

Environmental Collaboration & Conflict Resolution

General Principles & Services Available to Federal Agencies

“With the magnitude of environmental challenges facing the nation, coupled with the need for careful stewardship of tax dollars and budgets, all Federal departments and agencies should leverage environmental collaboration and conflict management approaches to minimize and resolve environmental conflicts.”

- Congressional legislation authorizing the U.S. Institute for Environmental Conflict Resolution



Udall Foundation

- An independent, executive branch agency – HQ in Tucson, AZ
- Established by Congress in 1992 to honor Morris K. Udall's* lasting impact on
 - Our nation's environment, public lands and natural resources
 - Support of the rights and self-governance of American Indians and Alaska Natives
- Programs to promote **leadership, education, collaboration, and conflict resolution**
 - In the areas of **environment, public lands, and natural resources** in order to **strengthen Native nations, assist federal agencies** and others to **resolve environmental conflicts**, and to encourage the continued use and appreciation of our nation's rich resources.

Udall Foundation Programs

- Congressional Internship Program for Native Americans & Alaskan Natives
- Undergraduate Scholarship
- Parks in Focus
- In partnership with the University of Arizona:
 - Native Nations Institute at the University of Arizona
 - Udall Center for Studies in Public Policy
- **USIECR** – Largest program of the Udall Foundation, **created by the 1998 Environmental Policy & Conflict Resolution Act** to assist parties in resolving environmental, public lands and natural resource conflicts nationwide that involve public interests. Also governed by the OMB-CEQ Joint Memorandum on Environmental Collaboration and

What does USIECR do?

- Under federal law, help federal agencies and other affected stakeholders address environmental disputes, conflicts, and challenges through programs and services that provide:
 - Situation and conflict assessments
 - Mediation and conflict resolution
 - Facilitated collaboration
 - Process design
 - Capacity building, including training and program assessment
- Our staff are experienced facilitators, mediators and trainers with expertise in a wide range of environmental and public policy, including government to government consultation with tribes.

Partnering with USIECR

- ✓ Federal Agency involvement
 - ✓ Can include State, local, Tribal governments, as well as citizen groups, non-profits and the general public
- ✓ Environmental, public policy or tribal issues
 - ✓ National, regional, state level
- ✓ Required to recoup costs for our services
 - ✓ Usually through interagency agreements (IAGs)
 - ✓ Staff time and direct costs, including travel
 - ✓ Donated hours



You may remember us from 2008

- Following the 2008 GAO report, YNP asked USIECR for assistance.
- Dr. Robert Fisher, now a professor at the University of Arizona, performed a conflict assessment to identify “options to consider for resource problem solving, adaptive management, and public discourse.”
- LOTS HAS CHANGED SINCE THEN.....

USEICR Role Today

- Facilitate and support productive dialog and coordination amongst and between the lead and cooperating agencies on the development of draft alternatives and exploration of the management issues and other concerns associated with them.
- Starting with: neutral situation assessment involving all cooperating agencies.
- We are a federal agency – our enabling legislation requires us to act as a neutral, supporting all parties involved regardless of who initiates or pays for assistance.

Collaboration with Tribes, Including Section 106

U.S. Institute gives particular attention to issues affecting American Indians, Alaska Natives, and Native Hawaiians and to importance of government-to-government relationships when addressing environmental conflicts.

Native American and Alaskan Native (NAAN) Program

- Effective Tribal Consultation Training
- Native Dispute Resolution Network
- Facilitation of Government to Government interactions

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Partnering with USIECR

- ✓ “Direct” or “managed” services
 - ✓ USIECR staff
 - ✓ Contracted services
 - ✓ Roster of ECCR Professionals

- “Use of.....the Institute to provide independent and impartial assessment, mediation or other dispute or conflict resolution.....shall not be considered to be the establishment or use of an advisory committee within the meaning of the Federal Advisory Committee Act”

What is Environmental Collaboration and Conflict Resolution (ECCR)?

- “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.” -OMB-CEQ
- ECCR refers specifically to collaborative and conflict resolution processes aided by third-party neutrals

COUNCIL ON ENVIRONMENTAL QUALITY

Collaboration in NEPA

*A Handbook for
NEPA Practitioners*

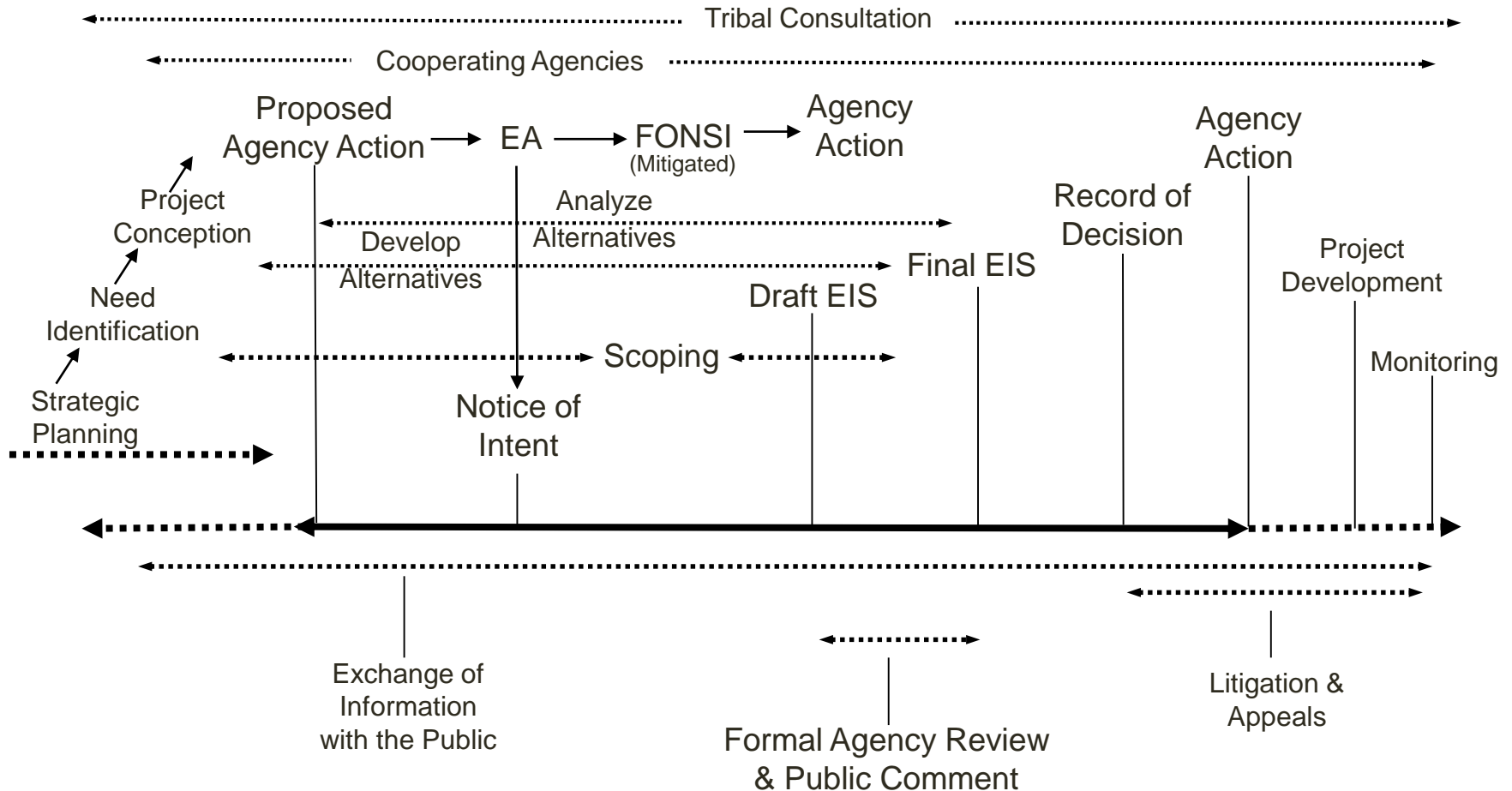


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Collaboration During NEPA

- NEPA Activities:
 - Cooperating with Other Agencies
 - Developing the Proposed Action
 - Establishing Purpose and Need
 - Issuing Notice of Intent (NOI)
 - Conducting Scoping
 - Developing Alternatives
 - Assessing Affected Environment and Analyzing Impacts and Addressing Mitigation
 - Managing Draft and Final Reviews
 - Implementing and Monitoring Decision

Opportunities for Collaboration During NEPA



Collaboration in NEPA

“Collaboration in NEPA” means the lead agency working with others in gathering, analyzing, and communicating relevant information with the shared purpose of identifying the likely social and environmental impacts of the different alternative actions being considered, so that authorized decision-makers can make well-informed decisions about how to address an identified societal need.