), in partnership with several federal agencies, will host the sixth national ECR Conference in Tucson, Arizona. Conference events will take place at Tucson's Loews Ventana Canyon Resort, throughout the week of May 24-28, 2010.

The ECR2010 will be a three-day conference filled with training workshops, panel sessions, roundtable discussions, tech fair exhibits, plenary discussions and presentations. Through these forums participants will have opportunities to share ideas and promote learning about the field of environmental collaboration and conflict resolution.

Preliminary conference planning is currently underway

The U.S. Institute is inviting:

- Conference co-hosts
- Conference program volunteers (to define the call for proposals, review proposals, etc.)
- Conference track input (e.g., ideas include tech, policy, and intergovernmental tracks)
- Special events sponsors (e.g., sponsors for the ECR2010 Tech Fair, Plenary lunches)
- Requests to dovetail other meetings with the conference (e.g., ACR mid-year conference)
- Proposals for panels, roundtables and trainings (the official call will go out in September 2009)

Past conference co-hosts included:

Additional agency partners assisting with the conference program included: The Council on Environmental Quality, U.S. Navy, U.S. Air Force, U.S. Department of Justice, U.S. Department of Defense, Nuclear Regulatory Commission, U.S. Army Corps of Engineers, National Oceanic and Atmospheric Administration and the Federal Energy Regulatory Commission

Please visit our Web site at www.ecr.gov for future information about the ECR2010 Conference. If you are interested in participating in or co-hosting the ECR2010 Conference, please contact Conference Coordinators Pam Carlson at carlson@ecr.gov or Tina Gargus at gargus@ecr.gov.