

# Environmental Collaboration and Conflict Resolution Forum

## Meeting Summary

CEQ Conference Room  
722 Jackson Place, Washington, DC

*Call-in number: (202) 395-6392, Code: 883 6608#*

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**Tuesday, June 14, 2016  
10:30 AM – 12:00 PM EST**

### **General Updates from CEQ**

Ted Bowling shared that he attended the Udall Foundation's board meeting in Tucson, AZ. He noted that it was great to connect with all aspects of the Udall Foundation, including the U.S. Institute for Environmental Conflict Resolution and that there were many opportunities for increased coordination between the two agencies. He shared that CEQ will be making ECCR a part of their focus in a guidance document involving environmental assessments. Ted, Joe Carbone, and a small team at CEQ are working on this. He noted that environmental assessments are used in circumstances that often could be contentious and the collaborative aspect of environmental assessments will be important to emphasize.

### **ECCR Updates from Agencies**

#### USIECR

- Working to get the ECCR synthesis report out in the next couple months.
- Requests for agency specific trainings has increased. These are trainings tailored to some degree for federal agencies and beyond USIECR's regular opening trainings. They have provided several tailored trainings for USACE.

#### NOAA

- Katie Renshaw shared that she was looking forward to listening to others and that NOAA hopes to be more strongly engaged in the forum going forward.

#### USACE

- Working to finalize an agency wide public participation policy within the next month. Going through some leadership changes and a major advocate for the collaboration center will be retiring in August. Also working with stakeholders in the Apalachicola-Chattahoochee-Flint (ACF) river basin regarding an interagency integrated drought system.

#### BLM

- Recently gave out awards through their collaborative neutral program. Six sites were provided funding through the award, including 3 national monuments: Basin and Range in Nevada, Mojave Trails in CA, and Browns Canyon in CO. BLM is also still working on their Planning 2.0 draft rule that is currently in the federal register. You can find more information on their website here:  
[http://www.blm.gov/wo/st/en/prog/planning/planning\\_overview/planning\\_2\\_0.html](http://www.blm.gov/wo/st/en/prog/planning/planning_overview/planning_2_0.html)

#### DOT

- Have finalized a 5 year interagency agreement between DOT and USIECR that has a fairly broad scope of ECCR services and will support under the FAST ACT.

## FERC

- Now have a landowner help line for remediation on pipeline issues and first step to help resolve issues with landowners. Other offices outside of Alternative Dispute Resolution (ADR) group at FERC are working to bring collaboration into their offices, especially hydropower licensing.

## EPA

- Jeanne Briskin has been appointed as the Director of EPA's Conflict Resolution and Prevention Center (CPRC). The Toxic Substances Control Act (TSCA) has been reauthorized and section 8a6 includes reporting requirements for chemical byproducts.
- Have been working with USACE and finalized a series of instruments for gathering data on collaboration work. Will be seeking ICR clearance from OMB. One of the highlights for these tools is that they will be able to capture comparative costs as well as benefits. EPA noted that they are happy to share the instruments with anyone else who wishes to pursue them.

## Airforce

- Have a small but consistent program. Have done some significant training with environmental restoration clean-up staff. Very interested in hearing about the ECCR report and future efforts. She highlighted that they have no full time dedicated staff to this work and that the data call is a significant effort for the staff.

## DOE

- Have a training coming up on July 20<sup>th</sup> that will include USIECR. It is open to other agency staff and please send Steve Miller ([STEVEN.MILLER@hq.doe.gov](mailto:STEVEN.MILLER@hq.doe.gov)) any email if interested.
- Also working through a mediation with a private company on clean-up with Navajo nation and have been effective with using facilitators.

## DOI:

- Worked with BLM on recent Sage Grouse efforts. CADR office worked to organize and deliver two sets of meetings in April. The first meeting was a federal family training with BLM staff and several other federal agencies. BLM then went out with the team of external facilitators to do a series of invitational public stakeholder meetings in many of the impacted states. The work has been very productive.
- In regards to tribal projects, CADR staff, Sarah Palmer, is facilitating the Board of the Office of the Special Trustee for American Indians for recommendations on management of the funds. Have also been working with two tribes on one reservation and Bureau of Indian Affairs on an issue of land use and how federal resources are allocated between the two tribes that share this land base. Have just wrapped up an assessment with parties last week.

## **Discussion: 2015 ECCR in the Federal Government Report & ECCR Report Need and Relevance**

2015 marked 10 years of collecting ECCR report data. Forum members agreed to discuss the 2015 report and whether there should be a focus in reflecting on 10 years of data. Stephanie Kavanaugh opened up the conversation by noting the USIECR would be working on the 2105 synthesis report in the coming weeks. She also reminded participants to share their thoughts on the ECCR report objectives and approach going forward.

The following is a summary of the points raised during the discussion:

- Several forum members noted that the questions are not precise and it is a challenge in collecting data. One member suggested that the forum review and adjust the questions where the data may not be responsive to the intent of the question.
- Forum members asked for CEQ and USIECR to provide some context about how they use the report:
  - USIECR shared that they support the distribution effort by providing the reports on their website and directly to CEQ.
  - CEQ shared that they do hope there is a benefit for agencies to see what is happening across the board and learn from one another. CEQ also noted that this year especially the report will be useful for the transition documents for the incoming administration. It was also highlighted that by having the report helps encourage agencies to consider and advance the work of ECCR.
- A forum member shared that the report also offers value to staff who are new to ECCR work in getting up to speed. It also helps elevate ECCR work outside forum member's immediate offices to the broader array of agency staff that might benefit from ECCR.
- Several agency representatives also noted that since the data request is from CEQ they are supported in their work to expend resources on tracking this data. They shared that they see value to tracking these metrics internally regardless of the CEQ request, but it is helpful to have the larger need.
- DOI shared that it can be challenging to collect all the data for the report with essentially 9 different parts to the large agency. It would be helpful to them if the value of the report back to staff was clearer to justify the efforts in pulling together the data.
- Several forum members also noted the challenge of collecting quantitative data and the concern that there could be double counting in the figures. Participants questioned the validity of the numbers and suggested this could be improved going forward. Suggestions to address this included:
  - Emphasize examples and lessons for other agencies over the quantitative data. Agencies can learn from and connect around the qualitative discussion.
  - Explore whether existing work such as the dashboard or similar processes could be leveraged for tracking quantitative data.
  - Consider taking a research approach around a hypothesis and a sample population that would provide more reliable quantitative data. An outside think tank could potentially be a resource to conduct this and provide validity in the statistics.
- One member noted that it would be helpful for those collecting the data to exchange best practices and approaches for that collection.
- It was also highlighted that the case studies could be improved and that it would be worthwhile to invest in better storytelling to demonstrate the value of ECCR.
- Several members noted that the report is a meaningful tool to highlight the importance of ECCR staff work within their own agency. In this context, it was also shared that the quantitative aspect of the report will be important to maintain in some way since figures may best resonate with some agency personnel.
- Forum members also discussed whether to pull trends from the past 10 years of data. Several members echoed that there would be challenges in the validity of the numbers and varying lengths in the trends. The questions for the data have changed over time and the scope of the work has expanded from Environmental Conflict Resolution (ECR) to Environmental Collaboration and Conflict Resolution (ECCR). Forum members agreed that there would be value in telling the narrative of those evolutions over the last 10 years and pulling some trends to the extent possible. CEQ offered that this perhaps could also dovetail with a memo showing the

results of the progression in the field over the past 10 years and reinforcing the importance of the work.

### **Next Steps:**

Forum members agreed to the following next steps:

- USIECR will work to finalize the 2015 synthesis report in the next 6 weeks.
- Three sub-groups were formed to work in the lead up to the next forum meeting in September.
  - **Value of the Report/ Policy Recommendations** (this would feed into a memo on the value of ECCR over the past 10 years)
    - *Sarah Palmer (DOI), Jeanne Briskin (EPA), Steve Miller (DOE), Maria Lantz (USACE), Peter Williams (USIECR)*
  - **Trends Observed** (over the past 10 years)
    - *Sarah Palmer (DOI), Will Hall (EPA), Robert Fisher (DOI), Steph Kavanaugh (USIECR)*
  - **Refinement of report questions and approach** (this would be a revision for the report going forward)
    - *Joe Carbone (CEQ), Will Hall (EPA), Robert Fisher (DOI), Pat Collins (Airforce), Julie Kaplan (DOT), Cindy Tejada (USACE), Dana Goodson (USIECR), with support from Valerie Puleo (USIECR)*
- The next meeting will be held on September 20th, 2016. The meeting will be focused on bringing the input from the sub-groups back to the forum and finalize the 2015 ECCR synthesis report and a set of recommendations to agency leadership.

### **Meeting Attendees:**

#### **In person:**

Ted Bowling (CEQ)  
Stephanie Kavanaugh (USIECR)  
Joe Carbone (CEQ)  
Jeanne Briskin (EPA)  
Josh Herwitz (FERC)  
Julie Kaplan (DOT)  
Hal Cardwall (USACE)  
Katie Renshaw (NOAA)  
Cindy Tejada (USACE)  
Frank Sturgis (BLM)  
Melanie Murphy (BLM)  
Richarol Camerilli (CEQ)  
Dana Goodson (USIECR)  
Patricia Collins (Airforce)  
Will Hall (EPA)

#### **On phone:**

Andrea Carson (USACE)  
Lauren Nutter (USIECR)  
James Rios (DOE)  
Sarah Palmer (DOI)  
Robert Fisher (DOI)  
Joan Alston (NRC)

Steve Miller (DOE)