FY 2013 TEMPLATE
Environmental Collaboration and Conflict Resolution (ECCR)[1]
Policy Report to OMB-CEQ

On September 7, 2012, the Director of the Office of Management and Budget (OMB), and the Chairman of the President's Council on Environmental Quality (CEQ) issued a revised policy memorandum on environmental collaboration and conflict resolution (ECCR). This joint memo builds on, reinforces, and replaces the memo on ECR issued in 2005.

The memorandum requires annual reporting by departments and agencies to OMB and CEQ on progress made each year in implementing the ECCR policy direction to increase the effective use and institutional capacity for ECCR.

ECCR is defined in Section 2 of the 2012 memorandum as:

". . . third-party assisted collaborative problem solving and conflict resolution in the context of environmental, public lands, or natural resources issues or conflicts, including matters related to energy, transportation, and water and land management.

The term Environmental Collaboration and Conflict Resolution encompasses a range of assisted collaboration, negotiation, and facilitated dialogue processes and applications. These processes directly engage affected interests and Federal department and agency decision makers in collaborative problem solving and conflict resolution.

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 policy and regulatory disputes to administrative adjudicatory disputes, civil judicial disputes, intra- and interagency disputes, and disputes with non-Federal persons and entities.

Environmental Collaboration and Conflict Resolution can be applied during policy development or planning in the context of a rulemaking, administrative decision making, enforcement, or litigation with appropriate attention to the particular requirements of those processes. These contexts typically involve situations where a Federal department or agency has ultimate responsibility for decision making and there may be disagreement or conflict among Federal, Tribal, State and local governments and agencies, public interest organizations, citizens groups, and business and industry groups.

Although Environmental Collaboration and Conflict Resolution refers specifically to collaborative and conflict resolution processes aided by third-party neutrals, there is a broad array of partnerships, cooperative arrangements, and unassisted negotiations that Federal agencies may pursue with non-Federal entities to plan, manage, and implement department and agency programs and activities. The Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving are presented in Attachment B. The Basic Principles provide guidance that applies to both Environmental Collaboration and Conflict Resolution and unassisted collaborative problem solving and conflict resolution. This policy recognizes the importance and value of the appropriate use of all forms collaborative problem solving and conflict resolution."

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[1] The term 'ECCR' includes third-party neutral assistance in environmental collaboration and environmental conflict resolution

This annual report format below is provided for the seventh year of reporting in accordance with the memo for activities in FY 2013.

<u>The report deadline is March 3, 2014</u>.

We understand that collecting this information may be challenging; however, the departments and agencies are requested to collect this data to the best of their abilities. The 2013 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 ECCR information from the agencies and other entities within the department. The information in your report will become part of an analysis of all FY 2013 ECCR reports. You may be contacted for the purpose of clarifying information in your report. For your reference, prior year synthesis reports are available at
http://www.ecr.gov/Resources/FederalECRPolicy/AnnualECRReport.aspx

FY 13 ECCR Report Template

Name of Department/Agency responding:	USDA Forest Service__
Name and Title/Position of person responding:	Andrea Bedell-Loucks, Deputy Director
Division/Office of person responding:	National Partnership Office, NFS
Contact information (phone/email):	202.205.8335/ abloucks@fs.fed.us
Date this report is being submitted:	_____
Name of ECR Forum Representative	Andrea Bedell-Loucks

1. **ECCR Capacity Building Progress:** Describe steps taken by your department or agency to build programmatic and institutional capacity for environmental collaboration and conflict resolution in FY 2013, including progress made since FY 2012. Include any efforts to establish routine procedures for considering ECCR in specific situations or categories of cases. To the extent your organization wishes to report on any efforts to provide <u>institutional support</u> for non-assisted collaboration efforts include it here. If no steps were taken, please indicate why not.

   [Please refer to the mechanisms and strategies presented in Section 5 and attachment C of the OMB-CEQ ECCR Policy Memo, including but not restricted to any efforts to a) integrate ECCR objectives into agency mission statements, Government Performance and Results Act goals, and strategic planning; b) assure that your agency's infrastructure supports ECCR; c) invest in support, programs, or trainings; 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 ECCR at the local, regional, and national levels. New key steps taken in FY2013, as well as ongoing efforts extending from previous fiscal years, include:

   <u>2012 Planning Rule Implementation</u>

   - Began implementation of 2012 FS-NFMA Planning Rule, including integration of ECCR objectives into strategic planning at the National Forest, National Grassland, and agency levels. Support to National Forests in revision has

included several peer-learning webinars about ECR-related objectives, such as collaboration, outreach to underserved communities, and tips for compliance with Federal Advisory Committee Act and Paperwork Reduction Act. Peer learning involves emphasizing sharing lessons learned by employees, discussion of good practices, and identification of emerging issues or questions.

- Established a Federal Advisory Committee Act (FACA) committee to support collaborative implementation of the 2012 FS-NFMA Planning Rule. FACA committee has provided invaluable insights and suggestions related to improving the integration ECR-related objectives into strategic planning at the National Forest, National Grassland, and agency levels, including improving integration of inventory and assessment work from disciplines of the Human Dimensions.

Electronic Resource Development and Deployment

- Fulfilled interagency agreement with NPS to deliver interactive, dynamic inventory of electronic tools supporting cross-boundary, integrated vegetation management. Subsequent work has begun to make resulting inventory database available publicly via searchable WWW "toolbox". Ultimately, this tool could serve as a shared repository used by other federal agencies and partners to facilitate sharing information about existing tools and resources already available. Alternatively, other agencies could establish similar versions to share their own content. Responds to January 2013 interagency agreement about America's Great Outdoors.
- Renovation and re-launch of on-line portal incorporating electronic tools and resources for ECCR, part of the Partnership Resource Center (www.fs.usda.gov/prc). High-visibility hard-launch of the site will occur in 2014.
- Initiated a "business requirements assessment" for three needs: A National Collaboration Atlas, Community of Practice functionality in the Partnership Resource Center, and a new Inventory, Monitoring, and Assessment website. Each of these needs relate to help grow and support communities of interest, place, and practice. Assessment is complete and a report, including recommendations, entered review process in 2013. Eventual product will facilitate sharing information about ongoing collaborative efforts, including lesson learned, partners involved, and tools or other resources found useful.

Network Establishment and Utilization

- Established partnership agreement with Practitioners' Network for Large Landscape Conservation to support collaborative, community-based conservation nationally. Joint work includes development of a shared electronic platform to house and disseminate information about large landscape conservation, interagency work with DOI (BLM, NPS, and BLM), policy survey assessment about needs, national working team on network governance and collaborative governance, and development of an online learning platform for collaborative approaches to large landscape conservation practices.

- Cooperative Forestry within State & Private Forestry formed and is now leading the Forest Resources Coordinating Committee, comprised of USDA Agency, private forest landowner, State Forester, and Conservation Organization representatives, to recommend new and strengthened approaches to conserving private forest lands.
- Cooperative Forestry in the Forest Service provided leadership for the Joint Forestry Team, with representatives from the National Association of Conservation Districts, National Association of State Foresters (NASF), Natural Resources Conservation Service, and U.S. Forest Service (USFS), to coordinate technical and financial assistance to farms and private forest lands.

Training Development and Opportunities

- Ongoing development and delivery of peer-learning sessions to improve partnership and collaboration skill sets within the Agency, facilitated through the National Forest Foundation.
- The Forest Service continued to support the inter-agency (FS, BLM, and NPS) distance learning course entitled "Managing by Network." 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. The year-long course is offered once each fiscal year, and approximately 100 employees from across the land-management agencies are able to participate.
- The national Collaboration Cadre developed multiple versions of a collaboration training curriculum, provided assistance to two national forests and set the stage for working with several others in FY 2013:
    - Three versions of collaboration training to meet agency and field needs;
    - An enhanced capacity for the Francis Marion and Sumter National Forests and the people of the South Carolina Piedmont region to engage in community-based collaboration on a variety of natural resource management issues;
    - New and enhanced stakeholder relationships and partnerships for the El Yunque National Forest in Puerto Rico to assist public involvement and collaboration for their forest plan revision effort; and
    - Organized to conduct collaborative efforts and training to assist several other national forests scheduled to initiate land management plan revisions and large scale collaborative projects.
- Continued investment in "Empowering Collaborative Stewardship" effort, which is engaging hundreds of agency employees in the development of critical new resources and strategies for collaborative leadership direction, performance evaluation, policy practice and learning.

Specific Advances in Projects, Programs or Initiatives

- In FY2013, twenty-three Collaborative Forest Landscape Restoration (CFLR) projects received $40 million in CFLR funds to accomplish high priority restoration work on National Forest System lands. Ten of these projects have

received funding since FY2010, and ten were selected for funding in FY2012 by the Secretary of Agriculture. In addition, the Chief of the Forest Service identified three additional High Priority Restoration Projects to be funded outside of CFLR, but managed similarly. These three projects were selected as CFLR projects in 2013. 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.

- A 3rd party analysis of the role of local communities in stewardship contracting is conducted on an annual basis for the Forest Service. In 2013, this process included a survey of a statistically-relevant sample of active stewardship contracting projects, regional conference calls to define trends, and a national stakeholder webinar to discuss the role of local communities in developing and implementing stewardship contracts and agreements and recommendations for enhanced tools, public connections and opportunities for public engagement.

- The USFS Tribal Relations Program mission is essentially to preempt the need for environmental conflict resolution. The Program successfully achieves this daily through consultation, conversation, and collaboration. In every Region, agreements are regularly forged to define partnerships and build constructive relationships. Examples include:
  - Development of a Memorandum of Understanding with the Leech Lake Tribe for hiring, contracting, technology transfer, training, and more, and a Master Participating Agreement with the Klamath Tribe to achieve mutual land stewardship goals and objectives while providing training and job opportunities for tribal members.
  - A flagship Forest Service event, the "To Bridge a Gap" conference, was specifically designed to foster communications between Federal agencies and Indian tribes in Regions 8 and 9, with the FS co-hosting with a tribal partner each year.
  - Implementation of the recommendations from the Sacred Sites Report. In a related effort, the FS is supporting the work of the interagency sacred sites MOU working group. These efforts are intersecting and yet separate.
  - WO Office of Tribal Relations staff pursuit of certification in formal environmental conflict resolution through the U.S. Institute for Environmental Conflict Resolution at the Udall Foundation.

Resource Advisory Councils

- Supported the Secretary's appointments of members to 118 Secure Rural Schools Act resource advisory committees. To date the committees have recommended over 4,400 projects valued at over $172 million in 729 communities including counties, boroughs and townships in 41 states and in Puerto Rico.

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.

2. **ECCR Investments and Benefits**

   a) Please describe any methods your agency uses to identify the (a) investments made in ECCR, and (b) benefits realized when using ECCR.

     Examples of investments may include ECCR programmatic FTEs, dedicated ECCR budgets, funds spent on contracts to support ECCR cases and programs, etc.

     Examples of benefits may include cost savings, environmental and natural resource results, furtherance of agency mission, improved working relationship with stakeholders, litigation avoided, timely project progression, etc.

Measuring the investments and benefits associated with ECCR in the Forest Service is in its nascent stage—more often than not, being evaluated by observation and reported through qualitative measures as various processes progress. For some field units, investments are beginning to be tracked through financial and temporal benchmarks clearly delineated in an agreement or data calls to the field (e.g., requesting summaries of litigation costs to set baseline for future trend measurements on some forests). Success stories continue to be documented across the Agency and in some instances, are developed through multi-year collaborative monitoring and targeted interviews among key stakeholders.

A summary of **<u>investments</u>** made in ECCR by the Forest Service include:

- Securing funds in support of third-party, contracted ECCR services.
- Partnerships with key organizations, examples include:
  - The US Institute for Environmental Conflict Resolution (IECR) for assistance in monitoring investments and benefits provided by IECR sub-contracted services
  - The National Forest Foundation for facilitation services.
  - State Agriculture Departments to facilitate rangeland management issues.
  - The Center for Collaborative Policy to improve working relationships and meet the intent of 2012 Planning Rule.
- Active participation in collaborative groups that focus on Forest activities and associated management.
- Active engagement with entities that generally oppose certain management strategies to improve understanding and explore areas of common ground.
- Dedicated ECCR budgets within existing budgets.
- Development of annual reports for collaborative projects (e.g., Collaborative Forest Landscape Restoration projects), which includes tracking of expenditures by fund code and accomplishments.
- Identifying projects that might benefit from ECCR and setting aside funds to pay for associated efforts and needed services.
- Leadership support of collaboration.
- Employee time and resources used to support ECCR.
- Training that lead to successful ECCR.

<u>NOTE</u>: Some field units view collaboration as the way in which they accomplish their work, so costs/investments in ECCR are included in traditional work plans, but not broken out independently.

A summary of the **<u>benefits</u>** realized through ECCR by the Forest Service includes:

- Improved working relationship with stakeholders.
- Avoided litigation.

- Furtherance of Forest Plan revision.
- Increased efficiencies within the planning processes;
- Increased resolution/understanding around areas of 'common ground'
- Increased political capital on difficult resource issues;
- Cost savings as funds to pay for ECCR are leveraged across multiple stakeholders;
- Continuation of community discussion on issues where in the absence of ECCR, there would historically be little capacity to keep efforts moving forward.
- Beneficial environmental and natural resource results.
- Furthering of agency mission by implementing projects that are supported by the FS and community.
- More defensible environmental analysis.
- Reduced costs associated with transportation planning.

Note: Some forests found this question difficult to answer because some collaborative efforts are so new that identifying and tracking benefits cannot readily be done. For some forests, it is also difficult to determine if the outcomes would have been different if there had not been collaboration.

Full responses and examples of investments/benefits are included in the Forest Service Summary Data accompanying this report.

b) Please report any (a) quantitative or qualitative investments your agency captured during FY 2013; and (b) quantitative or qualitative results (benefits) you have captured during FY 2013.

In general, Forest Service respondents provided more qualitative assessments of investments and benefits over quantitative measures. The following summarizes feedback received for both inquiries.

Direct Investments in support of ECCR made by the Forest Service includes:
- Travel expenses to bring FS leadership and IECR personnel to remote communities for trust and relationship building.
- Hiring of third-party, neutral facilitators for forest plan revisions, and collaborative meetings.
- Hiring of third-party contractors to design and facilitate collaborative discussions and meetings.
- Establishing long-term business mechanisms that ensure accessibility to services over-time and that facilitate the procurement of facilitation services (e.g., Blanket Purchase Agreements).
- Leveraged energy and support of partners, Tribes, and States towards expanded stewardship work through agreements, MOUs, and contracts.
- Providing forest-wide collaborative training in preparation of forest plan revision.

Reported benefits of ECCR by the Forest Service include
- The resolution of 12 appeals on a Travel Management Project (Eldorado NF).
- Increased commitment of diverse interests to engage in information sharing and developing recommendations for Forest Plan revisions. Increased resolution/understanding around areas of 'common ground'.
- The resolution of appeals and objections, thereby reducing litigation risk—made possible through past and future promises of collaboration.

- The increased efficiency of the forest planning process, including shorter time to reach project implementation.
- Improved relationships and dialogue amongst divergent interests in land management, which potentially can reduce the likelihood of costly administrative review and litigation.
- Increase in acres treated in the wildland urban interface with collaboratively developed plans. (Payette NF)
- Continued progress toward community solutions on water conservation and river protections. (San Juan NF)
- After several years of getting off the ground, the Hood River Stewardship Collaborative Crew saw their first project successfully through the planning process. (Mt Hood NF)
- Built trust among various stakeholders. ECCR has allowed for easier movement of conversations through 'hot topics', while allowing FS staff to be more involved in the collaborative process and really listen to the public's interest and input.
- Development of Strategic Action Plans that incorporate input from stakeholders and prioritize projects through a collaborative process. ECCR has helped resolve conflicts among trail users and has led to several opportunities to improve the existing trails system. (Prescott NF)
- Working on range improvement project planning with permittees. ECCR helped keep the work focused and on-track amidst controversy and disagreement. Relationships with the local communities were improved by participating in collaborative fuels and fire discussions. (Lincoln NF)

Full responses and examples of investments/benefits are included in the Forest Service Summary Data accompanying this report.

c) What difficulties have you encountered in generating cost and benefit information and how do you plan to address them?

For several forests, cost information was easier to identify and track due to direct technical assistance from the US IECR and Meridian in developing situational analyses and monitoring frameworks. However, some forests did provide specific statements on difficulties they have in assessing costs or benefits of ECCR. These difficulties include:

- FS actions in support of ECCR are often built into strategic economic development programs that sometimes rely on the actions of other partners (NGOs, State agencies, other Federal Agencies). Access to their cost or benefit data is not always easily acquired.
- Some projects that are utilizing ECCR have been in progress (planning & development) for several years. Annual costs are sometimes difficult to tease apart and sometimes difficult to estimate.
- ECCR is grounded in relationships and often results in improved communication, public support, and awareness of management options. It is difficult to place a dollar

- value on these advances and to measure cost and benefits of relationships.
- Establishing a baseline, from which to measure progress, has been difficult. Some forests have started this with several data calls to their field units.
- Difficulty in assessing any correlation between ECCR work and avoided litigation. When an objection or a lawsuit is at the whim and discretion of any person or organization, it is hard to determine if a lack of lawsuit from persons unknown was due to ECCR processes/investments.
- Some units do not fully understand ECCR. Use of ECCR is currently viewed as a "program" or an activity that is done along-side other programs (rather than a way of doing business that applies to and is integrated with other programs). As such, the existing fiscal tracking mechanisms for traditional programs of work are the only available means to capture costs and benefits.
- Tracking cost and benefit information for projects that don't have annual report requirements tends to fall through the cracks. Given budget reductions and fewer employees to do the work, it may be difficult to put a process in place to track this information locally, but given time and money it could be done.
- Lawsuits result in a great opportunity cost to the Agency (i.e., FS employee time that could be used elsewhere), which is not easily expressed in terms of dollars. One way to address this issue is to develop an average cost of litigation or administrative project review based on the average number of employee days spent on these processes from past examples.
- Some forests are reticent to quantify either costs or benefits, as they witness a culture shift in the Agency and believe that ECCR efforts are fully incorporated into everyone's program of work.

3. **ECCR Use:** Describe the level of ECCR use within your department/agency in FY 2013 by completing the table below. [Please refer to the definition of ECCR from the OMB-CEQ memo as presented on page one of this template. <u>An ECCR "case or project" is an instance of neutral third-party involvement to assist parties in a collaborative or conflict resolution process</u>. In order not to double count processes, please select one category per case for decision making forums and for ECCR applications.

	Total FY 2013 ECCR Cases[2]	Decision making forum that was addressing the issues when ECCR was initiated:					ECCR Cases or projects completed[3]	ECCR Cases or Projects sponsored[4]	Interagency ECCR Cases and Projects	
		Federal agency decision	Administrative proceedings /appeals	Judicial proceedings	Other (specify)				Federal only	Including non federal participants
Context for ECCR Applications:										
Policy development	2	2	0	0	0		0	1	0	2
Planning	60	51	0	5	4	CFLRP, collaborative forum	5	48	5	55_
Siting and construction	2	1	0	1	0		1	0	0	2
Rulemaking	0	0	0	0	0		0	0	0	0
License and permit issuance	2	2	0	0	0		2	4	0	3
Compliance and enforcement action	4	2	2	0	0		2	4	0	4
Implementation/monitoring agreements	22	17	1	0	4	CFLRP	1	18	0	22
Other (specify): stewardship authority, assessing collaboration potential	3	3	0	0	0		3	3	0	3
TOTAL	**95**	**77**	**3**	**6**	**9**	(the sum of the Decision Making Forums should equal **Total FY 2013 ECCR Cases**)	**14**	**78**	**5**	**90**

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[2] An "ECCR case" is a case in which a third-party neutral was active in a particular matter during FY 2013.

[3] A "completed case" means that neutral third party involvement in a particular ECCR case ended during FY 2013. 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.

[4] Sponsored - to be a sponsor of an ECCR 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 ECCR case.

Note: If you subtract completed ECCR cases from Total FY 2013 cases it should equal total ongoing cases. If you subtract sponsored ECCR cases from Total FY 2013 ECCR cases it should equal total cases in which your agency or department participated but did not sponsor. If you subtract the combined interagency ECCR cases from Total FY 2013 cases it should equal total cases that involved only your agency or department with no other federal agency involvement.

4. ECCR Case Example

Using the template below, provide a description of an ECCR case (preferably <u>completed</u> in FY 2013). Please limit the length to no more than 2 pages.

Collaboration on the Boise NF—Boise Forest Coalition
Overview of problem/conflict and timeline, including reference to the nature and timing of the third-party assistance, and how the ECCR effort was funded
In FY11, interest groups involved in the Boise National Forest (Boise NF) Forest Plan amendment believed the Plan would be benefit from the establishment of a collaborative coalition that provided balanced representation of interested parties. The desired outcome of this coalition was to provide a single set of consensus actions for the Forest Supervisor to consider for implementation, thus eliminating or substantially reducing subsequent disagreements among parties that could cause implementation delays. A third-party, neutral facilitator was hired and all members of the Boise Forest Coalition (BFC) endorsed this individual. The facilitator followed the principles of ECR engagement in working with the BFC and in facilitating the group's efforts to develop consensus project actions for consideration by the Boise NF Forest Supervisor. NEPA for one watershed-level project (Clear Creek, Lowman RD) has been completed and is now being implemented. A second larger watershed-scale project area is now under consideration by the BFC. Coalition activities are funded by a number of BFC participants through the Southwest Idaho RC&D.
Summary of how the problem or conflict was addressed using ECCR, including details of any innovative approaches to ECCR, and how the principles for engagement in ECCR outlined in the policy memo were used
Use of a third-party facilitator that all Boise Forest Coalition members supported was the key to success. Boise NF leadership commitment to provide the coalition with the support as requested allowed timely completion of work by the group, as well as relationship development among the Boise NF staff and coalition members.
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 ECCR
A smooth NFMA and NEPA process that resulted in a decision upheld on appeal and was not litigated.
Reflections on the lessons learned from the use of ECCR

ECCR processes, including 'before the fact' work with coalitions, is not 'quick work' but the lasting benefits of improved relationships and mutual understanding in invaluable and 'flows forward' in all sorts of dimensions affecting management of NFS lands.

5. **Other ECCR Notable Cases:** Briefly describe any other notable ECCR cases in the past fiscal year. (Optional)

- Resolution of Travel Management SEIS appeals. (Eldorado NF)
- Inclusion of collaboration as part of obtaining CEQ alternative arrangements for the Rim Fire Recovery EIS. (Stanislaus NF)
- New improved working relationships with local tribal governments are resulting in the development of new economic development options. (Tongass NF)
- Development of a range of alternatives for aspen generation and fuels reduction at a landscape scale. Partnerships developed for data collection and sharing. (Fishlake NF)
- The Hood River Ranger District completed their non-fuels NEPA process, utilizing collaboration throughout all stages of planning. (Mt Hood NF)
- Having two grazing agreements signed. (Dakota Prairie Grasslands)
- Resolution of trail user conflicts and great strides toward a collaborative Strategic Action Plan. (Prescott NF)
- A collaborative process for early engagement of stakeholders in plan revision process. Having a third party facilitator enabled the Forest to engage in interactive workshops whereby FS staff worked directly with the public and in "listening" mode. At this phase of planning, specific conflicts have not arisen, but are likely to, so early collaboration may reduce the intensity of conflict later. (Chugach NF)
- Development of collaboration and communication plans, conducting the Sierra Cascades Dialog, and establishing "Our Forest Place" (a wiki environment for development of planning documents in a collaborative manner). (Region 5)

Full responses and examples of investments/benefits are included in the Forest Service Summary Data accompanying this report.

6. **Priority Uses of ECCR:**

Please describe your agency's efforts to address priority or emerging areas of conflict and cross-cutting challenges either individually or in coordination with other agencies. For example, consider the following areas: NEPA, ESA, CERCLA, energy development,

energy transmission, CWA 404 permitting, tribal consultation, environmental justice, management of ocean resources, infrastructure development, National Historic Preservation Act, other priority areas.

Examples of ways in which the Forest Service is addressing priority or emerging areas of needs, outside of those capacity-building efforts outlined in Question #1, include:

- Providing collaboration training to Forest and Region staff.
- Using collaboration across all areas of NEPA implementation, including public involvement and tribal consultation.
- Including collaboration direction in the 2012 Planning Rule and directives to generate significant investments in addressing and resolving conflicts through the Forest Planning process. Although we are early in the process, initial results indicate positive outcomes and a hope among agency and collaborative participants that we are entering a new age of collaborative agreements and conflict resolution.
- Encouraging early collaboration in efforts with the public on projects.
- Frequent tribal consultation. Frequent consultation with AK Native corporation
- MOUs with State Historic Preservation Office, Forest Plan Collaboration Plans, Citizens Groups
- Direct work and development of partnerships with USFWS on ESA issues. Similar efforts are underway across the Forest Service with State agencies on Clean Water Act issues.
- Inter-agency efforts towards jointly develop sage-grouse conservation planning.
- Development of NEPA background analyses in support of project planning.
- Proposing restoration activities on private land for large landscape restoration vision.

Full responses and examples of investments/benefits are included in the Forest Service Summary Data accompanying this report.

7. **Non-Third-Party-assisted Collaboration Processes:** Briefly describe other significant uses of environmental collaboration that your agency has undertaken in FY 2013 to anticipate, prevent, better manage, or resolve environmental issues and conflicts that do not include a third-party neutral. *Examples may include interagency MOUs, enhanced public engagement, and structural committees with the capacity to resolve disputes, etc.*

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Region 1, Northern Rockies

- Various MOUs between the Region and states have been established to develop stewardship agreements and planning efforts. There are also a host of forest level collaborative groups that are not facilitated by a 3rd party neutral but instead by the parties themselves.

- The Lolo National Forest continued its use of non-third party collaboration by utilizing early public engagement in developing, planning and implementing projects. The following are examples of these collaborative efforts:
    o Pre-project collaborative working groups reviewed existing condition, departure from desired future condition, and to identify potential project actions.
    o Collaborative working groups reviewed alternatives, environmental documents, and decisions.
    o Collaborative working groups reviewed implementation and contract specifications to ensure environmental decisions are carried into contracts, as expected by collaborative working groups.
    o Partnership agreements were established to complete projects designed for landscape restoration. Partnership agreements have included survey and monitoring, design, and construction implementation.

  The Lolo National Forest also continued its use of pre-established collaborative working groups to identify and resolve larger resource management issues prior to engaging in project planning (e.g., Southwest Crown Collaborative Landscape Restoration Project and the Lolo Restoration Committee).

  Other collaborative efforts include working with NGO, corporate, and other government agencies to increase consensus and funding for forest restoration efforts. Examples include, Trout Unlimited (CERCLA Mine Restoration and Stream Habitat Enhancement), Clark Fork Coalition (Watershed Vulnerability Assessment and Prioritization), AVISTA Corp (Interagency Committee to Review Fish and Watershed Restoration), and Rocky Mountain Elk Foundation (Elk Habitat Improvement).

- The Dakota Prairie Grassland has begun to pull together MOUs for federal agency cooperation on oil field development. They utilized an MOU during their Reasonably Foreseeable Development process in FY 13.

- The Bitterroot NF works closely with the Bitterroot Restoration Committee, which is made up of various individuals who have an interest in how the Bitterroot National Forest is being managed. They convene once a month and generally review proposed projects which interest them. Projects include

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vegetation management proposals, road and travel management proposals and other smaller projects. Because the Committee is made up of a diverse group of people, they are able to interact with people they may not otherwise naturally interact with. This allows them to see the other person's point of view. We feel like their involvement in the Bitterroot's projects process had helped lower the amount of project appeals.

Region 2, Rocky Mountain

- The San Juan NF works very closely with the BLM and other agencies to address complex natural resource issues in this area, without using a 3rd party neutral.

- The Medicine Bow-Routt NF is currently developing MOUs with counties for their Prairie Dog Amendment project and they have actively engaged the State of Wyoming in developing a Proposed Action. They utilized enhanced public involvement (e.g., scoping document, web uploads, four scoping public meetings). Similar public involvement activities are planned between Draft and Final EIS development.

Region 3, Southwestern

- The Coronado NF has utilized non-3rd party processes in several ways. For example, through collaboration with US Dept. of Homeland Security they have been able to propose road maintenance and road design/construction projects on national forest lands. Close collaboration with organizations and the general public have taken place during Coronado Forest Plan revision and collaboration with Arizona Game and Fish Department has led to new management scenarios for bighorn sheep on the Santa Catalina District Collaboration with the University of Arizona, Nature Conservancy and federal/state/local wildland fire management agencies and officials have also assisted with identifying landscape scale vegetation management projects.

- The Gila NF has established partnerships through Resource Advisory Committees and Collaborative Forest Landscape Restoration Act projects to assist in identifying issues, developing proposals and implementing projects. On-going collaboration with New Mexico Dept. Game and Fish and other NGO groups continues towards implementing large wildlife habitat improvement project. Collaboration in current projects helps broaden public understanding of processes and are facilitating the development of ideas for new project proposals and plans.

- A collaborative group was utilized on the Juan Tank Range Allotment analysis for the Kaibab NF. This group included the Range Permittee, Forest range personnel, and other interested parties in order to develop an alternative to address contentious issues related to noxious weed management. The Forest Service facilitated the collaborative meetings. A workable alternative that addressed the issue was developed with input from all parties. The Forest also worked with the US Fish and Wildlife Service to develop suitable silvicultural prescriptions for the Mexican spotted owl on the Bill Williams Mountain

project.

- The Coconino NF has used enhanced public engagement to facilitate improved collaboration for the Fossil Creek Comprehensive River Management Plan Project. The Forest also regularly works through MOUs with State, City, and County agencies to better manage or resolve environmental issues and conflicts. An example of this includes a recent MOU with the City of Flagstaff to involve them as part of the NEPA Interdisciplinary team for the Flagstaff Watershed Protection Project, which if approved, would be funded by a voter-approved $10 million bond for wildfire and post-fire flood risk abatement.

- A local working group on the Lincoln NF has helped address fire risk and hazards by improving local fire knowledge and relationships in the fire community. A citizen's group that started after a large local fire has become an excellent forum for increasing local knowledge and creating opportunities for dialogue.

Region 4, Intermountain

- Continued engagement of the Salmon Challis NF and local county-based collaborative groups has been used to address wildland fire risk on large landscapes, particularly where local interest conflict with regional environmental values. This forum continues to support forward progress in the planning of meaningful remediation and restoration activities.

- Enhanced public engagement to resolve appeals concerning implementation of Scriver Creek Integrated Project on the Boise NF. The Forest received concern from groups and individuals regarding the vegetative component of the Scriver Project and, as often the case, the issues were very polarized and appeared unresolvable. For example, some desired cutting limits based on tree diameter, while others believed any size limitation for tree removal was not warranted. The Forest had encountered these issues before but this was the first of a series of planned, large-area restoration efforts and much was at stake for the various parties but, most importantly, for the landscapes in need of restoration. Implications - without resolution of areas of disagreement, these groups would continue to appeal and litigate project decisions implementing the Forest Plan amendment. Appeals and/or litigation could substantially delay implementation and undermine ongoing efforts to find areas of consensus with the variety of interest groups involved with the amendment.

Region 5, Pacific Southwest

- The Los Padres NF continues to utilize the Nature Conservancy's Fire Learning Network's collaborative skillset to develop vegetation management actions on the Monterey Ranger District. The Supervisor's Office hosts quarterly meetings with California Off-Road Vehicle Association (CORVA), and recently scheduled quarterly meetings with a new non-motorized trail advocacy group. Also, one District Ranger has scheduled periodic meetings with a serial appellant and litigant to scope them on NEPA projects.

- The Tahoe NF has embarked on a collaborative planning effort with

stakeholders in western Nevada County to reduce fuels on national forest lands and support community-wide fuels reduction and wildfire safety. The Forest Service is partnering with the Nevada County Board of Supervisors, Nevada County Fire Safe Council and CAL FIRE to develop specific projects to reduce hazardous fuels and protect property and natural resources on private, State and Federal lands from the adverse effects associated with large, severe wildfires.

Region 6, Pacific Northwest

- Development of government-to-government agreements between the Klamath NF and local tribes is aiding with consultation and relationship building.   The Klamath NF has enhanced public engagement related to travel management and fuel wood permit to address concerns of access and the local economy.   They have engaged in Healthy Forests Restoration Act projects for NEPA, which have facilitated planning efforts and appeal/objection resolution.

- The Mount Baker Snoqualmie NF has used enhanced public engagement for a Minimum Roads Analysis process. Tribal coordination also occurs under an MOU.

- This year, the Buckhorn Mine Exploration Project on the Okanogan-Wenatchee NF enlisted the assistance of the Washington Governor's Regulatory and Innovative Assistance Office to complete MOUs with cooperating State agencies and the mine proponent. The Office was able to assist with assimilating the varied regulatory requirements of the WA Department of Natural Resources, WA Department of Energy, BLM, FS, and Washington Department of Fish & Wildlife into an acceptable agreement. Normally the Office does not work with federal agencies, but were willing to work with the project due to the participation of several state agencies.

Region 8, Southern

- The Daniel Boone NF has been working on the Red Bird River Watershed Collaborative project to improve water quality on NFS, private and state lands. This working group includes members of the Kentucky Division of Forestry, the Kentucky Dept. of Fish & Wildlife Resources, NRCS, Kentucky Division of Water, local residents & politicians. An agreement was created between the Forest and the Kentucky Waterways Alliance, a local group dedicated to water quality whose watershed evaluation process has been applied to this project. Some of the project is aimed at water quality issues springing from straight pipes, trash dumping, etc., all of which has created an impact of the recreational and ecological value of an otherwise lovely river.

Region 9, Eastern

- The Region continues to participate in the Midwest Natural Resources Group (MNRG). The MNRG was formally established in 1998 as a forum for Federal agency senior executives to proactively coordinate activities and clearly establish strategic roles for each Federal bureau with the Midwest (including the Upper Mississippi River, Missouri River, Ohio River and the Great Lakes watersheds). The MNRG aims to achieve this overarching goal through

enhanced communications, coordination and collaboration on mutually recognized resource issues and by providing timely interagency assistance where needed. Beginning in 2013, the Region also began participating in the Upper Midwest Great Lakes Landscape Conservation Cooperative (LCC). The Upper Midwest Great Lakes LCC is facilitating a collaborative approach among natural resources agencies and organizations to effectively respond to and prepare for the social, environmental and economic challenges of changing landscape.

- The White Mountain NF worked closely with NH Department of Transportation and Federal Highway Administration (FHWA) on several Emergency Relief for Federally-owned Roads (ERFO) projects to develop solutions that all agencies could accept and that would meet its environmental commitments. They are working collaboratively with state and local agencies to determine the best way to address a damaged dam in a local community. They engage our interested publics early and often on projects, particularly when there is potential for public concern or where publics may be able to offer effective solutions. For example, on a project with high public concern, the Forest held multiple public meetings and field trips, meetings with individuals and groups to address specific concerns, and offered opportunities for individuals and groups to go into the field with staff specialists to learn more and even to help collect data to be used in eventual analyses.

- The Superior NF established MOUs when working on projects with multiple agencies acting as co-leads or cooperating agencies. They also involve the public through opportunities such as field trips and open houses. More extensive public engagement has happened through the North Shore Collaborative which provided input for vegetation management on the north shore of Lake Superior in FY13.

- In 2013, the Ottawa NF completed a stewardship agreement with the Wild Turkey Federation. In addition, they established a cost share agreement for a shared biologist between WTF, Ruffed Grouse Society, the Michigan DNR, and the Forest. This collaborative work is focused on early successional wildlife habitat and openings. Also in FY13, the Forest began to initiate partnerships and collaboration to enhance watershed restoration in the landscapes surrounding the Forest (South Central Lake Superior Basin). This is a mid-scale partnership aimed at identifying shared opportunities for funding, sharing information, and ultimately enhancing on-the-ground work within and outside of National Forest System lands. Finally, the Forest engaged in collaborative planning at the project level (30,000 acre project areas) for two vegetation management projects in FY13. They sought collaborative input on the initial design and purpose and need for the project. Typically the most engaged collaborators have been interested in the road system that is designated for public use.

Region 10, Alaska

- Timber is perhaps the most contentious issue on the Tongass National Forest

and working collaboratively with partners is essential. In order to accomplish the transition from old growth to young growth timber harvest, the Tongass is committed to working collaboratively with stakeholders to build local and regional buy-in. The Tongass is close to establishing a Federal Advisory Committee to advise the Forest on how to expedite a transition to young growth management, which may include a recommendation to define the suitable timber base and a schedule for implementation of a young growth timber supply. At this time, the Forest is moving forward to establish the Committee, with its work to be completed within one year of its initiation. This advisory committee is intended to help resolve the longstanding timber conflict by identifying mutually agreed upon areas for timber harvest in the future.

8. **Comments and Suggestions re: Reporting:** 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 Forest Service helps streamline responses from our field units by utilizing a survey monkey instrument. Depending on the structure of other agencies, we could make this instrument available for replication, as needed.

For additional difficulties, please see #2c.

Please attach any additional information as warranted.

Report due March 3, 2014.
Submit report electronically to: ECRReports@omb.eop.gov

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