

Environmental Collaboration and Conflict Resolution (ECCR) in the Federal Government Fiscal Year 2022 Agency Reporting Template

Background

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, and defines ECCR 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.”

The 2012 memorandum requires annual reporting by Federal Departments and Agencies to OMB and CEQ on their use of Environmental Collaboration and Conflict Resolution and on the estimated cost savings and benefits realized through third-party assisted negotiation, mediation or other processes designed to help parties achieve agreement. The memo also encourages departments and agencies to work toward systematic collection of relevant information that can be useful in on-going information exchange across departments and agencies

The Udall Foundation's National Center for Environmental Conflict Resolution (National Center) has, since 2005, collected select ECCR data on behalf of Federal Departments and Agencies. *Beginning in FY 2021, the National Center is streamlining the data it collects to reduce the reporting burden on Federal Departments and Agencies and provide the most salient information on ECCR use. This updated reporting template is focused collection of ECCR case studies and data on capacity building, including ECCR training. Case numbers and context reporting are optional.*

Fiscal Year 2022 Data Collection

This annual reporting template is provided in accordance with the memo for activities in FY 2022.

The report deadline is Friday, January 27th, 2023.

Reports should be submitted to Steph Kavanaugh, NCECR Deputy Director, via e-mail at kavanaugh@udall.gov

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 a compilation of all FY 2022 ECCR reports submitted. You may be contacted for the purpose of clarifying information in your report.

For your reference, synthesis reports from past fiscal years are available at <https://www.udall.gov/OurPrograms/Institute/ECRReport.aspx>.

1. Agency Submission Information

Name of Department/Agency responding:

The Department of the Interior

Name and Title/Position of person responding:	<u>William Hall, Director</u>
Division/Office of person responding:	<u>Office of Collaborative Action and Dispute Resolution (CADR)</u>
Contact information (phone/email):	(703) 235-3791 william_e_hall@ios.doi.gov
Date this report is being submitted:	<u>January 27, 2023</u>
Name of ECCR Forum Representative	<u>William Hall</u>

2. ECCR Capacity Building and Investment:

Describe any **NEW, CHANGED, or ACTIVELY ONGOING** steps taken by your department or agency to build programmatic and institutional capacity for environmental collaboration and conflict resolution in FY 2022, including progress made since FY 2022.

Please also include any efforts to establish routine procedures for considering ECCR in specific situations or categories of cases, including any efforts to provide institutional support for non-assisted collaboration efforts.

Please refer to the mechanisms and strategies presented in Section 5 and attachment C of the [OMB-CEQ ECCR Policy Memo](#) for additional guidance on what to include here. Examples include but are not restricted to efforts to:

- Integrate ECCR objectives into agency mission statements, Government Performance and Results Act goals, and strategic planning;
 - Assure that your agency’s infrastructure supports ECCR;
 - Invest in support, programs, or trainings; and focus on accountable performance and achievement.
 - ECCR programmatic FTEs
 - Dedicated ECCR budgets
 - Funds spent on contracts to support ECCR cases and programs
- a) Please refer to your agency’s FY 2021 report to only include new, changed or actively ongoing ECCR investments or capacity building. **If none, leave this section blank.**

The Department of the Interior (DOI) continues to provide programmatic/institutional capacity to encourage the broadest possible appropriate and effective use of ECCR processes. Within DOI the directives in the OBM/CEQ Memorandum on ECCR are operationalized through the following structures:

- The Office of Collaborative Action and Dispute Resolution (CADR) in the Office of the Secretary, serves as an independent, impartial source of collaborative problem solving and alternative dispute resolution (ADR) expertise and services. Established in 2001, CADR supports all Bureaus and Offices for both ECCR and workplace matters. CADR oversees implementation of the Administrative Dispute Resolution Act of 1996, other relevant laws, regulations, directives and guidance, and the Department’s policy on the use of collaborative processes and problem-solving, ADR, ECCR, consensus-building, and related training. CADR provides Departmental decision-makers with analysis and advice about when to use ECCR and

how the Department can effectively engage its stakeholders. Moreover, CADR is strategically positioned within the Department to help address inter-Bureau natural resource, cultural resource, and land management issues, as well as to assist individual Bureaus and Offices in reaching unified decisions.

- The Bureau of Land Management (BLM) CADR Program resides within the BLM Headquarters Office of Resources and Planning Directorate; Division of Decision Support, Planning and NEPA. Established in 1997 as the Natural Resource Alternative Dispute Resolution program, BLM CADR provides leadership, guidance, and assistance in collaborative implementation of the BLM’s mission “to sustain the health, diversity, and productivity of America’s public lands for the use and enjoyment of present and future generations.”

Collectively, there are 14 FTEs in DOI (Office of the Secretary and BLM) supporting ECCR services and programs, and internal collaboration and conflict management activities that build capacity for employees’ engagement with the public. Collateral duty Bureau Dispute Resolution Specialists (BDRS) carry out ECCR-related responsibilities in many of the other DOI Bureaus, such as the Bureau of Reclamation, Fish and Wildlife Service, National Park Service, and an additional 23 collateral duty BLM-CADR coordinators work in the BLM State or center offices to provide ECCR support, guidance, and capacity building to BLM employees and stakeholders in the field and district offices.

Programmatic Support

In FY 2022, CADR continued its work supporting an ECCR community of practice with representatives from Bureau of Land Management (BLM), Bureau of Ocean Energy Management (BOEM), Bureau of Reclamation (REC), Fish and Wildlife Service (FWS), National Park Service (NPS), and United States Geological Survey (USGS). This group collaboratively developed and hosted a webinar to orient other DOI employees about the use of ECCR in general and in various bureaus.

CADR staff, BDRSs, and BLM-CADR work collectively to support Bureau and Office missions at all levels through education about using ECCR so that DOI’s employees can:

- Recognize and manage conflict early,
- Identify opportunities and access resources and assistance to engage interested stakeholders in non-adversarial problem-solving processes to produce durable policies, decisions and solutions, and
- Utilize conflict resolution tools whenever possible to achieve goals without unnecessary delays and costs.

Since March 2020 much of the internal and external work for the Department has been virtual or hybrid because of changed work practices during the Coronavirus pandemic. As a result of the shift to virtual and hybrid meetings, DOI bureaus now routinely engage external stakeholders through online platforms.

Additional examples of coordinated programmatic capacity-building efforts during FY 2022 included:

- Consultation, training, and support internally and with external stakeholders to constructively and authentically hold space for dialogues related to systemic injustices and increasing equity;

- Consultation services to individuals, offices, teams, and Bureaus on appropriate use of ECCR by assessing the prospects for collaboration, and, when appropriate, designing and facilitating ECCR processes that are responsive to party needs and mutual interests;
- Education and support of DOI managers on when and how to work with a third-party neutral, and education and support of external third-party neutrals about DOI and its Bureau organizational structures, culture, and coordination needs;
- Providing leadership education and training as well as basic public participation, collaboration, conflict management, ECCR, and negotiation skills training for managers and employees throughout DOI;
- Assisting parties within and external to DOI in identifying and acquiring timely, skilled third-party neutral services acceptable to all parties; and
- Managing an internal facilitation roster that supports ECCR and other ADR efforts.

CADR staff members regularly represent DOI on several interagency groups and participated in a variety of interagency efforts to build common understanding and jointly advance collaboration and ECCR. Examples include the ECCR forum led by OMB/CEQ and the Interagency ADR Working Group.

The DOI Office of Collaborative Action and Dispute Resolution (CADR) held a virtual workshop April 19-21, 2022 called, *Building Our Collaboration and Conflict Management Culture for External Engagement: Dialogue and Networking for DOI and US Forest Service Professionals*.

The purpose of the workshop was to: 1) Continue on the road to building a culture of collaboration and inclusiveness so that we serve the American public with trust, integrity and transparency in our decision-making; 2) Promote the use of ECCR tools and techniques, like interest-based negotiations; 3) Discuss and work through challenges and issues through a collaboration technique called [Liberating Structures](#); 4) Introduce and invite DOI/FS employees to join the ECCR Community of Practice and Network to continue connection, learning and growing together after the workshop.

The [FY 2022 programmatic approaches to ECCR](#) among the DOI Bureaus/Offices included:

The Assistant Secretary-Indian Affairs, including the Bureau of Indian Affairs and Bureau of Indian Education, through its Office of Regulatory Affairs and Collaborative Action (RACA) engaged the CADR Office to advise parties utilizing negotiated rulemaking, as well as other parties requiring mediation services.

BLM CADR Coordinators reviewed the Program operations and created a list of goals. Below items were goals accomplished in FY 2022.

Coordinators identified a lack of readily available Environmental Justice (EJ) and Tribal resources. Through BLM CADR outreach to the BLM National Tribal Liaison and the EJ Program lead, [tools and guidance were updated on internal and external sites](#), and a focus was added to formally consider these communities in every ECCR action.

In addition, there was consensus among BLM CADR Coordinators for greater interagency collaboration and coordination. In fiscal year 2023 BLM CADR will establish an Interagency (across all federal agencies) Collaboratives Community of Practice. The BLM will host the first year and make the opportunity available to any participant's leadership for following years. The invitation to participate will be circulated through the ECCR CoP and the Partnerships and Community Collaboration Academy, as well as training facilities such as the Cispus Institute.

BLM CADR Programmatic highlights from FY 2022 include:

- To build internal BLM capacity, two Interagency agreements (IAA) were established in late 2021, with the USFWS National Conservation Training Center and the John S. McCain III National Center for Environmental Conflict Resolution (National Center). Through the IAA's BLM CADR underwrites tuition for any BLM employee interested in developing their ECCR skills through attendance in courses offered by those institutions. New relationships are being established with academic institutions to support ECCR capacity building among BLM employees, and to create natural resource internship opportunities directly from institutions. In FY 2022 BLM CADR established relations with the Wallace Stegner Center, Quinney College of Law, and the Warner College of Natural Resources at Colorado State University. Since the BLM CADR capacity building program began sixteen BLM employees have taken advantage of the trainings and three are presently eligible for their National Center Certificate in ECCR, one participant is completing training from the Wallace Stegner Center, Quinney College of Law.
- The BLM National Training Center added six annual classes focused on ECCR skills, featuring collaboration and negotiation competencies, and in collaboration with DOI CADR, access to and coproduction of three facilitation courses.
- BLM CADR offerings, including facilitation, have gained greater focus in coordinated leadership training courses offered, in existing programs such as Pathways, Emerging Leaders, Leadership Academy, and the Line Officers Academy.
- Awareness of the BLM CADR program has advanced to the degree that there is now heightened competition for funding and for third-party practitioners. State Directors are beginning to direct their planners to work through BLM CADR and new bureau cultural norms are developing that include BLM CADR in preparation for large planning efforts.
- BLM CADR proposed, and DOI CADR agreed, to jointly explore the possibility of a creating an ECCR training certificate. BLM CADR will research and create a list of competencies important to an ECCR practitioner and user and then identify existing courses and perhaps develop new ones to build those competencies for federal land management employees.
- In April 2022, BLM CADR partnered with DOI CADR, FWS, and NPS on the DOI 20th Anniversary three-day Workshop for ECCR, drawing over 140 professionals from numerous agencies to share accomplishments, hear from leadership on the value of ECCR, and strategize together on next steps for future readiness.
- In April, National Autism Awareness Month, BLM CADR partnered with the BLM Diversity and Inclusion Program and USGS Office of Diversity and Equal Opportunity and DOI Connections Mag, to present Temple Grandin: Unique Minds Can Contribute Greatly. This presentation to over 700 DOI employees is now available on the BLM National Training Center external website.
- In support of fostering accountability and leadership awareness, all BLM CADR projects utilizing the DOI CADR ECCR IDIQ are now visible on a spreadsheet on the BLM CADR SharePoint site; making the site a critical information sharing hub for BLM.
- There are two BLM FTEs dedicated to ECCR programming.

The **Bureau of Ocean Energy Management (BOEM)** uses ECCR to help the Bureau fulfill its mission. The Marine Minerals Program (MMP) relies heavily on the CADR's contract for ECCR services to secure third-party neutrals in support of outreach meetings with Federal, State, Tribes, and local stakeholders concerning regional offshore sand management for coastal restoration projects. The

BOEM Pacific, Atlantic and Gulf of Mexico Regions and Headquarters utilize CADR staff and contracted neutrals from the CADR ECCR contract to facilitate Tribal consultation, stakeholder outreach, and taskforce meetings.

By their nature, the **Bureau of Reclamation's** water and power activities are complex, multi-purpose projects that can be the focus of conflict among various stakeholders with often divergent objectives. As such, collaboration is a cornerstone of Reclamation's mission and operating principles and continues to be integrated into the way they do business. Reclamation has integrated ECCR as an ongoing effort into the following:

1. Project Operations – aiding in decision making related to water and power releases and operations and maintenance. Examples include the Glen Canyon Adaptive Management Work Group, which guides the operations of Glen Canyon Dam; operations of the Central Valley Project, in coordination with the State Water Project in California; implementation of the San Joaquin River Restoration Program (SJRRP); and the Lewiston Orchards Project in Idaho.
2. Regulatory Compliance - such as the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA), and the Endangered Species Act (ESA). Project examples include development of a Programmatic Agreement for the Navajo-Gallup Water Supply Project (NGWSP); the Middle Rio Grande Endangered Species Collaborative Program; the operation of the Central Valley Project in California; and the Klamath Project Endangered Species Act (ESA) Consultation in CA and OR.
3. Value Engineering Program - Because of its technical expertise, Reclamation's Value Program managers facilitate collaborative efforts to review technical designs with an eye toward improving the cost effectiveness of engineering or technical solutions to water and power management issues. As a result, the Program improves the effectiveness and efficiency of a proposed water and/or hydropower project –for contractors, customers, and taxpayers. The program also encourages “outside of the box” thinking to identify design alternatives that may meet project requirements but may not have been explored previously. The process can assist in consensus building – allowing Project Stakeholders and Reclamation to collaboratively discuss alternatives that either side may otherwise resist to reach a consensus solution.
4. Indian Water Rights –Reclamation uses a facilitated process to avoid litigation and rapidly resolve Indian water rights claims.

Reclamation promotes collaboration at the local watershed level through its WaterSMART Cooperative Watershed Management Program. This collaborative program encourages watershed groups to engage diverse stakeholders to develop local solutions for their water management needs. The program provides competitive grant funding in two areas:

1. For watershed management group development, watershed restoration planning and watershed management project design, and
2. For cost-shared financial assistance to watershed management groups to implement on-the-ground watershed management projects.

The funding provided through the Cooperative Watershed Management Program helps local stakeholders develop local solutions that will improve water reliability while reducing conflict, addressing complex water issues, and stretching limited water supplies.

The **U.S. Fish and Wildlife Service Human Dimensions Branch (FWS-HD)** serves a unique role in assisting FWS units and teams with stakeholder engagement. The Human Dimensions Branch

examines the complex relationships between people and the wildlife and habitats the FWS Refuge System protects. This enables decision-makers to consider social systems in conservation planning, design and implementation. Both biological and social sciences should inform landscape-scale management of wildlife and their habitats. Building a connected conservation community ensures continued protection of wildlife resources for the American people. The U.S. Fish and Wildlife Service Human Dimensions Resource Portal is a place to put Human Dimensions tools into the hands of practitioners by centralizing resources, promoting shared learning, fostering cross-agency collaboration, and creating a community of practice.

The **National Park Service** manages a number of programs that help organizations and people at local, state, regional, and national levels to carry out a wide range of conservation and recreation activities that fulfill natural and cultural resource preservation and enjoyment purposes. Some examples of such programs that make use of ECCR include:

The **Conservation and Outdoor Recreation Division** has four collaborative programs – Rivers, Trails, and Conservation Assistance Program (RTCA), National Trails System, National Wild and Scenic Rivers Program (WSR), and Hydropower Recreation Assistance Program.

- The RTCA coordinates five communities of practice to help employees interested in recreation, conservation, and community collaboration connect virtually and share lessons learned.
- The Conservation and Outdoor Recreation Division supported the DOI Urban initiative and the Urban Waters Federal partnership-- an innovative collaboration between Federal agencies and partnerships with communities who are revitalizing rivers and watersheds.

The **Cultural Resources Stewardship, Partnerships, and Science Directorate** provides leadership for the protection and interpretation of the nation's heritage, guides a national historic preservation program that embraces national parks and heritage resources, engages everyone with the places and stories that make up their national identity, and serves as a model for the stewardship of cultural resources throughout the world. This program's work in historic preservation and engaging the public in sharing the stories of Park sites is another aspect of NPS's robust use of collaboration.

The **Office of Partnerships, Community Engagement, and Visitor Experience** collaborates with partners and local leaders including communities, local governments, nonprofits, interpreters and educators, and volunteers. The Office supports communities by providing assistance to enhance access to parks, trails, and rivers, and offers facilitation and partnership expertise and support to insure our Nation's diverse heritage and historic treasures.

The **Natural Resource Stewardship and Science Directorate** (NRSS) provides scientific, technical, and administrative support to national parks for the management of natural resources. NRSS develops, utilizes, and distributes the tools of natural and social science to help the NPS fulfill its core mission: the protection of park resources and values. NRSS provides leadership and expertise to ensure understanding, awareness, representation, and stewardship of the natural resources of the NPS so that they remain unimpaired for future generations. Programs under NRSS include Night Skies and Natural Sounds, which is responsible for air tour operator management plans in National Parks.

Another element in NRSS is the cooperative conservation work executed through the Cooperative Ecosystem Studies Units (CESU) Network a national consortium of Federal agencies, Tribes, academic institutions, State and local governments, nongovernmental conservation organizations,

and other partners working together to support informed public trust resource stewardship. The CESU Network is a key partner with the **BIA, BLM, BOEM, FWS, NPS, Reclamation and USGS.** and includes more than **490 non-Federal partners** and **17 Federal agencies** across **seventeen CESUs** representing biogeographic regions encompassing all 50 States and U.S. territories.

The CESU Network is well positioned as a platform to support research, technical assistance, education and capacity building that is responsive to long-standing and contemporary science and resource management priorities. The seventeen CESUs bring together scientists, resource managers, students, and other conservation professionals, drawing upon expertise from across the biological, physical, social, cultural, and engineering disciplines (from Anthropology to Zoology) to conduct collaborative and interdisciplinary applied projects that address natural and cultural heritage resource issues at multiple scales and in an ecosystem context. Each CESU is structured as a working collaborative with participation from numerous Federal and non-Federal institutional partners. CESUs are based at host universities and focused on a particular biogeographic region of the country.

In FY 2022, **the Office of Hearings and Appeals (OHA)** Interior Board of Land Appeals (IBLA) coordinated with CADR and BLM to discuss invigorating ADR for IBLA appeals. The Board is focusing on developing educational materials about ADR as an option. Docketing Notices now include a paragraph encouraging parties to consider settlement and informs them of ADR options. The Board’s website now includes an FAQ, “Can I Settle My Appeal after Filing It or Request Alternative Dispute Resolution to Assist with Settlement Discussions?” The FAQ encourages parties to consider settlement and provides more process information and contact information for persons on the Board or in the CADR Office who may provide additional information.

The Board is also reviewing cases as they come in and assessing whether they might benefit from ADR or settlement discussions. If so, the Board will issue an order directing the parties to confer and report back jointly on whether they believe settlement is achievable. The language used will differ depending on the type of case.

The Board has named one of its staff attorneys as the ADR Coordinator for the Board who is available to answer questions and explain available assistance to the parties.

- b. Please describe the trainings given in your department/agency in FY 2022. Please include a list of the trainings, if possible. If known, please provide the course names and total number of people trained. Please refer to your agency’s FY 2021 report to include **ONLY** trainings given in FY 2022. **If none, leave this section blank.**

Training is a cornerstone of DOI’s effort to build capacity for effective conflict management and collaborative problem solving. DOI is committed to building conflict management skills and collaboration competency to improve internal and external communication, stakeholder engagement in planning and decision-making, collaborative problem-solving and conflict resolution in all areas of the Department’s work. In short, good conflict management in the workplace supports good conflict management with external parties.

During FY 2022, the CADR office and its cadre of in-house trainers delivered its foundational course “Getting to the CORE of Conflict and Communication” to 878 employees from all Bureaus and Offices in eight geographic regions of the U.S. The course, offered in-person pre-pandemic and then virtually, is designed to improve performance in the following key areas:

- Recognizing conflict and its root causes;
- Strategically responding to conflict;

- Efficiently managing and resolving conflict;
- Convening conflict management processes;
- Interest-Based Negotiations; and
- Identifying conflict as an opportunity to create change and build relationships.

CADR team members also delivered a “Dynamic Facilitation Skills” training to 66 employees across the Department. Other offerings in 2022 included a Facilitating Virtual Meetings course reaching 47 participants, an ECCR workshop with 100 attendees, training for the 120 DOI facilitation and mediation roster members, and Future of Work-related offerings that reached 2193 participants. In total DOI CADR training offerings in 2022 reached 4435 participants.

The BLM CADR program offered the following trainings to its employees in FY 2022: Conflict Resolution Skills for Environmental Professionals attended by 56 participants, Developing and Maintaining High Performing Teams attended by 42 participants, Persuasive Speaking on Environmental Risk & High Stakes Topics attended by 20 participants, and Planning Public Engagement & Communicating Science & Policy Training attended by 63 participants.

3. ECCR Case Example

Using the template below, provide a description of an ECCR case (preferably **completed** in FY 2022). If possible, focus on an interagency ECCR case. Please limit the length to **no more than 1 page**.

Name: BLM South Fork of the Walla Walla: Area of Critical Environmental Concern (ACEC) Management Plan Revision Stakeholder Engagement

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.

The South Fork of Walla Walla (SFWW) river and adjacent public lands are an important recreation destination for many in Eastern Oregon and Washington State. The approximately 2,000 acres of public lands provides hiking, biking, and horseback access to many of the trails in the Umatilla National Forest. The area is also the ancestral land and important fisheries habitat of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). The BLM designated the area (approximately 2,000 acres) as an Area of Critical Environmental Concern (ACEC) in 1992, providing management direction for the Relevant and Important Values of the riparian ecosystem, fisheries habitat, and scenic values.

Abutting the boundary of the BLM-administered land are a few private land parcels. These properties were originally purchased in the early 1900s prior to the BLM acquiring the nearby land. There are now summer cabins on these properties with solar panels and propane tanks installed. Historically, a private timber road provided access to the cabins. More recently, primitive roads provided access to these properties. In some areas, the landowners drove directly across the riverbed at multiple locations to access their property.

In February 2020, the area experienced significant regional flooding, which resulted in extensive floodplain erosion as well as landslides within the ACEC. Significant portions of the trail and primitive road are inaccessible for most users. The restricted use has created a significant amount of frustration for the general public and landowners.

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.

In May 2021, the BLM sought assistance from CADR for third-party neutral support to provide communication and coordination with agency partners, interested stakeholders, and the public, and to work towards a long-term solution to the access issue, while balancing the interests of the landowners, protection of the critical habitat, recent restoration efforts, and public use. The third-party neutral conducted interagency meetings with agency representatives to help develop a shared understanding of the current situation, identify and define regulatory authorities, and identify potential funding opportunities. They also conducted two open house-style public meetings which gave the public and the landowners the opportunity to talk to members of the Inter-Disciplinary Team, share their concerns, and provide feedback and comments on how the BLM moves forward with future management of this treasured area.

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.

Engagement meetings were powerful, collaborative, and have led to a better understanding of each parties' goals and concerns. The facilitators' assistance with the logistics in both setting up and facilitating the meetings resulted in much higher quality presentations, a smoother-running flow through the rooms, professional displays with clean impactful messaging really made a difference.

Please share any reflections on the lessons learned from the use of ECCR.

The BLM CADR Coordinator Patricia Johnston has been a huge asset to the BLM for this project. Her experience with the BLM and knowledge of problem solving, and conflict management expertise ensured meetings stayed productive, positive, and solution oriented. The meetings also provided a means for all parties to have a chance to discuss their interests in a non-confrontational way. CADR has provided BLM with a road map for continuing to build robust relationships with its agency partners and interested parties. The assistance was key to making contacts with private landowners to facilitate their understanding of the situation and continue to ask for their participation with the collaborative process.

Project Name: Collaboration Support for Reclamation's Long-Term Operations of the Central Valley Project (CVP) and State Water Project Action

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.

Reclamation required facilitation and collaborative planning and coordination to promote trust and sustainable processes for technical teams engaged in Long-term Operations (LTO) of the Central Valley Project (CVP) and State Water Project. This effort required third-party facilitation to address longstanding diverse viewpoints from local, state, and federal agency and interested parties. These conflicts cover consideration of tradeoffs for endangered species and multimillion dollar agriculture and community decisions. Third-party assistance was necessary to ensure that the Bureau of Reclamation (USBR) engaged each of these elements effectively.

Contracted facilitation services were funded through an interagency agreement with DOI's Office of Collaborative Action and Dispute Resolution (CADR).

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.

Given longstanding positions, CADR provided a neutral facilitator to focus on core issues and not positional statements of local, state, federal agencies and other interested parties. The facilitator helped develop group norms and reviewed those group norms and meeting purpose with meeting participants. The facilitator highlighted action items for individuals, which has helped us to continue to improve our efforts and make progress in these teams. Lastly, they identified the needs of these teams and scheduled meetings, documented and tracked follow-up on action items, and ensured documents are 508 compliant.

As a result, third-party facilitation services helped keep teams in these partnerships on schedule, on budget, and focused on providing products in response to the LTO collaboration and reporting needs.

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.

Outcomes included effective technical dialogue informing multiagency management teams and collaborative information-sharing forums. Through facilitation, Reclamation has been able to add interested parties to the discussion and deepened the conversation on controversial issues. Third-party neutral support has helped Reclamation share information in an open and transparent manner with the public and any interested parties, building trust. While strides have been made, considerable work remains.

Below are some links to deliverables that the facilitator has assisted Reclamation with related to the technical teams and watershed teams over the past few years.

- LTO Seasonal and Annual Reports

[Archive - Annual Plans and Reports | Updates to the Coordinated Long-Term Operation of the CVP and SWP and Related Facilities | BDO | Area Offices | California-Great Basin | Bureau of Reclamation \(usbr.gov\)](#)

- Watershed Tech Teams Pages with meeting summaries

[Water Operations and Watershed Monitoring Technical Teams | Projects, Activities, Documents | BDO | Area Offices | California-Great Basin | Bureau of Reclamation \(usbr.gov\)](#)

Please share any reflections on the lessons learned from the use of ECCR.

ECCR has improved communication and coordination of CVP fish and water management decisions. ECCR has assisted Reclamation in better understanding what types of information our stakeholders are interested in. Neutral third-party facilitation allows for this dialogue to move away from positional statements and move towards true collaboration. Building trust takes substantial dedication and time.

Other ECCR Notable Cases

Briefly describe any other notable ECCR cases in FY 2022. (OPTIONAL)

Bureau of Land Management (BLM)

The BLM Colorado State Office and San Luis Valley Field Office (FO) engaged facilitators to complete a **Situation Assessment** with invites to interview and engage over 40 general stakeholders and 25 Tribes or Pueblos. This work is part of a preplan for a **Resource Management Plan revision**, updated after 30 years. The FO has operated through a Service First agreement with US Forest Service in the lead during that time and is now interested in establishing direct relationships with its communities. This situation assessment provided insights to latest stakeholder and Indigenous perspectives, views, values, concerns, and ideas related to both substantive planning and resource issues in the valley and procedural opportunities, including recommendations for future engagement.

The ID BLM State Office contracted a mediator/facilitator to host the interagency Idaho Master Fire Agreement revision process. Partners included Idaho Department of Lands and the US Forest Service with service to the Bureau of Indian Affairs, US Fish and Wildlife Service and the National Park Service. Participants completed prework to identify concerns and points of importance in order to establish a plan addressing the collective need. An Executive session was held to determine ground rules and terms of engagement. A weeklong face-to-face problem resolution session produced a draft agreement and operating plan guidelines, which the agencies then used to produce final draft documents. All agencies giving consensus to the overall intent has enabled on-the-ground modifications using the developed intent. All agencies continue to pursue adoption of the identified drafts, with completion anticipated in March 2023.

The MT BLM Missoula Field Office (FO) contracted facilitators **to conduct a Situation Assessment/Listening Sessions to help inform a travel and recreation management effort.** The FO has been working with the facilitation team in 2022 on preplanning and interview development to host listening sessions in February 2023, and then two open houses in April 2023.

The ID BLM Shoshone Field Office (FO) contracted third-party neutrals **to engage members of the Japanese American communities in a situation assessment** that included recommendations for continued coordination. The FO coordinated with the BLM CADR and the contracted neutral to interview members of the Japanese American communities that have a connection the Minidoka National Historic Site to better understand how the BLM can engage with them and what information is important for them to effectively participate in the decision process for the Lava Ridge Wind Project. Thirty individuals representing multiple interested groups were interviewed and contributed to the information used to prepare the Situation Assessment. The BLM is using the Situation Assessment to inform their public engagement opportunities and to better understand perspectives of Japanese American communities.

The OR BLM Ashland Field Office and Klamath Falls Field Office, and the CA Redding Field Office are conducting a **Situation Assessment** to help inform their **Cascade-Siskiyou National Monument Resource Management Plan (RMP) Revision effort.** The FOs engaged the assistance of a third-party neutral to conduct interviews with up to 150 key interested and potentially affected parties. Interviews in

December 2022 and will continue as part of pre-scoping activities until March 2023. The contracted neutrals will prepare a situation assessment report, which will help the BLM develop their public participation plan for the RMP.

The National Wild Horse and Burro Program recruited an in-house neutral to **Manage Public Meetings**. The Program utilized the professional facilitation and note taking services of an external neutral to facilitate several public meetings throughout the year, including three **Adoption Incentive Program** listening sessions, **one Motorized Vehicle Hearing** virtual meeting, and one **National Wild Horse and Burro Advisory Board** hybrid (virtual and in person) meeting.

The OR BLM Siuslaw Field Office (FO) is preparing an Environmental Impact Statement (EIS) to examine proposals to improve the **safety of Hult Reservoir and Dam**. The FO engaged the assistance of a third-party neutral in 2017 to conduct a situation assessment and public involvement design in conjunction with NEPA planning process. In 2021 the BLM re-initiated the EIS and re-engaged the contracted neutral to manage the public involvement for the project. Since 2021, the neutral has developed a communications and public outreach plan, planned and facilitated two (2) public meetings, developed consistent messaging for stakeholder responses and quarterly project communications, developed graphics and communication materials, facilitated dialogue between the project team and key stakeholders and Tribes, and has supported additional project outreach needs in coordination with the Public Affairs Officer and project team.

The CA BLM Bishop Field Office conducted in person pop-up meetings in the **Alabama Hills National Scenic Area** and a series of virtual meetings called "Hills Happenings" with the assistance of third-party neutral professionals. The goal of these meetings was to educate the public, partners, and community members about **major changes in recreation** resulting from a new management plan. Visitor response to the changes in recreation has been positive overall. The meetings and professional materials developed helped pave the way for these positive experiences and prevented conflict in the communities and with visitors.

NV BLM Ely District, Bristlecone Field Office, approved the **Multipurpose Sagebrush Discovery Trail and Travel & Transportation Management Plan** on September 20, 2022. A professional facilitator supported by BLM CADR assisted with public engagement for a trail development project in rural eastern Nevada at Baker, White Pine County. During the project, the facilitator led the virtual public scoping meeting and a field tour with the interdisciplinary team and cooperators/stakeholders of the project, with attention to different transport modes amongst the trail users, such as walkers, equestrians, and ATV riders.

BLM Headquarters launched and completed the **Honoring Chaco Initiative, Phase I**, engaging third-party neutral facilitators to design and conduct a **Situation Assessment, collaborative designing for group process and follow-up meeting** with Tribal Governments, Tribal non-profits, and the All-Pueblo Council of Governors to determine themes of action on the Greater Chaco Landscape relating to restoration of economic, spiritual, and physical dynamics.

The CA BLM Desert District has engaged third-party neutrals to design, engage, and facilitate coordination and planning for **four pre-scoping public meetings** in early 2023 to inform its **Sand to Snow Monument Management Plan** effort.

The Southeastern States District Office of the BLM worked with third-party neutrals to conduct outreach, data analysis, and develop a decision support tool to resolve potential unauthorized uses of federal land (PUUFL) identified on Alabama's Fort Morgan Peninsula. Tribal nations, federal, state, and local organizations were interviewed as part of the design process of the decision support tool.

The BLM Ukiah Field Office worked with third-party neutrals to support public outreach efforts for the South Cow Mountain OHV Management Area Implementation Plan. This outreach effort included interviews with 18 stakeholders and an assessment of interests, priorities, and concerns as well as a virtual mapping exercise. The BLM also convened a virtual public engagement workshop to collect additional pre-scoping feedback.

With BLM in-house facilitators, BLM Dillon Field Office (FO) has conducted extensive collaboration with the Southwest Montana Sagebrush Partnership (SMSP). The Dillon FO has conducted scoping, planning, joint projects, monitoring, and tours with SMSP. The SMSP includes: Natural Resources Conservation Service (NRCS), US Forest Service, US Fish and Wildlife Service (FWS) - Partners Program, The Nature Conservancy, Beaverhead Conservation District, Ruby Valley Conservation District, Big Hole Watershed Committee, MT Department of Natural Resource Conservation, MT Fish, Wildlife & Parks, Mule Deer Foundation, BLM, and private landowners. This group is a "collaborative partnership" intended to increase capacity of completing work on the ground.

CA, NV, and OR BLM are part of a collaborative led by FWS, facilitated by BLM and working on the Lahontan Cutthroat Trout (LCT) Recovery Stakeholder Engagement. In December, FWS will be releasing findings of five-year status review and recommendation to up list, down list or maintain status quo. Facilitators will design & facilitate series of meetings for various levels of Interagency LCT Governance Structure (MOG, CC, GMU teams) to assist in transition from planning to implementation of recovery efforts following 5-year status review.

BLM facilitators supported the Deeth BLM Grazing Allotment Working Group: The Deeth BLM Grazing Allotment Working group focused on important LCT-occupied systems in Northern Humboldt LCT management unit (Wells FO). The Wells FO is one of eight BLM allotments covered under Programmatic Biological Opinion (BO) for LCT and the first grazing term permit renewal (TPR) to be completed. There is a history of interagency and stakeholder conflict due to degraded riparian/LCT habitat over past decades. The facilitator designed & facilitated pre-, during-, and post-season work group (BLM, FWS, Nevada Department of Wildlife, the University of Nevada Reno, USGS, and permittees) meetings to experiment with grazing management/monitoring strategies that work for permittees and result in riparian and LCT recovery.

A neutral BLM facilitator designed and conducted four 2-day quarterly meetings and a series of virtual and in-person **workshops** to develop a five-year action plan tiered to a recently completed strategic plan for **the Results Oriented Grazing for Ecological Resilience (ROGER) Collaborative Group**: a rancher-led

collaborative group that began in 2016 and is focused on reducing conflict, improving communication/coordination, and incentivizing innovative approaches that provide needed grazing flexibility, adaptability, and accountability to improve rangeland/riparian health and sustain public-land grazing in NV.

A BLM neutral facilitator designed and facilitated meetings to bring BLM funded science teams efforts together for information sharing, discussion, coordination, and co-development of products to assist with BLM (and other agencies) on-the-ground management and monitoring needs. Participants included the ROGER Science Team and the LCT Habitat Core Team. These participants worked on development of Riparian Endangered Species Designation, Short and Long-Term Grazing Indicators for habitat and Threatened and Endangered species management.

Facilitated by BLM neutrals, the NV Shared Stewardship Executive Committee (BLM, USFS, FWS, NRCS, California Department of Natural Resources, and the National Deer Association) selected the town of Paradise as a priority landscape by funding the implementation of **Santa Rosa-Paradise Landscape Shared Stewardship Project**. This project was selected for funding by USFS and NRCS under FY 2022 Joint Chiefs Landscape Restoration Partnership. One of the main objectives of this three-year effort is to conduct an assessment for prioritized streams (across ownerships) within the area to guide future watershed restoration efforts. The process is to design and facilitate **community and stakeholder engagement efforts for training and coaching, joint fact-finding, and development/implementation of riparian management/restoration actions**.

With impartial BLM facilitation, the Federal Fisheries Summit, an interagency workshop (125 people), met to improve management and conservation of aquatic species and their habitats at the landscape scale through cross-boundary federal agency coordination. Objectives include: (1) Increase understanding and awareness of the roles, responsibilities, fisheries related missions, authorities of each federal agency; (2) Establish relationships and networks that foster collaboration; (3) Contribute to developing a shared voice and vision for federal trust fisheries resources; and (4) Initiate a process to develop a shared strategic framework and alignment among federal agencies.

A BLM impartial facilitator conducted meetings for the NV BLM Stillwater FO Geothermal Project Technical Work Group & Management Oversight Group (BLM, FWS, Nevada Department of Wildlife (NDOW), National Academy of Sciences (NAS), and Ormat Geothermal Technologies). The meetings focused on addressing the Administration's priorities while maintaining lentic riparian habitat for Dixie Valley Toad (emergency listed species) and Spring Snails.

Bureau of Ocean Energy Management (BOEM)

Central Atlantic Intergovernmental Renewable Energy Task Force Meeting. BOEM worked with a third-party neutral to host an Inaugural intergovernmental Renewable Energy Central Atlantic Task Force meeting including federal, state, local, and Tribal governments to coordinate offshore wind energy and renewable energy initiatives in the Outer Continental Shelf in the Gulf of Mexico. The meeting served as a forum to provide feedback on the Central Atlantic Draft Call for Information and Nominations area;

discuss stakeholder issues and concerns; exchange data and information about ocean uses, and biological and physical resources; and facilitate an ongoing dialogue.

Central Atlantic Renewables Tribal Engagement Meeting. BOEM worked with a third-party neutral to convene a Tribes-only meeting focused on Tribes with current and/or historic ties to the Central Atlantic region in anticipation of the Central Atlantic Renewable Energy Task Force Meeting.

NY Bight Proposed Sale Notice (PSN) Stakeholder Meetings, Environmental Assessment (EA) Public Meetings, and Final Sale Notice Stakeholder Meeting. BOEM worked with a third-party neutral to host a series of fishery engagement meetings based on gear type on the Proposed Sales Notice for the New York Bight that focused on individual fishing sectors. They then held two public virtual meetings with stakeholders as part of the 30-day public comment period on a draft Environmental Assessment. BOEM held a final stakeholder meeting with members of the fishing industry to explain their decision and provide information about the NY Bight Final Lease Areas, share feedback BOEM received during the planning process, and share new lease stipulations.

Oregon Offshore Wind Energy Task Force. A contracted neutral is working with BOEM to provide facilitation for the Oregon Intergovernmental Renewable Energy Task Force which is made up of local, state, and federal agency representatives who have a role in regulating and developing offshore renewables. The third-party neutral worked with BOEM and Oregon Department of Land Conservation and Development to gather data and create a public engagement plan for offshore wind energy in the State.

US Fish and Wildlife Service (USFWS)

Monarch Summit. U.S. Senator Jeff Merkley, in collaboration with the USFWS and third-party neutrals, convened The Monarch Butterfly Conservation Summit in June 2022. This summit brought together key stakeholders to share information on the current state of the science and barriers to conservation success. It also brought together policymakers and state and federal agencies to plan how to put science into action. Attendees identified 11 recommendations that Senator Jeff Merkley could implement.

National Park Service (NPS)

National Capital Parks-East and Accokeek Foundation. The National Park Service and the Accokeek Foundation worked with a third-party neutral to update their agreement to manage the Piscataway Park-National Colonial Farm. The neutral conducted interviews with participants to better understand the issues and conflicts that would need to be addressed. Following the interviews, the neutral facilitated an agreement seeking process as well as follow-up meetings to resolve outstanding issues.

Media Accessibility Guidelines for the National Park Service. A standing workgroup of Park staff worked with a third-party neutral to update existing accessibility guidelines for National Parks. The work group included exhibit designers, disability specialists, media creators, graphic designers, and others at the National Park Service's Harpers Ferry Center. The third-party neutral planned and facilitated an ongoing

consensus-based process. The third-party neutral also planned and facilitated two virtual town hall meetings to get public input.

US Bureau of Reclamation (USBR)

Glen Canyon Dam Adaptive Management Program (GCDAMP). Reclamation has successfully institutionalized the use of ECCR techniques in this program. The program allows for scientific experimentation that adds to the knowledge base for decision-making on dam operations. The Glen Canyon Dam Adaptive Management Work Group (AMWG) is a Federal Advisory Committee that provides a framework for Glen Canyon Dam Adaptive Management Program policy, goals, direction, and priorities and makes long-term operational recommendations to the Secretary of the Interior (as Water Master of the Colorado River). The AMWG is comprised of power customers, conservationists, recreational interests, states and water customers (such as farmers and cities). It operates by consensus and a third-party facilitator is contracted to support development of consensus recommendations. The collaborative GCDAMP process has become the standard operating procedure for operation and management of the Colorado River and efforts have reduced litigation, even in severe drought conditions.

San Juan-Chama Project/Chama Peak Land Alliance. Reclamation's San Juan-Chama Project transfers a portion of New Mexico's allocation under the Colorado River Compact to the Rio Grande Basin, for use by municipalities, irrigators, and tribes in central New Mexico. Albuquerque Area Office (AAO) staff are working collaboratively with a consortium of Project third-party neutrals to prioritize science needs in the watersheds serving the Project, with the goal of funding high-priority science and engineering activities that increase the resilience of the Project to ever more challenging hydrologic conditions. In addition, Reclamation is in its sixth-year funding Reclamation's only Americorps VISTA volunteer to support the San Juan-Chama Watershed Partnership, an organization that includes local, county, state, tribal, and federal agencies; non-government organizations; and local individuals that come together to support a healthy ecosystem, a vibrant economy, and sustainable communities. As an active member in this Partnership, Reclamation annually collaborates to organize the Rio Chama Congreso, which promotes a common vision across the Rio Chama Basin. Reclamation co-supervises the VISTA volunteer with the Chama Peak Land Alliance, which brings together landowners in the headwaters of the Project to improve the resilience of these landscapes and decrease the potential for catastrophic wildfires and subsequent debris flows, which could threaten both the Project's critical water supply and its infrastructure. This partnership enhances Reclamation's ability to protect its Project investment and support the community.

Identification of San Acacia Reach Options (ISARO). A value planning study was conducted in December of 2021. This study brought the Middle Rio Grande partners together to identify options and an approach to address sediment management. The goals of increasing conveyance, improving ecosystem health and the cost benefit of river maintenance were identified. ISARO transitioned into the Lower San Acacia Reach Improvements (LSARI) effort. The LSARI effort started a feasibility study that is being conducted by Albuquerque and Technical Service Center staff.

Office of the Secretary

California Wildland Fire Coordinating Group Incident Commanders Pre-Session Meeting. The California Wildland Fire Coordinating Group worked with a third-party neutral to design and facilitate a two day in-person workshop with Incident Commanders in advance of the 2022 fire season. The goal of the workshop was to strengthen relationships between Incident Commanders by address past season concerns and challenges, and to provide a framework for addressing anticipated concerns for the upcoming fire season. At the end of the workshop Incident Commanders provided recommendations to the Coordinating Group.

OEPC Facilitation, Engagement, and Training Content Development. The Office of Environmental Policy and Compliance worked with a third-party neutral to increase the capacity of the Department’s Environmental Justice Program through a virtual symposium to increase awareness and engagement in the program.

4. ECCR Case Number & Context Data (OPTIONAL)

Context for ECCR Applications:	Case Numbers
Policy development	_____
Planning	_____
Siting and construction	_____
Rulemaking	_____
License and permit issuance	_____
Compliance and enforcement action	_____
Implementation/monitoring agreements	_____
Other (specify): _____	_____
TOTAL # of CASES	122

Report due Friday, January 27th, 2023. Submit report electronically to: kavanaugh@udall.gov