

Quarterly ECR Forum
Council on Environmental Quality
722 Jackson Place, NW
July 9, 2008

DRAFT

MEETING SUMMARY

Participants

Ally Adams-Alwine, Federal Energy Regulatory Commission
Leila Afzal, National Oceanic and Atmospheric Administration
Eric Brinkert, Federal Energy Regulatory Commission
Pat Collins, U.S. Department of the Air Force
John Dietrich, U.S. Department of Navy
Kirk Emerson, U.S. Institute for Environmental Conflict Resolution
David Emmerson, U.S. Department of the Interior
Megan Gemunder, U.S. Department of Homeland Security
Elena Gonzalez, U.S. Department of the Interior
Horst Greczmiel, Council on Environmental Quality
Will Hall, U.S. Environmental Protection Agency
Paul Hoffman, U.S. Department of the Interior
Liv LiaBraaten, Council on Environmental Quality
Mark Lindsey, U.S. Department of Transportation
Myrna Lopez, Army Corps of Engineers
Steven Miller, U.S. Department of Energy
Patricia Orr, U.S. Institute for Environmental Conflict Resolution
Deborah Osborne, Federal Energy Regulatory Commission
Jim Payne, U.S. Department of Justice
Ruth Rentch, Federal Highway Administration
Helen Serassio, U.S. Department of Transportation
Shayla Simmons, U.S. Department of the Interior
Martha Twarkins, USDA Forest Service
Ellen Wheeler, Morris K. Udall Foundation and U.S. Institute for ECR

Welcome - Kirk Emerson, Director, US Institute for Environmental Conflict Resolution

Kirk Emerson and Horst Greczmiel, Associate Director for NEPA Oversight, CEQ, welcomed the group and introductions were made and the agenda reviewed.

On Strategy for Future of Policy

Kirk asked Horst to lead this discussion. Horst requested feedback from agencies on moving forward and any revisions to the policy they would like to see in the future. He sees CEQ's continuing interest since the ECR policy brings together NEPA and collaboration and the senior leadership objectives. Suggestions on what should get more

or less emphasis in the policy should be forwarded to Horst within the next two weeks. Horst will be having a later discussion with OMB and CEQ Chairman James Connaughton about this.

The idea of turning the memo into an executive order was discussed. There was general agreement that the timing for this was not right but perhaps it is something to consider with the new administration.

The status of the memo is that it is in place until it is changed explicitly by the new administration.

On the 2007 Report and Reporting

Dave Emmerson was recognized for his hard work on the report and his excellent presentation at the ECR Forum in Tucson in May.

The group discussed the potential duplication of cases counted by agencies and by DOJ or the U.S. Institute. Kirk suggested the U.S. Institute and DOJ get ahead of the reporting deadlines and share with each agency those cases they would be reporting on, so that the agencies could include them as well in their numbers. Jim Payne will discuss this back at DOJ and see what would be possible.

There was also discussion of whether to include the DOJ court ordered mediations and settlements mediated by magistrate judges. These are not currently in the DOJ annual reporting. DOJ also noted that 40% of its ADR funds are being used on ENR cases. That appears to be an increase relative to past years' allocations.

Comments on the report are due back to Dave Emmerson and Patricia Orr by Friday July 25.

On FY 2008 Report Template

Patricia Orr summarized agency feedback on how to improve future reporting as captured via question 10 of the FY 2007 agency reports. Generally, the group agreed that it is beneficial to keep the template consistent over time to facilitate year-to-year comparisons. Minor revisions were discussed including improving the nomenclature around projects initiated by agencies and the format of agency ECR case examples.

The group agreed that the revised template would stay in effect for FY 2008. Any further suggested revisions for the template are due by Friday July 11, for turn around by CEQ the following week to enable agencies to proceed with their data collection process for FY 2008.

Announcements

Ellen Wheeler, Executive Director of the Morris K. Udall Foundation, was introduced to the group. Ellen underscored the importance of the ECR Policy memo and said that she was attending the forum to ensure a smooth transition as Kirk Emerson leaves her position with the U.S. Institute. Ellen said she and Patricia Orr will work together to continue the Institute's support of Policy memo implementation and the quarterly forums.

Appreciation

Kirk Emerson was recognized for her service on behalf of the ECR memo, as she steps down from her position at the U.S. Institute and as convener of the forum meetings.

Next Meeting

The next Quarterly ECR Forum will be held on Wednesday October 15, 2008.