

Environmental Collaboration and Conflict Resolution Federal Forum

Meeting Notes

White House Conference Center
726 Jackson Place NW, Washington, DC
Tuesday, October 16, 2018
10:30 AM – 12:00 PM Eastern

Welcome, Agenda Review, and Brief Introductions

Ted Boling welcomed everyone and went over the agenda. Everyone in the room and on the phone introduced themselves by name and agency.

General Updates from CEQ

CEQ is primarily working on implementing One Federal Decision under Executive Order 13807. The MOU established “a cooperative relationship for the timely processing of environmental reviews and authorization decisions for proposed major infrastructure projects under the One Federal Decisions policy established in Executive Order 13806. E.O. 13807 requires the Office of Management and Budget (OMB) and the Council on Environmental Quality (CEQ), in consultation with the Federal Permitting Improvement Steering Council (Permitting Council), to develop a framework for implementation of the Executive Order.” A dispute resolution process is outlined in the MOU.

CEQ is awaiting the conclusion of the hearing on the nomination of Mary Neumayr to be the Chairwoman of Staff for the Council on Environmental Quality which was held July 19, 2018.

General Updates from USIECR

The U.S. Institute sent out the FY17 ECCR Forum Annual Report for the group to review. Please provide comments or edits about the report to Courtney Owen, owen@udall.gov, by **Friday, November 2nd**.

The U.S. Institute recently hired a Senior Program Manager for the Native American and Alaskan Native program, Stephanie Lucero. Phil Lemanski, the Executive Director of the Udall Foundation, will retire April of 2019. The U.S. Institute is actively looking for his replacement.

There is currently a bill in Senate (S.2827) to amend the name of the U.S. Institute for Environmental Conflict Resolution to the “John S. McCain III U.S. Institute for Environmental Conflict Resolution”.

Discussion: Standardization of Reporting on ECCR Across Agencies

Objective: Collect ideas from forum members on how to enhance efficiency in the reporting process and increase the utility of the report.

CEQ and the U.S. Institute asked the agencies how they can improve the ECCR reporting template for the annual ECCR report. While participants agreed that annual reporting is valuable to their agencies to assess and quantify how ECCR is being used in their agency, communicate the good ECCR work being done to agency leadership, and to share success stories and innovative processes across and within agencies, they agreed that the reporting process could be improved. Participants made the following suggestions for streamlining and improvement, though there was not full agreement on all suggestions:

- Agencies can streamline their internal data collection process like EPA has – by compiling an executive summary of cases and an introduction at the beginning, rather than strictly following the template.
- Agencies may also streamline their internal data collection like USACE, by utilizing a wiki page with briefs on cases going on in the agency so information is collected throughout the fiscal year.
- USIECR and CEQ should allow agencies to report data at intervals, rather than only at the end of the reporting period. Some participants stated that the opportunity to report throughout the year would be helpful, while others voiced concerns that having to provide data more frequently would be more time consuming for them.
- Consider deleting Question 1 “ECCR Capacity Building Progress” as the responses to this question can be repetitive from previous years and duplicative of responses to other questions.
- Find a way to prevent “double-reporting” on cases involving multiple agencies.
- Consider decreasing the number of the categories used for types of ECCR cases. The tables that result from the current categorization system can be confusing.
- Create more opportunities to report on ECCR cases that did not utilize a third-party neutral. These types of cases are valuable to track and share, utilize ECCR techniques, and help parties reach agreement. This could include a means to report numbers and types of non-TPN cases.
- Consider deleting Question 5 “Other Notable ECCR Cases” to reduce burden to collect and compile responses.
- Give guidance to agencies on how to differentiate between everyday collaboration (like regular communications and building relationships with stakeholders) and true ECCR.
- Create a glossary of definitions and language to define the sections in the annual reporting template. Some agencies have experienced confusion over what falls under the umbrella of environmental, or had difficulty helping staff understand what is really meant by “third-party neutral.”
- Consider deleting Question 6 “Priority Uses of ECCR” as some agencies repeat the same answers because their ECCR programs cover all of their mission areas rather than target certain areas.
- Produce a section that highlights innovative process design or technological break throughs in ECCR.
- Create a section that can show details of an ECCR case such as cost break downs and who the third party neutral was for that specific case.
- Design a question that encourages agencies to share their processes and techniques for gathering information on ECCR cases within their agency.
- Consider deleting Question 7 “Non-Third Party Cases” and replacing it with a question that highlights a non-assisted case.

Next Steps

The U.S. Institute is putting together a small group that will work on changes to the template. The following have responded to joining the work group:

1. Steve Miller, DOE
2. Sarah Palmer, DOI

3. Jake Strickler, EPA

Please let Courtney Owen, owen@udall.gov, know if you would like to be on the work group call by **COB November 2, 2018**.

The template will **NOT** change for reporting for FY18 as this is a tight turnaround.

Next Forum Meeting

CEQ and the U.S. Institute will identify a date for the next forum meeting. Forum Members will receive a calendar invite.

Attachments

Attachment 1: Attendees

Name	Agency
Ashley Goldhor-Wilcox	U.S. Forest Service
Brian Manwaring	U.S. Institute for Environmental Conflict Resolution
Chris Gamache	Office of Management and Budget
Courtney Owen	U.S. Institute for Environmental Conflict Resolution
Crorey Lawton	U.S. Army Corps of Engineers
David Cohen	Department of Transportation
Frank M. Sptel	National Oceanic and Atmospheric Administration
Fred Clark	U.S. Forest Service
Gerry Solomon	Department of Transportation
Hal Cardwell	U.S. Army Corps of Engineers
Jacob Strickler	Environmental Protection Agency
Karen White	National Guard Bureau
Krystyna Bednarczyk	Department of Transportation
Kyle Sullivan	Bureau of Land Management
Marci DuPraw	U.S. Institute for Environmental Conflict Resolution
Melissa Leibman	Department of Justice
Pat Collins	U.S. Air Force
Stephanie Kavanaugh	U.S. Institute for Environmental Conflict Resolution
Steven Miller	Department of Energy
Ted Boling	Council on Environmental Quality
Tyson Vaughan	U.S. Army Corps of Engineers
Viktoria Seale	Council on Environmental Quality
William Bresnick	Department of Homeland Security
William Hall	Department of Interior