

FY 2011 ECR Policy Report to OMB-CEQ

On November 28, 2005, the Director of the Office of Management and Budget (OMB), and the Chairman of the President's Council on Environmental Quality (CEQ) issued a policy memorandum on environmental conflict resolution (ECR).

The memorandum requires annual reporting by departments and agencies to OMB and CEQ on progress made each year. This joint policy statement directs agencies to increase the effective use and their institutional capacity for ECR and collaborative problem solving.

ECR is defined in Section 2 of the memorandum as:

“third-party assisted conflict resolution and collaborative problem solving in the context of environmental, public lands, or natural resources issues or conflicts, including matters related to energy, transportation, and land use. The term “ECR” encompasses a range of assisted negotiation processes and applications. These processes directly engage affected interests and agency decision makers in conflict resolution and collaborative problem solving. Multi-issue, multi-party environmental disputes or controversies often take place in high conflict and low trust settings, where the assistance of impartial facilitators or mediators can be instrumental to reaching agreement and resolution. Such disputes range broadly from administrative adjudicatory disputes, to civil judicial disputes, policy/rule disputes, intra- and interagency disputes, as well as disputes with non-federal persons/entities. ECR processes can be applied during a policy development or planning process, or in the context of rulemaking, administrative decision making, enforcement, or litigation and can include conflicts between federal, state, local, tribal, public interest organizations, citizens groups and business and industry where a federal agency has ultimate responsibility for decision-making.

While ECR refers specifically to collaborative processes aided by third-party neutrals, there is a broad array of partnerships, cooperative arrangements, and unassisted negotiations that federal agencies enter into with non-federal entities to manage and implement agency programs and activities. The Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving presented in Attachment A (of the OMB/CEQ ECR Policy Memo) and this policy apply generally to ECR and collaborative problem solving. This policy recognizes the importance and value of the appropriate use of all types of ADR and collaborative problem solving.”

The report format below is provided for the sixth year of reporting in accordance with this memo for activities in FY 2011.

The report deadline is February 15, 2012.

We understand that collecting this information may be challenging; however, after compiling previous reports, the departments and agencies are requested to collect this data to the best of their abilities. The 2011 report, along with previous reports, will establish a useful baseline for your department or agency, and collect some information that can be aggregated across agencies. Departments should submit a single report that includes ECR information from the agencies and other entities within the department. The information in your report will become part of an analysis of all FY 2011 ECR reports. You may be contacted for the purpose of clarifying information in your report. For your reference, copies of prior year synthesis reports are available at www.ecr.gov.

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Date this report is being submitted:	February 15, 2012

Section 1: Capacity and Progress

1. Describe steps taken by your department/agency to build programmatic/institutional capacity for ECR in 2011, including progress made since 2010. If no steps were taken, please indicate why not.

[Please refer to the mechanisms and strategies presented in Section 5 of the OMB-CEQ ECR Policy Memo, including but not restricted to any efforts to a) integrate ECR objectives into agency mission statements, Government Performance and Results Act goals, and strategic planning; b) assure that your agency's infrastructure supports ECR; c) invest in support or programs; and d) focus on accountable performance and achievement. You are encouraged to attach policy statements, plans and other relevant documents.]

The US Forest Service continues to take steps to build programmatic and institutional capacity for ECR and collaboration at the local, regional, and national levels. Key steps taken in FY2011 include:

- On-going use of new business rules that help the Agency measure the performance and accountability associated with goals and targets. With these new rules, the Agency can now fully capture accomplishments resulting from combined programmatic support, collaboration, and partnerships.
- Renovation and re-launch of on-line portal incorporating electronic tools and resources for ECR and collaboration, part of the Partnership Resource Center (www.fs.usda.gov/prc).
- Development and delivery of peer-learning sessions to improve partnership and collaboration skill sets within the Agency. These sessions incorporate web-based and conference call learning platforms through the National Forest Foundation.
- Ten Collaborative Forest Landscape Restoration projects were awarded approximately \$25 million to continue work in FY2011. In addition, twenty-six new proposals were submitted for review by the Federal Advisory Committee and possible selection for funding by the Secretary of Agriculture. All projects operate through collaborative groups and include partnership efforts on forest restoration treatments that reduce wildfire risk, enhance fish and wildlife habitats, and maintain and improve water quality.
- For the second year, the inter-agency (FS, BLM, and NPS) distance learning course entitled "Managing by Network" was launched. Through peer-learning sessions, employees are introduced to emerging skill sets for managing public resources in a complex, networked environment—including the use of partnerships, collaboration, volunteers and alliances. Approximately 20 Forest Service employees will join over 80 DOI employees in this collaborative learning experience.
- Continued implementation of the interagency Creeks and Communities Strategy, aimed at building land managers' and stakeholders' capacity to address contentious issues surrounding riparian-wetland resources through collaborative engagement and conflict management facilitation.
- Launch of "Empowering Collaborative Stewardship" effort, which engaged hundreds of agency employees in the development of critical new resources and

strategies for collaborative leadership direction, performance evaluation, policy practice and learning.

- Supported the Secretary's appointments of members to all 118 Secure Rural Schools Act resource advisory committees. To date the committees have recommended 2,700 projects valued at \$122 million.
- The National Collaboration Cadre provided assistance to two forests and one stakeholder group to help them organize and collaborate. The Cadre's efforts resulted in:
 - A new collaborative group focusing on over the snow winter recreation (Lake Tahoe Basin Management Unit)
 - An enhanced collaborative effort focusing on forest restoration in Illinois Valley, Oregon (Rogue River- Siskiyou National Forest)
 - Stakeholders' interest and commitment in forming a collaborative for a watershed assessment (Ochoco National Forest).
- An interactive collaborative mapping tool is under development with US Geological Survey and will be ready for piloting in January 2012.

Further examples of such capacity building are included in the Forest Service Summary Data accompanying this report. Tables 6-1 through 6-5 of the Supplement describe actions taken by individual national forest units in response to the November 2005 ECR Policy Memo.

Note: The term "ECR" is not used extensively above. It is understood that the term "collaboration" as used above includes the evaluation of the situation to determine if ECR is appropriate or if the use of collaboration without the use of a third party neutral will meet the needs of the situation.

Section 2: Challenges

2. Indicate the extent to which each of the items below present challenges or barriers that your department/agency has encountered in advancing the appropriate and effective use of ECR.

	Extent of challenge/barrier		
	Major	Minor	Not a challenge/barrier
	Check <u>only</u> one		
a) Lack of staff expertise to participate in ECR		✓	
b) Lack of staff availability to engage in ECR		✓	
c) Lack of party capacity to engage in ECR		✓	
d) Limited or no funds for facilitators and mediators	✓		
e) Lack of travel costs for your own or other federal agency staff	✓		
f) Lack of travel costs for non-federal parties	✓		
g) Reluctance of federal decision makers to support or participate			✓
h) Reluctance of other federal agencies to participate			✓
i) Reluctance of other non-federal parties to participate		✓	
j) Contracting barriers/inefficiencies		✓	
k) Lack of resources for staff capacity building		✓	
l) Lack of personnel incentives			✓
m) Lack of budget incentives		✓	
n) Lack of access to qualified mediators and facilitators		✓	
o) Perception of time and resource intensive nature of ECR		✓	
p) Uncertainty about whether to engage in ECR		✓	
q) Uncertainty about the net benefits of ECR		✓	
r) Other(s) (please specify): n/a			✓
s) No barriers (please explain): n/a			✓

Section 3: ECR Use

3. Describe the level of ECR use within your department/agency in FY 2011 by completing the table below. [Please refer to the definition of ECR from the OMB-CEQ memo as presented on page one of this template. An ECR “case or project” is an instance of neutral third party involvement to assist parties in reaching agreement or resolving a dispute for a particular matter. In order not to double count processes, please select one category per case for decision making forums and for ECR applications.]

	Cases or projects in progress ¹	Completed Cases or projects ²	Total FY 2011 ECR Cases ³	Decision making forum that was addressing the issues when ECR was initiated:				Of the total FY 2011 ECR cases indicate how many your agency/department	
				Federal agency decision	Administrative proceedings /appeals	Judicial proceedings	Other: ECR initiated before issue was in a formal decision-making forum	Sponsored ⁴	Participated in but did not sponsor ⁵
<i>Context for ECR Applications:</i>									
Policy development	7	0	7	7	0	0	0	5	2
Planning	26	7	33	24	5	1	3	24	9
Siting and construction	1	0	1	1	0	0	0	1	0
Rulemaking	1	0	1	1	0	0	0	1	0
License and permit issuance	2	0	2	1	0	0	1	1	1
Compliance and enforcement action	1	0	1	0	0	0	1	1	0
Implementation/monitoring agreements	8	1	9	9	0	0	0	8	1
Other: partnership development and management improvement	2	0	2	2	0	0	0	1	1
TOTAL	48	8	56	45	5	1	5	42	14
	(the sum should equal Total FY 2011 ECR Cases)			(the sum of the Decision Making Forums should equal Total FY 2011 ECR Cases)				(the sum should equal Total FY 2011 ECR Cases)	

¹ A “case in progress” is an ECR case in which neutral third party involvement began prior to or during FY 2011 and did not end during FY 2011.

² A “completed case” means that neutral third party involvement in a particular matter ended during FY 2011. The end of neutral third party involvement does not necessarily mean that the parties have concluded their collaboration/negotiation/dispute resolution process, that all issues are resolved, or that agreement has been reached.

³ “Cases in progress” and “completed cases” add up to “Total FY2011 ECR Cases”.

⁴ Sponsored - to be a sponsor of an ECR case means that an agency is contributing financial or in-kind resources (e.g., a staff mediator's time) to provide the neutral third party's services for that case. More than one sponsor is possible for a given ECR case.

⁵ Participated, but did not sponsor - an agency did not provide resources for the neutral third party's services for a given ECR case, but was either a party to the case or participated in some other significant way (e.g., as a technical expert advising the parties).

4. Is your department/agency using ECR in any of the substantive priority areas you listed in your prior year ECR Reports? Indicate if use has increased in these areas since they were first identified in your ECR report. Please also list any additional priority areas identified by your department/agency during FY 2011, and indicate if ECR is being used in any of these areas. Note: An overview of substantive program areas identified by departments/agencies in FY 2010 can be found in the FY 2010 synthesis report.

List of priority areas identified in your department/agency prior year ECR Reports	Check if using ECR	Check if use has increased in these areas
Protracted and costly environmental litigation	✓	
Unnecessarily lengthy projects and resource planning processes (planning delays)	✓	
Costly delays in implementing needed environmental protection measures	✓	
Foregone public and private investments when decisions are not timely or are appealed (administrative appeals)	✓	
Lower quality outcomes when environmental plans and decisions are not informed by all available information and perspectives	✓	
Deep-seated antagonism and hostility repeatedly reinforced between stakeholders by unattended conflicts	✓	

While the majority of forests were not using ECR in these substantive policy areas, at least some forests were using ECR in all of these substantive policy areas.

5. It is important to develop ways to demonstrate that ECR is effective and in order for ECR to propagate through the government, we need to be able to point to concrete benefits; consequently, we ask what other methods and measures are you developing in your department/agency to track the use and outcomes (performance and cost savings) of ECR as directed in Section 4 (b) of the ECR memo, which states: *Given possible savings in improved outcomes and reduced costs of administrative appeals and litigation, agency leadership should recognize and support needed upfront investments in collaborative processes and conflict resolution and demonstrate those savings and in performance and accountability measures to maintain a budget neutral environment* and Section 4 (g) which states: *Federal agencies should report at least every year to the Director of OMB and the Chairman of CEQ on their progress in the use of ECR and other collaborative problem solving approaches and on their progress in tracking cost savings and performance outcomes. Agencies are encouraged to work toward systematic collection of relevant information that can be useful in on-going information exchange across departments?* [You are encouraged to attach examples or additional data]

For the past six years, the Forest Service has contacted each national forest unit to query their use of ECR and collaboration. Since 2009, the agency's Washington Office has utilized an online survey instrument and relied upon established regional contacts— increasing accountability, response rates, and the visibility of ongoing ECR efforts across the country. Through these inquiries, individual forests and regions have been reminded of the value of ECR and collaboration. These inquiries also provide valuable information to the Washington Office, helping us improve information exchange and better develop ECR-related tools. The survey instrument now includes questions that supplement those required by this report, particularly questions that explore the status of collaborative capacity within the Agency. In fact, additional supplemental questions were added this year, further strengthening the survey result's validity and reliability.

Although some national forests are developing methods to measure ECR benefits at the forest level, most local units do not track ECR use via quantitative measures. Instead, several forests indicated that they use relatively informal qualitative measures and anecdotal reflection to ensure ECR's successful implementation. This annual survey is also mentioned as a means to evaluating a forest's ECR usage. Still, multiple national forest units note that ECR – as well as collaborative efforts not utilizing the assistance of a neutral third party – do clearly reduce appeals and litigation and their associated costs. Forests also credit ECR and collaboration with saving time and leading to better decisions and healthier relationships. Specific survey responses include:

- The Lolo National Forest (MT) is engaging in collaborative planning for all NEPA projects conducted on the Forest. The Forest has recognized that collaboration adds both time and costs to upfront planning processes. Depending on the level and intensity of collaboration and involvement, these costs can double the expense of initial planning. However, savings are

identified at the end of the process through reduced appeals and litigation. At this time the Forest has not developed an effective means to track these costs because many collaborative projects are only now being implemented.

- The Fishlake National Forest (UT) is engaging in collaborative efforts to address grazing, aspen retention and restoration, and hazardous fuels treatments. Performance and cost savings are tracked by the number of successful decisions produced and a reduction in appeals and litigation. Funds will be available for implementation of the project and target outcomes will be reported to the Regional Office by the benefiting resource.
- The Los Padres National Forest (CA) says it tracks the progress of its projects to ensure environmental analyses and decisions are properly developed with public participation.

See Appendix A in the Forest Service Summary Data for a complete list of responses.

6. Describe other significant efforts your agency has taken in FY 2011 to anticipate, prevent, better manage, or resolve environmental issues and conflicts that do not fit within the Policy Memo's definition of ECR as presented on the first page of this template.

Across the National Forest System, although the number of ECR cases has increased, so has the forests' use of collaborative approaches to environmental conflict management – those approaches that encourage voluntary participation and do not involve a third-party neutral. While 56 local units reported ECR cases in FY 2011, 73% of national forest units—or 90 units—used at least some form of collaboration. In this collaborative problem solving, forest units emphasized the importance of engaging stakeholders *early* in the process – *before* conflict escalates. Open and continuous communication was also an essential element toward a successful process.

- 86% of national forest respondents said they engaged stakeholders in the collaborative process *before* conflict had begun to escalate.
- 80% of national forest respondents indicate that they begin collaborating during the first two stages of a project, the “project identification” or “project design” stage.
- 75% of respondents stated that the majority of key participants in their collaborative projects are proactively engaged from the beginning to the end of the activity.
- 72% of respondents communicated with key participants on a regular basis or through a series of projects.
- 87% of respondents said that they have access to collaborative resources. But more resources would be beneficial—48% of national forests stated that their work would benefit from increased access to collaborative tools and resources.

These forests' commitment to engaging stakeholders in proactive collaboration has, in many cases, helped forest units anticipate, prevent, better manage, or resolve environmental issues and conflicts.

The collaborative efforts actively pursued by Forest Service units center on managing conflict in numerous but specific areas. Those areas include the NEPA process, tribal consultation, travel and timber planning, Forest Plan revisions, Collaborative Forest Landscape Restoration (CFLR) Program⁶ projects, the proposed planning rule, and water and vegetation management. Some forests are collaborating with the public to address Federal budget reductions and their impact on services, others to address prescribed fire issues, and one even to solve feral pig management issues. Clearly, the Forest Service is using collaboration to diffuse conflict in a broad array of areas. Several units even have monthly, quarterly, or semiannual meetings, not to address pre-existing issues, but instead to anticipate future conflict and resolve it before it develops. Well-developed partnerships between the Forest Service and other organizations have also proven invaluable.

Specific examples of on-going collaborative efforts include:

⁶ The CFLR program was established in 2009 to encourage the collaborative, science-based ecosystem restoration of priority landscapes. For more information, visit <http://www.fs.fed.us/restoration/CFLR/index.shtml>.

- The Green Mountain and Finger Lakes National Forest (VT and NY) has established collaboration as a key element for Integrated Resource Project planning. These projects look at a landscape-level area and develop proposed activities to address gaps between existing and desired future conditions for all resources. The use of collaborative processes has allowed these projects to move forward smoothly, with much public support and little to no controversy. Since using this approach, no projects have been appealed or litigated. The success of this approach has garnered broad internal support—line officers, interdisciplinary team leaders, and specialists are all champions of this approach. The Forest began this proactive collaboration after working with the US Institute for Environmental Conflict Resolution during Forest Plan Revision process.
- On the Fishlake National Forest (UT), the Monroe Mountain Aspen Restoration Project relies heavily on collaboration. The Richfield Ranger District, Utah Environmental Congress, Grand Canyon Trust, Utah Division of Wildlife Resources, permittees, and the Utah Forests Restoration Working Group are working proactively together to develop a proposed action that would reduce conifer encroachment and promote aspen retention and restoration. Since every vegetation treatment project on the District was previously appealed and/or litigated, a collaborative approach seemed to offer benefits and a way of moving forward. Setbacks do exist—some members of the collaborative group have differing viewpoints on desired conditions—but, overall, the group is working well together and developing a proposed action that will benefit all parties. Ideally, this will also reduce costly and time consuming appeals and litigation in the future.
- In FY2011, the Wayne National Forest (OH) met with two groups that were opposed to its prescribed fire program. One individual from those groups had already filed a Notice of Intent and was planning to sue. The meeting provided an opportunity to converse face-to-face with stakeholder groups about different management approaches. It was an opportunity for Forest staff to describe and outline management alternatives, reasons for such, and how fire can be used to restore ecosystems. The main outcome of this meeting was a mutual agreement to keep communication channels open and to better educate members through field trips to recently burned areas. Forest leadership recognized and embraced the benefits of starting an open dialogue with potential litigants.

See Appendix B in the Forest Service Summary Data for a complete list of responses.

Section 4: Demonstration of ECR Use and Value

- 7 Briefly describe your departments'/agency's most notable achievements or advances in using ECR in this past year.

Units contacted for development of this report noted many outstanding achievements in using ECR in FY 2011. ECR supported forest activities in numerous areas, including: watershed assessments, biomass energy production, the proposed planning rule, range management, a draft forest plan, and forest restoration. It is clear that ECR is crucial in helping build more relationships and relationships that are more effective. Specific examples of ECR usage in FY 2011 include:

- On the Tahoe National Forest (CA), planning for the proposed Sagehen Project was a highly unique undertaking—combining collaboration, science, and forest management techniques in an interactive and novel way. The proposed action was the result of an extensive, 16-month collaborative effort to design an integrated, innovative approach to enhance marten habitat, restore forest stand ecological conditions, and manage fire and fuels on National Forest lands within the Sagehen Experimental Forest and adjacent Tahoe National Forest. This collaborative effort included countless hours of fieldwork, analyses, meetings, and document reviews by all involved. The extensive efforts by all stakeholders to work hard and work together have resulted in the Sagehen Project proposal.
- Previous panel presentations and conferences on the Tongass National Forest (AK) have resulted in the Sitka United States Coast Guard Air Station's decision to convert from oil-dependent heating to biofuels-centered technology. Biomass energy provides one of several near-term and long-term solutions to many problems in Southeast Alaska, including moderating the cost of home and commercial heating, utilizing waste products more efficiently, and providing an additional revenue source for local mills.
- The Daniel Boone National Forest (KY) is using ECR in two watershed assessments that are currently underway. One is at the project implementation stage while the other is in the initial stages of identifying environmental concerns.

See Appendices C and D in the Forest Service Summary Data for a complete list of responses.

8. ECR Case Example

- a. Using the template below, provide a description of an ECR case (preferably completed in FY 2011). Please limit the length to no more than 2 pages.

Boise National Forest—Resolving a Forest Plan Appeal

Overview of problem/conflict and timeline, including reference to the nature and timing of the third-party assistance, and how the ECR effort was funded

Multiple groups with a wide range of interests came together, agreeing to and accepting Forest Plan Amendment decisions made in late FY 2010. However, one interest group did not agree with those decisions and appealed in FY 2011. If these areas of disagreement could not be resolved, the Forest believed that the group would continue to appeal and litigate project decisions surrounding implementation of the Forest Plan amendment. These appeals and/or litigation could have substantially delayed implementation and increased the overall cost for the project. They could have also undermined ongoing efforts to find areas of consensus with the interest groups who helped craft the amendment.

Summary of how the problem or conflict was addressed using ECR, including details of any innovative approaches to ECR, and how the principles for engagement in ECR were used (See Appendix A of the Policy Memo, attached)

The forest requested that the U.S. Institute for Environmental Conflict Resolution coordinate appeal mediation through a third party neutral facilitator. The facilitator designed a process that: (1) emphasized relationship development among parties to provide for long-term communication—regardless of the appeal outcome; (2) designed an informed process that provided for agreement on how to share and apply relevant information to further possible resolution of appeal points; (3) designed a process that provided for accountability among parties, including agency representatives, to ensure direct, full, and good faith participation; (4) ensured the process resulted in all parties being fully informed about what options were available for resolving the appeal; and, (5) concluded in a timely manner consistent with appeal resolution timelines of the Agency.

Identify the key beneficial outcomes of this case, including references to likely alternative decision making forums and how the outcomes differed as a result of ECR

The appeal was not fully resolved by the end of the process—but all involved parties better understood the issues and what needed to be done in the future to reduce the likelihood of appeals and litigation. A key outcome was the growth of a beneficial relationship between diverse parties, including leadership from the Wilderness Society, Lands Council, timber industry and the Boise National Forest. The forest believes this initial appeal resolution effort provided a crucial foundation for future working relationships—helping to avoid appeals when the first vegetation restoration project implementing the Forest Plan amendment was pursued.

Reflections on the lessons learned from the use of ECR

The key to success in this effort was early and often involvement. Unlike supporting interest groups, the appellant was not brought into the process when amendments were initiated. The principle of early and often involvement—for all interested stakeholder—was one of the key factors leading to success in future efforts. There was general agreement on this future proposal from all parties and no subsequent appeals were filed, which lead to timely and successful implementation.

- b. Section I of the ECR Policy identifies key governance challenges faced by departments/agencies while working to accomplish national environmental protection and management goals. Consider your departments'/agency's ECR case, and indicate if it represents an example of where ECR was or is being used to avoid or minimize the occurrence of the following:

	Check <u>all</u> that apply	Check if	
		Not Applicable	Don't Know
Protracted and costly environmental litigation;	✓		
Unnecessarily lengthy project and resource planning processes;	✓		
Costly delays in implementing needed environmental protection measures;	✓		
Foregone public and private investments when decisions are not timely or are appealed;	✓		
Lower quality outcomes and lost opportunities when environmental plans and decisions are not informed by all available information and perspectives; and	✓		
Deep-seated antagonism and hostility repeatedly reinforced between stakeholders by unattended conflicts.	✓		

9. Please comment on any difficulties you encountered in collecting these data and if and how you overcame them. Please provide suggestions for improving these questions in the future.

The use of an online survey, clear points of contact at the Washington Office, identification of regional ECR survey managers, and a central field coordinator led to improved information gathering and feedback. Follow-up contact with individual forest respondents was used to clarify most of the data inconsistencies encountered through the survey instrument. Remaining data inconsistencies were resolved in accordance with the standards of social science research methods.

Please attach any additional information as warranted.

Report due February 15, 2012.

Submit report electronically to: ECRReports@omb.eop.gov

Attached A. Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving

Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving

Informed Commitment	Confirm willingness and availability of appropriate agency leadership and staff at all levels to commit to principles of engagement; ensure commitment to participate in good faith with open mindset to new perspectives
Balanced, Voluntary Representation	Ensure balanced inclusion of affected/concerned interests; all parties should be willing and able to participate and select their own representatives
Group Autonomy	Engage with all participants in developing and governing process; including choice of consensus-based decision rules; seek assistance as needed from impartial facilitator/mediator selected by and accountable to all parties
Informed Process	Seek agreement on how to share, test and apply relevant information (scientific, cultural, technical, etc.) among participants; ensure relevant information is accessible and understandable by all participants
Accountability	Participate in the process directly, fully, and in good faith; be accountable to all participants, as well as agency representatives and the public
Openness	Ensure all participants and public are fully informed in a timely manner of the purpose and objectives of process; communicate agency authorities, requirements and constraints; uphold confidentiality rules and agreements as required for particular proceedings
Timeliness	Ensure timely decisions and outcomes
Implementation	Ensure decisions are implementable consistent with federal law and policy; parties should commit to identify roles and responsibilities necessary to implement agreement; parties should agree in advance on the consequences of a party being unable to provide necessary resources or implement agreement; ensure parties will take steps to implement and obtain resources necessary to agreement