

Environmental Collaboration and Conflict Resolution Federal Forum

Meeting Notes

Video/Phone Conference
2:00 PM – 3:30 PM Eastern

Welcome, Agenda Review, and Brief Introductions

Steph Kavanaugh (NCECR) welcomed everyone and reviewed the agenda. Participants on the phone and using Microsoft Teams introduced themselves by name and agency. See [Appendix 1](#) for a participant list.

General Updates from CEQ

The Council on Environmental Quality (CEQ) has hired a number new staff under the new Administration. Of note to the ECCR Forum:

- Jomar Maldonado, Associate Director for NEPA
- Jayni Hein, Senior Director for NEPA and Counsel
- Justin Pidot, General Counsel
- Cecilia Martinez, Senior Director for Environmental Justice

Tom Sharp encouraged ECCR Forum members to reach out to himself or Jomar with any questions or requests for information on NEPA or related matters.

CEQ is rescinding the [“Draft National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions”](#) consistent with recent [Executive Order \(E.O.\) 13990, “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis.”](#)

CEQ will also be focusing efforts on environmental justice pursuant to their role outline in the [Executive Order 14008: Tackling the Climate Crisis at Home and Abroad](#). CEQ requested agencies to share any examples of successful utilizing ECCR in the environmental justice space. Please e-mail Tom Sharp a brief summary of the example: Thomas.L.Sharp2@ceq.eop.gov.

General Updates from NCECR

The National Center for Environmental Conflict Resolution (NCECR) is hiring two new staff members: a Program Manager and a Senior Communications Specialist detailee. The positions are now closed and NCECR is reviewing applications.

NCECR is hosting a series of dialogues for “NEPA at 50” in conjunction with the Udall Center. The dialogue topics are as follows:

1. Data Science and Access
2. Agencies on Engagement and Consultation
3. Panel of experts on NEPA

For more information on these events, contact NCECR Director Brian Manwaring at manwaring@udall.gov

Marci DuPraw, Senior Program Manager, is leading a climate change assessment report that will be finalized in the coming weeks. This assessment included interviews with twenty federal staff members.

Concluding the finalization of the report, NCECR will host a webinar to present the findings and will share this information with Forum members when available.

Steph Kavanaugh reminded everyone that the ECCR FY 2020 Reports are due February 26, 2021.

General Updates from Forum Members

Steph Kavanaugh invited agencies to share recent ECCR cases and/or developments:

U.S. Army Corps of Engineers (USACE)

U.S. Army Corps of Engineers (USACE), in collaboration with a contractor, is developing a “best practices on virtual engagement” guide to be shared when it is completed. USACE is also drafting a white paper on how to engage non-internet communities to be distributed when finished. USACE invited agencies to send any examples of engaging communities without access to internet to Maria Lantz, Maria.T.Lantz@usace.army.mil or to Hal Cardwell, Hal.E.Cardwell@usace.army.mil.

USACE shared that they improved their internal ECCR Reporting process by sending a new internal form to the field offices to collect data for the ECCR Annual Report. This is due to confusion from the field offices on how to fill out the standard ECCR Annual Report template.

Department of Energy (DOE)

Department of Energy (DOE) is collaborating with the Department of Justice (DOJ) on Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) mediations but is unable to give details because of confidentiality. DOE has potential projects that require third-party ECCR facilitation and will be reaching out to EPA and NCECR to assist.

DOE is currently preparing for their annual environmental lawyers training including a session on ECCR. The annual training was canceled last year due to the COVID-19 pandemic but will be virtual this year. If you would like to be included on the DOE mailing list for this event, please e-mail steven.miller@hq.doe.gov.

Department of the Interior (DOI)

Department of Interior (DOI) is distilling best practices for virtual engagement from staff for a virtual engagement best practices guide. DOI/CADR is fully staffed and is able to devote more time to ECCR. DOI has submitted their ECCR Annual Report.

Environmental Protection Agency (EPA)

Environmental Protection Agency (EPA) will be announcing a Conflict Resolution Specialist position in CPRC in the next few months. Additionally, EPA is in the process of developing a training for Remedial Project Managers across the country.

Lastly, EPA is working with a contractor to assess how systemic racism is operating in EPA. EPA is planning to establish policies and measures to combat systemic racism in EPA. If you have questions or want to discuss this process, please reach out to Gina Cerasani, Cerasani.Gina@epa.gov.

Federal Highway Administration (FHWA)

Federal Highway Administration (FHWA) just completed a project utilizing NCECR services to revise a Programmatic Agreement in Puerto Rico adherent to Section 106 review processes. This case will be featured in the FHWA Annual ECCR Report.

U.S. Forest Service (USFS)

U.S. Forest Service (USFS) is currently collecting lessons on virtual collaboration and engagement. USFS hosted two peer learning sessions to share lessons learned. Forest Service offered to send the findings and the recordings of the peer learning sessions.

Additionally, USFS will be hosting several collaboration webinars in the next month. USFS is also presenting a new suite of resources on a webinar on February 24, 2021.

USFS, in conjunction with a contractor, has developed a public participation toolkit using USFS case studies and core practices that they can share with the ECCR Forum.

Lastly, Brad Kinder will be going on detail and Sharon Timko will be the main contact for Forest Service during this time.

Federal Mediation and Conciliation Service (FMCS)

Federal Mediation and Conciliation Service (FMCS) is receiving more requests for their services, including for policy negotiations, due to the new Administration's priorities.

National Oceanic and Atmospheric Administration (NOAA)

National Oceanic and Atmospheric Administration (NOAA) has compiled best practices for virtual public engagement guidance through colleagues across the federal family and can share with the ECCR Forum.

U.S. Army

U.S. Army has submitted their ECCR FY 2020 report, which will include one ECCR case that a judge ordered to go to mediation. Mediation has improved communication amongst parties, but resolution has not been reached to date. Most of the U.S. Army's ECCR cases are in litigation.

Additionally, the U.S. Army facilitated an internal SurveyMonkey on best practices of in a virtual environment and is interested to see other best practices guides.

Bureau of Land Management (BLM)

Bureau of Land Management (BLM) has devoted resources to building their virtual meetings such as purchasing over Zoom licenses, developing training manuals, and designing SharePoint sites to be shared across BLM offices/departments. More than 100 Zoom licenses have been purchased for BLM use. BLM shared that they have found more engagement from the public and Tribes due to virtual meetings. BLM will be presenting on the outcome of their research on best practices in April 2021.

Next Steps

- Departments or agencies that are willing to share any guidance or internal materials on virtual engagement should share those with Steph Kavanaugh. Steph will collect and compile those resources and share them with ECCR Forum members.
- Departments or agencies that have any examples of good collaboration and conflict resolution in the environmental justice space, please share with Tom Sharp, Thomas.L.Sharp2@ceq.eop.gov.
- Departments or agencies that have any examples of engaging non-internet communities, please share with Maria Lantz, Maria.T.Lantz@usace.army.mil or Hal Cardwell, Hal.E.Cardwell@usace.army.mil.

Next Forum Meeting

CEQ and NCECR will identify a date for the next forum meeting in Spring 2021 and send a calendar invite.

Appendix 1

Meeting Attendees

Name	Agency
Jomar Maldonado Vazquez	CEQ
Thomas Sharp	CEQ
Jayni Hein	CEQ
Amy Coyle	CEQ
Hal Cardwell	U.S. Army Corps of Engineers
Maria Lantz	U.S. Army Corps of Engineers
Crorey Lawton	U.S. Army Corps of Engineers
Tyson Vaughan	U.S. Army Corps of Engineers
Karen White	National Guard Bureau
Pat Collins	U.S. Air Force
Carrie Greco	U.S. Army
Catherine Johnson	Department of Veterans Affairs
Will Hall	Department of the Interior
Marcia deChadenè des	BLM
Gina Cerasani	Environmental Protection Agency
Brad Kinder	U.S. Forest Service
Sharon Timko	U.S. Forest Service
Kathryn Simpson	Department of Labor
Steve Miller	Department of Energy
Josh Hurwitz	Federal Energy Regulatory Commission
Krista Sakallaris	Federal Energy Regulatory Commission
Amanda Tharpe	Department of Transportation
Ami Lovell	Department of Transportation
Jeffrey Page	Department of Transportation
Krystyna Bednarczyk	Department of Transportation
David Cohen	Federal Highway Administration
Megan Blum	Federal Transit Administration
David Moora	Federal Mediation and Conciliation Service
Frank Sprtel	National Oceanic and Atmospheric Administration
David Brown	Udall Foundation
Mitch Chrismer	Udall Foundation, NCECR
Stephanie Kavanaugh	Udall Foundation, NCECR
Joy Keller-Weidman	Udall Foundation, NCECR
Brian Manwaring	Udall Foundation, NCECR
Monique Mullenaux	Udall Foundation, NCECR

