

# Environmental Collaboration and Conflict Resolution (ECCR) in the Federal Government Fiscal Year 2023 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 2023 Data Collection

This annual reporting template is provided in accordance with the memo for activities in FY 2023.

The report deadline is Friday, January 26<sup>th</sup>, 2024.

Reports should be submitted to Steph Kavanaugh, NCECR Deputy Director, via e-mail at [kavanaugh@udall.gov](mailto: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 2023 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):	<u>202.494.3480</u> <u>william_e_hall@ios.doi.gov</u>
Date this report is being submitted:	<u>January 26, 2024</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 2023, 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 2022 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 (Interior) continues to provide programmatic/institutional capacity to encourage the broadest possible appropriate and effective use of ECCR processes. Within Interior 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 13 FTEs in the 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 Interior 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 2023, CADR continued its work supporting an ECCR community of practice (CoP) 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). The ECCR CoP met monthly to explore various ECCR topics and learn from one another. The CADR Office and the ECCR CoP developed and hosted two educational webinars in FY 2023: "Examining the Power Dynamics and Outcomes of Oregon Forest Collaboratives" and "Collaboration and the Federal Advisory Committee Act." The latter was open to all Interior employees and interested private sector practitioners working under the CADR ECCR IDIQ contract.

CADR staff, BDRSs, and BLM-CADR work collectively to support Bureau and Office missions at all levels through education about using ECCR so that Interior'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.

Additional examples of coordinated programmatic capacity-building efforts during FY 2023 included:

- 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 Interior managers on when and how to work with a third-party neutral, and education and support of external third-party neutrals about Interior 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 Interior;

- Assisting parties within and external to Interior in identifying and acquiring timely, skilled third-party neutral services acceptable to all parties;
- The development of a program through the CADR ECCR IDIQ contract to recruit, train, and employ facilitators from historically under-represented groups in Interior ECCR projects, for the purpose of expanding and diversifying the pool of qualified impartial neutrals in order to better support the range of third-party needs required by Interior bureaus.
- Internal staff training to increase programmatic capacity to offer culturally appropriate conflict resolution options through Indigenous peace-making training for all CADR staff.
- Managing an internal facilitation roster that supports ECCR and other ADR efforts.

CADR staff members regularly represent Interior on several interagency groups and participated in a variety of interagency efforts to build common understanding and jointly advance collaboration and ECCR. For example, in FY 2023 CADR was a part of ongoing interagency efforts to increase the accessibility of ECCR processes, through participation in a joint USACE, Interior, and EPA “Accessibility in ECCR” Working Group. Other examples include participation in the ECCR forum led by OMB/CEQ and the Interagency ADR Working Group.

The FY 2023 programmatic approaches to ECCR among the Interior 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 establish programmatic support for impartial facilitation of Tribal consultation and/or listening sessions regarding updates to regulations impacting Indian country and Native Hawaiians. Additionally, CADR staff periodically advised parties utilizing negotiated rulemaking, in the revision of critical Tribal regulations.

In FY 2023 the **Bureau of Land Management (BLM)** has significantly taken on capacity building and investment in human resources, per the guidance from [OMB/CEQ Memorandum on Environmental Collaboration and Conflict Resolution](#) to seek ways to improve BLM capacity, with the development of two new courses taught by external professionals in the field. First, in response to ongoing demand, the BLM CADR program worked with The University of Utah, S.H. Quinney College of Law to offer their regular six-month ECCR Certification course exclusively to BLM employees. Thirty-three employees are due to be certified in ECCR by February 2024.

The second course was developed for BOEM by CADR ECCR IDIQ Contract practitioners and adapted for BLM as an in-person three-day intensive workshop: Effective Public Engagement and Collaboration. This course is tailored to be specific to the location and context specific natural or cultural resource issues and has been offered in the CO and AK State Offices. There is a resounding appreciation for this training, as it focuses on planning and public affairs, Tribal and partner relationships, and thinking differently about engagement and successful public involvement. The BLM anticipates repeating these courses annually throughout the organization to strengthen their ability to respond to directed changes in resource use and increasing public pressure for access.

Furthermore, BLM CADR has undertaken an analysis of services provided through the CADR ECCR IDIQ contract for the purposes of assessing its overall efficacy and informing future programmatic offerings. Using data gleaned from an analysis of every BLM contract involving a neutral third party, independent review of the study’s data demonstrated that the ECCR IDIQ contract has had significant benefits for the BLM as a whole. The study also represents increased internal agency awareness of the benefits associated with integration of collaboration and ADR and should inform future programmatic

offerings in BLM CADR. Specifically, the more resources made available, the more ECCR work is accomplished, which benefits both agency and invested publics.

In 2023, the **Bureau of Safety and Environmental Enforcement (BSEE)** made a significant commitment to expanding programmatic capacity for ECCR through the development of its strategic plan. BSEE's 2023-2026 Strategic Plan includes a strategic objective to engage people, communities, and organizations with environmental justice concerns to help mitigate impact to communities experiencing environmental inequities. BSEE is employing strategies to ensure the Bureau 1) is knowledgeable about the past and potential impacts experienced by communities with environmental justice concerns from activities on the Outer Continental Shelf; 2) possesses the capacity to regularly engage with communities and monitor and respond to environmental justice concerns; and 3) meaningfully considers environmental justice implications in bureau decisions and enforces compliance measures designed to mitigate those impacts.

In September 2023, BSEE's Director issued an Instructional Memorandum (IM-045 Environmental Justice Implementation) mandating Bureau decision makers increase consideration of environmental justice in program implementation and regional activities as well as advance meaningful engagement and outreach with communities potentially affected by BSEE's actions.

Also significant in FY 2023, BSEE established a National Tribal Engagement Program (NTEP) fully staffed with regional Tribal Liaisons in Alaska, the Pacific, the Gulf of Mexico, and the Eastern Seaboard, a Tribal Coordinator, and a National Tribal Liaison. As part of this new program, BSEE established a Bureau Tribal consultation website to improve communication regarding BSEE's activities. BSEE also issued a Bureau directive (IM-050 Tribal Engagement for Renewable Energy Activities on the Outer Continental Shelf) clarifying roles and responsibilities for the Renewable Energy and Regulatory Compliance Program Director and the Renewable Energy Operations Director regarding Tribal, Native Hawaiian Community, and Alaska Native Claims Settlement Act (ANSCA) Corporation engagement.

The NTEP is currently working on an FY 2024 NTEP Strategic Engagement Plan and will continue to consult with Tribal communities on the impacts of offshore energy activities on Indigenous communities living near and using coastal waters or with interests in submerged ancestral land.

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 IDIQ contract to facilitate Tribal consultation, stakeholder outreach, and taskforce meetings related to renewable energy development. In FY 2023 BOEM Pacific Region personnel participated in a multi-day ECCR focused negotiation training to more effectively engage and collaborate with their stakeholders (as described above).

The **Bureau of Trust Funds Administration (BTFA)** performs trust responsibilities on behalf of the Secretary of the Interior. As a High Impact Service Provider (HISP), BTFA has fiduciary responsibilities including management of the receipt, investment, disbursement, and administration of money held in trust for individual Indians and Alaska Natives (or their heirs), and Indian Tribes generated by the use of tribal lands for activities such as mining, oil and gas extraction, livestock grazing and ensures timely, accurate, and consistent responses to beneficiary inquiries. BTFA provides trust services for Indian trust funds program management; manage beneficiary contact including inquiries and requests regarding their trust assets; provide Individual Indian Money (IIM) account status to IIM account holders; locate

IIM account holders whose whereabouts are currently unknown; and document trust account transaction history and quarterly Statements of Performance (SOP). In 2023 Interior updated regulations under 25 CFR Part 2 that govern administrative appeals of decisions issued by Indian Affairs officials in BTFA and provides mechanisms for appealing decisions by Indian Affairs officials that did not exist previously. The updated language includes the opportunity to use ADR to resolve issues related to Tribal and IIM account holders. The CADR Office is advising BTFA in the development of this program and the ADR process.

By their nature, the **Bureau of Reclamation's** (USBR) water and power activities are complex, multi-purpose projects that can attract 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 the bureau does business. Reclamation has integrated ECCR as an ongoing effort into the following:

- 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 and the Lewiston Orchards Project in Idaho.
- 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 ESA Consultation in CA and OR.
- 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 – either for contractors, customers, or the taxpayers of the United States. 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 also 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.
- Indian Water Rights – Reclamation uses a facilitated process to avoid litigation and rapidly resolve Indian water rights claims. Notably, in FY 2023 a Tribal, federal-state partnership was established in the Colorado River Basin, with 30 Tribes having an equal standing at the table alongside states. This engagement is crucial in formulating new rules for the basin, and recent meetings have proven to be helpful.

Reclamation promotes collaboration at the local watershed level through its collaborative WaterSMART's 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.

In FY 2023, an additional program was developed by FWS that relied heavily on ECCR. Chesapeake Watershed Investments for Landscape Defense (WILD) lays out a vision for collaborative conservation that emphasizes diversity, equity, inclusion, and justice (DEIJ) practices and policies, and well as accessibility. The framework is organized around five focal areas: Fish and Wildlife Habitats, Climate Change, Community Partnership, Public Access, and Water Quality. The Chesapeake WILD Program awarded grants in support of Indigenous Conservation Council capacity building and technical assistance needs and Rappahannock Tribe's 'Return to the River' project through easements and other innovative multi-partner deals to transfer ownership of infrastructure. As Chief Anne Richardson recently said at an event, "Rapp NWR and Rappahannock Tribe are partnering to steward the river and its land as the Eagle flies, not as the boundaries lie."

The **National Park Service** (NPS) 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 and ensure 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.

An important 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 2023, the **Office of Hearings and Appeals (OHA)** through the Interior Board of Indian Appeals (IBIA) assisted in drafting BIA's final 25 C.F.R. Part 2 Regulations ("Subpart I- Alternative Dispute Resolution"), which became effective in September 2023. IBIA also provided feedback to revisions of 43 C.F.R. Part 4 provisions on ADR. When this regulation becomes final, in calendar year 2024, this will be the first time that the Office of Hearings and Appeals will have codified its support for and set the expectation that parties to cases before OHA will use ADR when appropriate.

The Interior Board of Land Appeals (IBLA) completed a document titled IBLA ADR Program Guidance (May 11, 2023) and posted it on SharePoint. The Guidance declares that IBLA is committed to providing parties with the opportunity to resolve appeals through ADR and that IBLA seeks to make ADR easily accessible to parties. The Guidance encourages training of all IBLA staff so they are conversant in the ADR program and explains how IBLA will inform parties of the availability of ADR, order the consideration of ADR for particular appeals, and process appeals that are referred to ADR.

- b. Please describe the trainings given in your department/agency in FY 2023. 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 2022 report to include ONLY trainings given in FY 2023. **If none, leave this section blank.**

Training is a cornerstone of Interior's effort to build capacity for effective conflict management and collaborative problem solving. Interior 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 2023, the **CADR office** and its cadre of in-house trainers delivered its foundational course "Getting to the CORE of Conflict and Communication" to 560 employees from all Bureaus and Offices in eight geographic regions of the U.S. The course 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 317 employees across the Department. Other offerings in FY 2023 included training for the 100 Interior facilitation and mediation roster members, and Future of Work-related offerings that reached 222 participants. In total DOI CADR training offerings in 2023 reached 3499 participants.

The **BLM CADR** program offered the following trainings to its employees in FY 2023: Conflict Resolution Skills for Environmental Professionals attended by 54 participants, Developing and Maintaining High Performing Teams attended by 55 participants, Persuasive Speaking on Environmental Risk & High Stakes Topics attended by 52 participants, and Planning Public Engagement & Communicating Science & Policy Training attended by 25 participants.

Furthermore, the rise of in-person meetings, and the increase in BLM leadership requests for skilled facilitators to support their meetings success, has led to a shortage of internal trained facilitators. An opportunity was created to offer both in-person facilitation training, and to simultaneously train the trainers to use the DOI/BLM CADR Facilitation curriculum. Senior and mid-level facilitators from the CADR ECCR IDIQ contract were engaged to learn and then teach the Dynamic Facilitation Skills course to interagency classes in Utah, California, and Wyoming, and through a virtual course. This effort was a great success in meeting immediate agency needs, and in preparing for a known shortage of facilitation instructors in the next couple of years.

**FWS**, through the Partnership and Community Collaboration Academy, co-hosted two trainings with a significant ECCR component. Four FWS personnel attended Managing by Network (MbN) in FY 2023, and nineteen attended Collaborative Conservation Partnerships in Practice (C2P2). Additionally, Kiandra Rajala (Regional Social Scientist, Midwest Region, Science Applications) joined as a Guest Instructor in both MbN and C2P2 to introduce participants from multiple agencies to Trust Ecology. The addition to the curriculum has been well received in both concept and applied practices by both MBN and C2P2 graduates and is especially helpful in identifying actions that rebuild damaged trust.

### 3. ECCR Case Example

Using the template below, provide a description of an ECCR case (preferably **completed** in FY 2023). If possible, focus on an interagency ECCR case. Please limit the length to **no more than 1 page**.

ECCR processes are known for their ability to support a multitude of economic, relational, and environmental benefits. The examples below illustrate how ECCR was used in Interior to bolster relationships with Tribes, provide significant economic benefits, resolve matters more expediently than litigation, and support environmental goals through leveraging collaborative partnerships.

<b>Project Name: <i>Tribal Roundtable for BSEE's National Tribal Engagement Program</i></b>
<b>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.</b>
<p>The Bureau of Safety and Environmental Enforcement (BSEE) utilized multiple third-party neutrals to support the development of a Tribal Roundtable. The Tribal Roundtable was held to the launch of BSEE's National Tribal Engagement Program (NTEP). NTEP outlines BSEE's policies to fulfill legal obligations in identifying, protecting, and conserving Tribal trust resources, and was created to improve and enhance coordination and consultation with Native Nations and Alaska Native Claims Settlement Act (ANCSA) Corporations. NTEP serves as a testament to BSEE's commitment to the trust relationship BSEE shares with Tribes and Tribal members. The Planning Team held a series of Tribal Roundtable planning meetings, starting on March 3, 2023; the inaugural Tribal Roundtable was held on June 25, 2023; and the Final Report was issued on August 31, 2023. The objective of the roundtable was to:</p> <ul style="list-style-type: none"><li>• Establish relationships that lead to better coordination between Tribes and BSEE</li><li>• Roll out the National Tribal Engagement Program</li><li>• Provide more information on renewable energy, carbon sequestration, and oil spill response plans.</li></ul>
<b>Summarize 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.</b>
<p>The Tribal Roundtable was an opportunity for BSEE to have a facilitated discussion with Tribal Nations, ANCSA Corporations, and the Native Hawaiian Community. The discussion focused on providing an opportunity to discuss BSEE's mission, the new NTEP program, carbon sequestration, renewable energy, and oil spill preparedness. The Roundtable also created a forum to address any concerns or questions the Tribes may have about BSEE's work. Programmatic Support provided through the ECCR process enabled the NTEP to identify opportunities and access resources and assistance to engage interested stakeholders in non-adversarial problem-solving processes to produce durable policies, decisions, and solutions.</p>
<b>Identify the key beneficial outcomes of this process, including references to likely alternative decision-making forums and how the outcomes differed as a result of ECCR.</b>
<p>The conversation made possible through the facilitated Tribal Roundtable made clear the importance of Nation-to-Nation engagement in safeguarding waters that impact Tribal communities, livelihoods, and ancestral claims, and underscored the significance attached to the waters. The primary benefit derived from this ECCR process was the creation of a forum to share information about BSEE and the NTEP with Tribal Nations, ANCSA Corporations, and the Native Hawaiian Community. The Bureau received direct feedback from Tribal Nations on their concerns with BSEE's activities. This knowledge is important for the NTEP as members begin to attend conferences, plan engagement and consultations, and reach out directly to Tribal Nations.</p>

<b>Please share any reflections on the lessons learned from the use of ECCR.</b>
Using an ECCR process to create the NTEP provided an avenue for direct feedback from Tribal nations that would not otherwise exist.

<b>Project Name: <i>FWS Cascades to Coast Landscape Collaborative</i></b>
<b>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.</b>
The Cascades to Coast Landscape Collaborative (CCLC) is a partnership developed to bring people together to practice landscape conservation using spatial mapping. Early on, the collaborative brought in a facilitator to organize the diverse partners into action. Recently, the CCLC has collected habitat connectivity data and developed tools like a Conservation Blueprint and the Conservation Program Explorer tool, which seek to raise awareness of available programs and connect landowners to agencies and organizations that implement programs. CCLC has been working on socializing these resources with partners like the Washington and Oregon Departments of Fish and Wildlife. In FY 2023, the CCLC initiated a new two-year facilitator engagement through the CADR IDIQ contract. The ECCR effort was funded through the FWS Science Applications program; additionally, Washington DNR has dedicated funding to build out the Conservation Program Explorer tool further.
<b>Summarize 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.</b>
By using a facilitator throughout, the CCLC has maintained energy and momentum. For many members, participating in the CCLC is an ad-hoc responsibility. By using a dedicated facilitator to organize partners, members of the CCLC can use their energy to drive forward collaborative priorities. Additionally, by selecting a facilitator with a pre-existing relationship to the area and partners involved, trust was maintained and accelerated. Principles for engagement in ECCR that were used included integrating ECCR objectives into agency strategic planning and spending funds on contracts to support ECCR cases and programs.
<b>Identify the key beneficial outcomes of this process, including references to likely alternative decision-making forums and how the outcomes differed as a result of ECCR.</b>
Key beneficial outcomes of this process include continued momentum and reduced burden on FWS staff and improved conservation delivery, and more partners engaged. For example, a nonprofit, Conservation Northwest, is now funding a feasibility study on wildlife crossings based on spatial models developed through this effort and Washington state is putting together a statewide connectivity action plan, which is derived from habitat connectivity data collected by the collaborative
<b>Please share any reflections on the lessons learned from the use of ECCR.</b>
This collaborative process has highlighted the importance of three lessons. First, collaboration moves at the pace of partners; it is important to reframe expectations on the length of the process when collaboration is a key component. Second, as the partnership expands, the CCLC may need to adapt to different focal areas. Finally, facilitators are invaluable to the collaborative process because they have dedicated capacity to move the work of the group forward.

<b>Project Name: <i>Office of Hearings &amp; Appeals (OHA) Mediation: Petan Company of Nevada, Inc. et al. v. Bureau of Land Management (BLM)</i></b>
---

<b>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.</b>
This matter involved complex grazing appeals that had been pending on the Departmental Cases Hearings Division's (DCHD) docket since April 17, 2015. Consistent with the parties' settlement agreement, in September 2023, the Administrative Law Judge remanded the grazing decision (effective at the conclusion of the 2023 grazing season) so that the BLM could act consistent with the terms of the settlement agreement prior to the start of the 2024 grazing season. Because OHA in-house mediators were utilized, no special funding source was required.
<b>Summarize 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.</b>
Using OHA in-house mediators and virtual technology, this highly complex case, which evaded judicial resolution since 2015, was quickly resolved because the skilled mediators helped the parties find common ground and reach a mutually beneficial outcome.
<b>Identify the key beneficial outcomes of this process, including references to likely alternative decision-making forums and how the outcomes differed as a result of ECCR.</b>
Any final judicial ruling in the matter would likely have been appealed to the Interior Board of Land Appeals (IBLA). Because of the voluminous record and the complexity of the dispute, the IBLA would have spent significant time and effort resolving the appeal. Instead, through mediation, the parties reached a mutually beneficial outcome, and the Department was spared a significant amount of time and work.
<b>Please share any reflections on the lessons learned from the use of ECCR.</b>
Environmental disputes often do not lend themselves to a winner-take-all process like adjudication. This case is a good example of a conflict that evaded judicial resolution for eight years but was resolved through mediation in just a few months.

<b>Project Name: <i>BLM Lahontan Cutthroat Trout Recovery Implementation</i></b>
<b>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.</b>
Recovery of threatened Lahontan cutthroat trout (LCT) has been ongoing since 1970. Today, the species continues to decline across its range due to non-native competition, habitat degradation, and climate change and will likely be up-listed to endangered soon if this trend persists ( <a href="#">FWS status review 2022</a> ). An up-listing decision would create a host of additional social, economic, and ecological challenges for all parties involved. Most recently, the LCT Coordinating Committee (CC), the oversight group chartered to organize interagency collaboration around conservation, developed Updated Goals and Objectives (UGOs) to guide conservation of LCT using the best available science and methods. To address variables in LCT habitat conditions and threats across its historic range, the UGOs divide the range into 10 LCT Management Units (LMUs) to allow for flexibility in planning and to focus conservation efforts. In a move away from the LCT recovery approach in place since the 1990s, the non-prescriptive UGOs provide flexibility and encourage collaboration with local partners to identify where and what recovery actions are best suited to recovering LCT in each management unit. Upon completion of the UGOs in 2019, the FWS contacted DOI CADR for impartial facilitation support. Two BLM CADR in-house facilitators assisted the group: one focused on Governance Structure and the other focused on external partner engagement through 2022. Since 2022, a BLM CADR facilitator has organized the state-wide effort. In addition to covering the salary and travel of the neutrals, the BLM provided funds to the Nevada

Department of Wildlife (NDOW) in 2023 to hire a local, junior level facilitator to assist the LCT recovery effort.

**Summarize 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.**

Various ECCR activities have been employed by the neutrals between 2019-2023, including helping the CC use a 2012 situation assessment of the Humboldt River South Fork subbasin to inform the development of local collaborative Recovery Implementation Teams (RIT) in the design and implementation of a rolling five-year conservation action plan for LCT recovery in the area. In 2023, situation assessment findings informed the reorganization of the existing LCT Governance Structure to reflect the move from planning to implementation of conservation actions. Facilitation was used to help define the governance relationships between the CC, the RITs, and other recovery partners. Third party neutrals facilitated meetings between the various governance groups, Tribes, and recovery partners. Neutrals also oversaw the process design for reorganizing the existing structures, and the compilation of publicly available annual reports and website dedicated to LCT recovery information. Through these ECCR mechanisms, neutrals have sought to increase transparency, efficiency, and trust within the LCT recovery process. Neutral facilitation also supported the completion, by BLM, of a draft programmatic environmental assessment (EA) in FY 2023 working in partnership with FWS, NDOW, USGS and the University of Nevada Reno. Once finalized in 2024, this EA will provide a mechanism to expediently adjust grazing management to meet LCT habitat recovery objectives on 40 LCT occupied BLM grazing allotments in Nevada.

**Identify the key beneficial outcomes of this process, including references to likely alternative decision-making forums and how the outcomes differed as a result of ECCR.**

There have been significant changes in the way key recovery partners collaborate and coordinate LCT recovery within the last five years. The CC has made tremendous progress in completing the UGO document within two years. In FY 2023, neutral facilitation allowed for a deliberate reorganization of the LCT Governance Structure, and a move away from the overly prescriptive 1995 FWS recovery plan toward a flexible, locally driven, and collaborative approach to LCT conservation.

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

This initiative is exemplary of the long-term commitment to outreach and engagement; to collaboration among all recovery partners, including the public; and to a science-based focus—all of which are necessary to overcome T&E species challenges. It also demonstrates that collaborative efforts, like the LCT Governance Structure, need to be flexible enough to adapt over time to reflect and respond to the changing conditions that occur when dealing with complex, landscape-scale ecological issues that also have social and economic costs and benefits that are not equitably distributed. Last, it proves the importance of ECCR processes and facilitators in guiding and shaping these types of efforts.

#### **4. Other ECCR Notable Cases**

Briefly describe any other notable ECCR cases in FY 2023. **(OPTIONAL)**

## **Bureau of Land Management (BLM)**

**Alabama Hills National Scenic Area Management Plan Outreach** – After the implementation of a new management plan, community outreach was needed to assess visitor and interested parties’ understanding of the plan, and to improve relationships. A third-party neutral was engaged to conduct outreach and gather information. In-person pop-up events and virtual “Hills Happenings” events were held to reach visitors and interested parties. The information gathered from these meetings helped develop an inventory of visitor demographics and interested parties’ commitment and concerns related to the management plan. The information was then used as the basis for recommendations on how to improve and tailor communication. Relationships with interested parties were strengthened by the Communication and Collaboration training, partnering for the Hills Happenings events, and other BLM efforts such as attending community meetings.

**National Wild Horse and Burro Advisory Board** – The National Wild Horse and Burro Advisory Board met in a hybrid environment three times in FY 2023 to engage interest groups and communities tied to wild horses and burros. A third-party neutral facilitated the meetings because of the strong emotions of interested parties, and occasional hostility towards the BLM. Meetings involved sensitive and controversial discussion with a multitude of interested parties who desired to be heard and be given voice. In addition to facilitation, third-party neutrals aided the BLM and the public at-large through careful pre-meeting preparation, post-meeting documentation and supporting group learning and communication during field trips. Collectively, these actions support the public’s understanding of how the animals are managed by BLM.

**Master Cooperative Wildland Fire Management and Stafford Act Response Agreement** – An impartial mediator assisted the BLM Idaho State Office, U.S. Forest Service (USFS) Northern Region, the USFS Intermountain Region, and the Idaho Department of Lands in developing a renewed agreement for shared fire management responsibilities under the BLM Master Cooperative Wildland Fire Management and Stafford Act Response Agreement. The mediator ensured the parties were able to have the key dialogue necessary for such an agreement by using a variety of tailored approaches. Throughout the process, they promoted an atmosphere of candor and helped parties stay committed to finding the next step forward.

**Honoring Chaco Initiative** – In 2021 Secretary Haaland [directed](#) BLM and BIA to conduct the Honoring Chaco Initiative, a regional conversation among BLM field offices, BIA, interested Tribes, Pueblos, and other Tribal interests in the Greater Chaco area with the goal of developing a broader cultural approach to all land management decisions across the Greater Chaco Landscape. The BLM and BIA used impartial facilitators to conduct a situation assessment in 2022 that covered parties’ perspectives and proposed preservation actions for the Greater Chaco Region. In early 2023, the neutrals debriefed interested parties and communities on the situation assessment findings which included several meetings with interested parties, and a three-day meeting with identified Tribes, Pueblos, and Tribal Organizations to discuss observations and make recommendations for next steps for the federal, state, and local governments to take toward the restoration and preservation of this important landscape.

**Blackfoot River Special Recreation Management Area Recreation and Travel Management (SRMA) Planning** – The purpose of this project was to facilitate collaboration among local communities and groups to gain a better understanding of the local perspective and vision for recreation and travel management in the Blackfoot SRMA in Montana. This project, out of the Missoula Field Office, engaged Tribes, the public, and other agencies in listening sessions in advance of scoping to foster a common understanding of the recreation, wildlife habitat, and forestry perspectives for the Blackfoot areas.

Following the situation assessment, 48 listening sessions, and two Tribal meetings, pre-consultation, and two public workshops, a summary of the activities and findings was shared with BLM and is posted on ePlanning. This project enabled BLM to gather valuable input from Tribes, the public, and interested parties regarding the development of recreation and travel in the Blackfoot SRMA.

**Cascade Siskiyou National Monument Situation Assessment and Stakeholder Engagement** – This ECCR project was created to ensure that the Revised Resource Management Planning Process for the Cascade Siskiyou National Monument successfully engaged interested parties and communities of place who are invested in the decision to expand the monument boundaries. The region is one with deeply polarized positions over the monument, which is alleged to negatively impact forest-dependent communities. Third-party neutrals conducted a situation assessment to inform and recommend outreach strategies that would meaningfully engage the communities and interested parties during the subsequent NEPA process. Upon adoption of an engagement plan the neutrals facilitated three public meetings. While the project is still underway at this time, the involvement of third-party neutrals helped design and build an efficacious public involvement and communication plan responsive to the public.

**Idaho Lava Ridge Wind Project Situation Assessment and Engagement** – The BLM Shoshone Field Office (ID) required impartial assistance in response to concerns of the Japanese American community regarding a permit application from Magic Valley Energy, LLC to construct, operate, maintain, and decommission the Lava Ridge Wind Project. Comprising up to 400 wind turbines, the application footprint included BLM land with active grazing allotments, the adjacent NPS Minidoka Japanese Internment Camp National Historic Site, and surrounding Sage Grouse habitat. Third party neutrals conducted a situation assessment to identify landscape characteristics valued by the Japanese American community and recommend ways to support community engagement during the BLM Environmental Impact Statement (EIS) process. While there were positive results from this undertaking, including an improved, more trusting relationship with the BLM, and an accepted protocol for how to engage with the Japanese American Community, the Lava Ridge Project remains contentious, and the EIS has not been released.

**Idaho Resource Advisory Committee Lava Ridge Subcommittee Meetings** – Idaho's sole Resource Advisory Committee elected to set up a subcommittee to learn the full range of perspectives and issues surrounding the proposed Lava Ridge Wind Energy project draft EIS. A facilitator assisted the subcommittee as it conducted information analysis, summarized the range of positions, and forged a consensus recommendation to the Resource Advisory Committee. There were six public day-long sessions, which successfully informed the generation of a multi-perspective document, with one overarching recommended decision, offered to the Resource Advisory Committee in March 2023.

**Idaho Renewable Energy Development Strategy Public Engagement** – The Idaho BLM State Office intends to formulate and share with applicants a renewable energy landscape-scale strategy to help them propose projects in the most viable areas where there are the necessary resources but also the fewest impacts. In this project, a facilitator was engaged to support information analysis of resource needs, summarization of partner agencies, environmental NGOs, and public concerns. The facilitator was further charged with presenting the BLM permitting process to interested parties, and then gathering public comments to develop a holistic strategy for future proposals on BLM-managed public lands. Four in-person and one virtual meeting were held. These meetings garnered oral testimony and written correspondence which were synthesized into reports to inform a Renewable Energy Development Strategy.



**Colorado Wolf Creek Situation Assessment** –The Rio Blanco Water Conservancy District (RBWCD) has applied for a right-of-way (ROW) to use public lands managed by the BLM’s White River Field Office (WRFO) to construct and operate a new water reservoir known as the Wolf Creek Reservoir. The WRFO has determined that this project will be evaluated through an Environmental Impact Statement. A third-party neutral was engaged to conduct a situation assessment that elicits input from potentially affected parties and evaluates prospects for collaboration among Cooperating Agencies and other potentially affected interests, including Tribes. This information was used to develop an engagement plan for the BLM to use, with the twin goals of amplifying the voices of historically underrepresented communities and improving overall communication and public understanding of this complex project.

**South Fork Walla Walla ACE Management Plan EA** – One of BLM’s great successes this fiscal year has been the ECCR work conducted to support the South Fork Walla Walla Area of Critical Environmental Concern. The objective of this project was to bring the South Fork Walla Walla Cooperating Agencies, interested parties, and general public together in a series of meetings to work towards a long-term solution to a controversial access issue, while balancing the interests of the landowners, protection of the critical habitat, and public use. A very well-attended workshop was held for communities of place and of interest to identify needs and wishes for the setting, recognizing the loss of resources through flooding destruction. In addition to meeting support, facilitation, and project design, third-party neutrals assisted in providing summary reports and putting together recommendations and next steps based on the results of the collaborative meetings and public engagement. Robust public engagement has promoted public appreciation for the complexity of the decision-making process, a recognition of the interests all around, patience as the project moves forward with transparency, and a more unified team of public and private interests served in this highly valued setting.

**Hult Reservoir & Dam Safety EIS** – The Hult Dam project (OR) is a continuation of a successful multi-year ECCR effort that engaged the regional communities in considering the adequacy of an earthen dam that is used recreationally and captures runoff. This phase engaged third-party neutrals to support BLM preparations with community outreach and engagement regarding landscape architectural designs of five alternatives, subsequent memorialization of parties’ interactions, and process recommendations for a Public Outreach Strategy. As a result of neutral facilitation during public field trips and meetings during the NEPA Environmental Impact Statement (EIS) process, the BLM and interested parties have developed relationships that are amiable, transparent, and trusted though not completely in agreement.

**Sand to Snow National Monument Situation Assessment (CA)** – A third party neutral was engaged to support the BLM in the pre-planning stage of the NEPA process associated with the management plan for the new monument. As the monument is co-managed with the USFS, facilitation was needed to develop common ground for an interagency collaborative process. To accomplish this, a situation assessment was conducted with interviews of over 20 partners identified by BLM and USFS to understand communities’ values, concerns, and priorities. Themes from the assessment interviews informed the design of three public information sessions, two virtual and one in-person, about the EIS process. The neutrals conducted a parallel assessment by consulting the thirty-six potentially impacted Tribes, resulting in the formation and convening of a Tribal Engagement Strategy.

**Las Cienegas and San Pedro Riparian National Conservation Areas Public Engagement (AZ)** – This long-term project supported the collaborative adaptive management processes on two National Conservation Areas in the BLM Tucson Field Office – Las Cienegas (LCNCA) and San Pedro Riparian (SPRNCA). Las Cienegas’ process involved facilitation support for four technical teams comprising partners and BLM,



serving uplands, riparian areas, heritage resources, and landscapes. A fifth team was created for recreation. A multi-partner coordinating group was created to support and integrate the work of the technical teams and to host an annual all-partner coordinating meeting to review and discuss monitoring, data, and emerging issues. Together, they collaboratively problem-solve for future actions.

The San Pedro Riparian Area process focused on laying the groundwork for development of a collaborative adaptive management process. The National Conservation Area created three technical teams, for uplands, riparian, and recreation/cultural heritage topics. They have convened two annual events for coordination, analysis, and planning.

**National Interagency Wildland Fire Leadership Council** – The Wildland Fire Leadership Council (WFLC) is an intergovernmental committee of Federal, state, tribal, county, and municipal government officials convened by the Secretaries of the Interior, Agriculture, Defense, and Homeland Security dedicated to consistent implementation of wildland fire policies, goals, and management activities. A third-party neutral was engaged to help parties develop an “All-Lands Wildfire Resilience Framework & Implementation Playbook,” by assisting with process design and meeting facilitation. Through the facilitated processes parties were able to identify an overall framework to accelerate the multi-party cohesive strategy, identify components needed to work collaboratively, draft and build out the Playbook and Implementation guide, and create an engagement plan to socialize the Playbook with key parties.

**Threatened and Endangered Species Program Five-Year Action Plan Development** – Third-party neutral facilitation was engaged to assist with drafting a five-year action plan to implement the National BLM Threatened and Endangered Species programs recently drafted strategic plan. Drafting the plan required collaboration between the National program, and the state T&E leads. The facilitator designed and led four and a half-day virtual and one two-day in-person workshop to develop the action plan. The group was able to develop a general plan outline, as well as produce some key products to serve as a foundation for prioritization within the action plan. However, due to key staff changes shortly after the in-person workshop, the effort was paused for the remainder of 2023.

**Results Oriented Grazing for Ecological Resilience (ROGER) Collaborative Group** – ROGER is a rancher-led collaborative group that began in 2016 and is focused on reducing conflict, improving communication/ coordination, and incentivizing innovative approaches that improve rangeland/riparian health and sustain public-land grazing in Nevada. This group operates in tandem with several state and federal agencies, to include BLM, USFS, and FWS, all of whom sit on its steering committee. Due to the multiple stakeholders involved in the group, a third-party neutral was engaged in 2023 for multiple meetings and coordination efforts. The facilitator designed and facilitated quarterly meetings, coordinated with Steering committee and work groups, developed and shared communication and outreach products, and assisted with evaluation and strategic planning. Through these efforts, the groups were able to develop communication and outreach projects and secure multi-source funding for a coordinator position to manage the ongoing ECCR process.

**National Federal Fisheries Summit** – The National Federal Fisheries Summit is a large interagency workshop that exists to improve management and conservation of aquatic species and their habitats at the landscape scale through cross-boundary federal agency coordination. A third-party neutral was engaged to design and facilitate a three-day workshop, and to train ten breakout group facilitators to help accomplish meeting goals. The objectives of the meeting included: (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. Through neutral facilitation, these meeting objectives were met.

**Deeth Grazing Allotment Working Group** – The Deeth Grazing Allotment is an important recovery system for the threatened Lahontan Cutthroat Trout in the north Humboldt Land Management Unit. It is one of the eight allotments covered under the BLM Programmatic Biological Opinion, and site of the first grazing term permit renewal (TPR) process to be completed. The long history of stakeholder conflict due to degraded riparian/LCT habitat over past decade(s) prompted BLM to engage a neutral facilitator in advance of the new term permit renewal (TPR) that was due to be completed in 2024. The neutral led the effort to convene a multi-agency and stakeholder work group that will experiment with mutually agreed upon grazing management/monitoring strategies designed to support both permittee and riparian/LCT recovery. Through in person meetings, check in calls, field tour, and one on one partner support, the neutral helped the work group design the TPR process that is due to be completed in February 2024.

#### **Bureau of Reclamation (USBR)**

**Lewiston Orchards Project (LOP) Water Exchange and Title Transfer** – In 2017 a contracted facilitator was brought on to assist the three involved parties (the Nez Perce Tribe (Tribe), the Lewiston Orchards Irrigation District (LOID), and Reclamation) in developing the following agreements related to advancement of the project:

- Lewiston Orchards Water Exchange and Title Transfer Memorandum of Agreement (MOA)
- Lewiston Orchards Water Exchange Title Transfer Agreement (TTA)
- Mann Lake Management Agreement
- Soldiers Meadow Management Agreement
- Fisheries Management Agreement

The facilitated process was ongoing through 2023 and has been funded through a Bureau contract using appropriated funds. While ongoing, this ECCR process has encouraged each stakeholder to remain at the table and work collaboratively towards a solution that benefits all stakeholders, rather than focusing on their individual goals and losing sight of the outcome.

**Buffalo Flats Floodplain Restoration Stakeholder Outreach and Engagement** – In this ECCR process, contracted third-party neutrals supported the Union Soil and Water Conservation District with outreach and public engagement related to the Buffalo Flats Floodplain Restoration Project. This project is intended to restore functional floodplain and stream conditions while supporting a successful ranching operation. Public engagement for this project was focused on informing the public about project goals, project design, and anticipated environmental effects while seeking to understand and alleviate public concerns related to downstream flood risk and other perceived potential impacts. Over the course of three years and continuing into 2023, neutrals facilitated public meetings, and held focus group meetings between private landowners, elected officials, and agency staff. The goal of the focus group meetings was to share information about the land project with interested parties, and receive feedback through its progression. This project has led to increased transparency between interested parties, the District, and USBR staff regarding project activities, and improved relationships with the local community. This effort also significantly narrowed the scope of community members who object to this project.

**USBR and Bonneville Power Administration Lake Roosevelt Project Specific Programmatic Agreement (PSPA)** – Bureau of Reclamation and Bonneville Power Administration contracted with third-party

neutrals to provide coordination, problem solving, design assistance, facilitation, assessments, collaborative communication, and conflict management expertise to help the agencies and tribes collaboratively develop a Project Specific Programmatic Agreement (PSPA) as part of their National Historic Preservation Act Section 106 consultation process with the Lake Roosevelt Cooperating Group. Beginning in early 2022 and extending until August 2023, neutrals conducted stakeholder interviews and pre-assessment to establish a common understanding of what they intended the process to achieve, developed a report and process recommendations, designed, and then implemented the collaborative stakeholder process. The neutral provided pre-meeting support (issue clarification, agenda setting, material development, and coordination), facilitated a series of issue specific resolution meetings and Cooperating Group meetings, and provided post-meeting support (tracking action items, conversation needs, and project management). When it became clear that the lead federal agencies were unable to meet the established timeline, the neutral supported the agencies and Cooperating Group in redesigning the process and timeline for finalizing the Lake Roosevelt PSPA. Overall, this ECCR process helped the agencies and Tribes coordinate cultural resource management activities, and explore shared opportunities to enhance historic properties, promote efficiencies, and avoided duplication of effort.

**Central Valley Project and State Water Project Action** – This Reclamation project has required facilitation and collaborative planning and coordination to promote trust and sustainable processes for technical teams engaged in Long-term Operations of the Central Valley Project and State Water Project. This ongoing effort has engaged third-party facilitation to address longstanding diverse viewpoints from local, state, and federal agency and interested parties. Conflicts exist over tradeoffs for endangered species and multimillion dollar agriculture and community decisions. Third party neutral facilitation has helped stakeholders to focus on core issues, uphold meeting norms, and make progress in technical teams. Outcomes have 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. Additionally, third-party support has helped Reclamation share information in an open and transparent manner with the public.

#### **Bureau of Ocean Energy Management**

**BOEM Marine Minerals Project** – Third-party neutrals were engaged to provide outreach and engagement support for BOEM’s Marine and Minerals Program. This ECCR process involved a significant amount of process design, large group facilitations, strategic planning, and assessment work. Particularly noteworthy were the facilitations of the annual Gulf of Mexico Sand Management Working Group, bringing together nearly 100 regional stakeholders to discuss the latest in minerals management and policy developments, and facilitation of the Gulf of Mexico Sand Federal-State-Industry roundtable, a closed-door meeting with leadership to identify and discuss topics of interest and emerging issues. With the input garnered from these meetings, neutrals convened subject matter experts from across the Bureau in a series of workshops and writing groups to develop a BOEM MMP Critical Minerals Strategic Plan and facilitated BOEM MMP’s annual strategic meeting. Further assistance was provided to support the management plans for the Sandbridge Shoal Sediment and the Frying Pan Shoals Sediment.

#### **Department of the Interior, Office of the Assistant Secretary for Land and Minerals Management**

**DOI Interagency Working Group (IWG) on Mining Regulations Laws and Permitting** – Facilitation for the Interagency Working Group (IWG) on Mining Regulations Laws and Permitting project with the Department of the Interior’s Office of the Assistant Secretary for Land and Minerals Management

aimed to support a Congressional proposal to reform the Mining Law of 1872. Third-party neutrals organized and facilitated the Interagency Working Group, comprised of representatives from industry, government, environmental NGOs, and academia. Additionally, neutrals facilitated nationwide listening sessions for Tribes and the public, recorded and analyzed comments made in these meetings.

#### **US Fish and Wildlife Service**

**FWS Great Lakes Pollinator Task Force** – The Great Lakes Restoration Initiative (GLRI) Pollinator Task Force (PTF) is a collaborative, multi-agency, landscape-scale working group whose mission is to catalyze native bee conservation by coordinating and funding actions that efficiently and effectively maximize native bee abundance, distribution, diversity, and resilience in the Great Lakes Basin. The GLRI PTF developed a Pollinator Strategy and Action Plan, which indicated a need for a communication plan to be developed to assist in outreach and communication efforts within the member agencies, with external partners, and the public. Third-party neutrals were contracted to facilitate meetings to help the member agencies come to consensus on their diverse needs regarding communications and outreach and to guide the development of a Communications Plan. As a result of this 14-month effort, a five-year Communication Plan was developed that will guide outreach efforts of the agency as well as multiple federal partners regarding pollinator conservation in the Great Lakes Basin.

#### **United States Geological Survey**

**USGS South Central Climate Adaptation Science Center (SC CASC) Five-Year Strategic Plan** – The US Geological Survey’s South Central Climate Adaptation Science Center (SC CASC) funds, generates, and disseminates science data and application tools to assist natural and cultural resource managers in a four-state region in anticipating and responding to climate change within their jurisdictions. The work is done through USGS in collaboration with a group of consortium partners and a broader network of stakeholders. A third-party neutral was contracted to facilitate a core planning team to develop a five-year strategic plan for the SC CASC. This process included identifying a core mission, vision, core values, goals, SMART objectives, and suggesting implementation actions within the plan. In addition to virtual meetings which were held approximately monthly, the facilitator assigned and monitored group work between meetings using a shared Google Drive to advance progress in a timely manner. Following completion of the SC CASC Strategic Plan, the neutrals conducted interviews with stakeholders and members of the SC CASC’s Science Advisory Committee to identify research funding priorities to guide their federal grant programs. Based on interview findings, the neutrals worked with SC CASC staff to develop a five-year science plan to supplement actions identified in the Strategic Plan, including prioritizing climate science research in habitat vulnerability assessments for fish and wildlife species.

## **5. 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): _____	_____
<b>TOTAL # of CASES</b>	<b>163</b>

Report due Friday, January 26<sup>th</sup>, 2024. Submit report electronically to: [kavanaugh@udall.gov](mailto:kavanaugh@udall.gov)