

Environmental Collaboration and Conflict Resolution (ECCR) Federal Forum

Meeting Notes

Tuesday, October 18, 2022, 11:30 AM – 1:00 PM Eastern Time

Welcome and Introductions

Stephanie Kavanaugh, Deputy Director of the National Center for Environmental Conflict Resolution (National Center), welcomed Forum members. In-person and virtual participants introduced themselves by name and agency. See [Appendix A](#) for a participant list.

General Updates from CEQ

Tom Sharp, Council on Environmental Quality (CEQ), introduced a new staff member, Megan Healy. Megan Healy is the Deputy Director for NEPA at CEQ. Prior to CEQ, Megan spent 15 years with the U.S. Forest Service.

CEQ is focused on moving forward with the National Environmental Policy Act (NEPA) regulation revisions. CEQ is considering how to incorporate Environmental Collaboration and Conflict Resolution (ECCR) into these regulations and is happy to serve as a partner to the National Center and other ECCR Forum participants in this area. If anyone has questions on the rulemaking, they can contact [Amy Coyle at CEQ](#).

Tom shared that the Permitting Action Plan is in its implementation phase. CEQ is developing guidance for that plan as well as agency implementation plans. This will be sent to agencies soon.

VA asked CEQ about the status of the new Environmental Justice Executive Order (EO). As of right now, the EO is still in development. VA explained that they are not listed on the original EO and would like to be listed. Amy Coyle offered to connect with VA on this issue.

General Updates from the National Center

Brian Manwaring, National Center, announced that the National Center will be hiring a new Program Associate by the end of October 2022. Additionally, the Udall Foundation's Deputy Executive Director/General Counsel, Marc Rosen has retired. Gwendolyn Franks is the new General Counsel.

Brian shared that the third webinar in the National Center's [NEPA Next 50: Reflections on the National Environmental Policy Act series](#), "Intergovernmental Relations in NEPA Processes: Tools, Resources, and Considerations for Tribal Nations and Indigenous Peoples Working with Federal Agencies," was held on September 8, 2022. This webinar consisted of a panel presentation followed by facilitated dialogue between NEPA practitioners and policy experts from Tribal Nations, Native American and Alaska Native nonprofit organizations, Federal agencies, and other relevant entities. The objective was to articulate the challenges related to intergovernmental relations in the NEPA process and to identify opportunities to enhance collaboration and engender shared stewardship for Tribal Nations and Indigenous Peoples. You can watch the webinar here: <https://www.youtube.com/watch?v=5ayLleRkhuk>

Brian mentioned that upcoming National Center trainings have capacity for additional participants. Courses are listed at: <https://www.udall.gov/OurPrograms/Institute/OpenTrainings.aspx>

General Updates from Other Agencies

U.S. Army Corps of Engineers (USACE): The Collaboration and Public Participation Center of Expertise (CPCX) is holding conflict resolution week during October 17-20, 2022, with focus on collaborative technology. Additionally, USACE is providing two trainings to their staff: *Designing for Diversity: Engaging Underrepresented Stakeholders* from Carroll Frank Associates and *Equity in Water* from Jennifer Arnold and Darryl Haddock.

Environmental Protection Agency (EPA): The EPA created the Office of Environmental Justice and External Civil Rights Office by merging three existing programs at the agency: the Office of Environmental Justice, External Civil Rights Compliance Office, and Conflict Prevention and Resolution Center. The EPA Administrator announced the formation of the new office at an event in Warren County, North Carolina, the birthplace of environmental justice, on September 24, 2022. On Conflict Resolution Day, October 20th, 2022, EPA and other agencies will host an event delivered by Federal Mediation and Conciliation Service (FMCS) on the art of inquiry.

Department of Interior (DOI): In FY22, the Office of Collaborative Action and Dispute Resolution (CADR) at DOI saw a 55% increase in demand for ECCR services. Some of these ECCR cases focus on climate and Diversity, Equity, Inclusion, and Accessibility (DEIA). Lastly, CADR now has a full ECCR team.

Department of Energy (DOE): On October 19th, 2022, DOE will hold their annual Environmental Attorneys Training from 9:15-10:15am Eastern.

Discussion: Professional Development in Diversity, Equity, Inclusion, and Accessibility (DEIA) and Environmental Justice (EJ)

Objective: Share information on professional development you or your agency colleagues have found helpful for incorporating DEIA and EJ into environmental collaboration and conflict resolution work.

Stephanie Kavanaugh, National Center, asked the ECCR Forum members the following questions:

- What specific DEIA or EJ trainings have you or your staff taken? Of these, which have you found helpful so far in supporting ECCR work?
- Are you or your office developing DEIA or EJ training for your agency or bureau? If so, please share those details.

Below are the responses from agencies.

National Center, DOI, and EPA: Recently, the National Center, DOI, and EPA brought their programs together for a joint training on accessibility from the [Mid-Atlantic Americans with Disabilities Act \(ADA\) Center](#). The purpose of the training was to encourage participants to think about how to incorporate accessibility into virtual and in-person meetings and other events. EPA mentioned that accessibility is one of those areas that has less attention and it is very relevant to ECCR work. The National Center, EPA, and DOI received good feedback from staff on this joint training.

Udall Foundation and National Center: Internally, the Udall Foundation has convened a workgroup across all of their programs to address DEIA initiatives. This workgroup has proposed a Foundation-wide assessment on how DEIA is incorporated into Udall Foundation practices.

The National Center is exploring how to build up their neutral capacity and what it means to the National Center as an independent neutral party while incorporating DEIA into processes. The National Center has drafted an equity informed roadmap to work through the nuance on what it means to be a facilitator and address DEIA.

The National Center shared that DEIA and EJ trainings have been an area of emphasis for their staff's internal trainings. The following trainings have been taken:

- The Udall Foundation leadership staff has participated in a DEIA training.
- The National Center staff participated in "[Transforming Community Spaces](#)".
- The National Center staff participated in "[Tools for Tough Conversations](#)".

U.S. Army: The JAG Core recently hired a staff person that provided a training on diversity and inclusion.

Department of Energy (DOE): Steve Miller, DOE, is leading a group called SOAR. SOAR is intended to suggest inclusivity, accessibility, and a positive experience for everyone with or without a disability. Steve plans to provide trainings and other events surrounding DEIA topics to staff through this program. DOE also has monthly events on DEIA that other agencies can join. Please contact [Steve Miller](#) if you are interested.

Environmental Protection Agency (EPA): One of the founders of the environmental justice movement, Vernice Miller-Travis, will be delivering a presentation for EPA employees as part of Conflict Resolution Day; the focus of the presentation is bridging the gap between EJ and ECCR at the EPA under the new Office of Environmental Justice and External Civil Rights. The Conflict Prevention and Resolution Center (CPRC) will conduct a "lunch and learn" within their new office, so that staff can learn about each other and the work of CPRC. EPA also has an upcoming training for staff that will show how to apply conflict resolution tools to EPA's EJ work.

Additionally, every two years, CPRC convenes a meeting with their environmental conflict and collaboration specialists from EPA Regions. There are about 1-3 specialists in each region. Their upcoming meeting will focus on DEIA and EJ. EPA will share an update on that meeting in the future.

Department of Interior (DOI): The Office of Collaborative Action and Dispute Resolution (CADR) within DOI works on various conflict and collaboration issues including ECCR and workplace ADR. In 2019, CADR started an initiative called, Resilience-Oriented, Trauma-Informed, and Culturally Integrated (ROTICI), to discuss how to increase DEIA awareness in their ADR/ECCR practice and how to apply this in their work, while maintaining impartiality. After trainings, CADR has further internal dialogues on the training and how to apply it in their workplace and in their work.

Below is a list of individuals, entities, and resources outside DOI that CADR has engaged since 2019 to assist them in increasing their capacity to work effectively as neutral and independent ADR/ECCR practitioners with a wide range of stakeholders:

- Hands Across the Hills - [Hands Across the Hills](#)

- STAR – Towards an Ecology of Resilience - [Strategies for Trauma Awareness & Resilience \(STAR\) \(emu.edu\)](#)
- Psychology and Sexual Trauma in Federal Agencies – Claire Harwell - claireharwell@aol.com
- Healing and Strengthening Organizations (in response to organizational trauma) – Pat Vivian - patvivian71@gmail.com
- In the Light of Reverence - [In the Light of Reverence | American Documentary \(amdoc.org\)](#)
- Dialogue on Race - [Richael Faithful](#)
- Dawnland - [A Documentary about Cultural Survival and Stolen Children - Now Available for Purchase - DAWNLAND](#)
- Indigenous Environmental Justice - Karen Jarratt-Snider - Karen.Jarratt-Snider@nau.edu
- Why do Black-White Racial Inequalities Persist? Discrimination, the structure of US education, and the limits of civil rights – Edo Navat - Navot.Edo@dol.gov
- Introduction to Peacemaking: An Indigenous Worldview - [Homepage - Indigenous Peacemaking Initiative \(narf.org\)](#)
- ECCR Accessibility – Mid-Atlantic ADA Center - [Home - Mid-Atlantic ADA Center \(adainfo.org\)](#)

National Oceanic and Atmospheric Administration (NOAA): NOAA has set up a task force and sub-working groups to address DEIA. Every month, NOAA hosts a brown bag to discuss DEIA.

Over the last year, NOAA has been looking at their hiring efforts and how they can incorporate DEIA principles into becoming a more diverse staff. NOAA is also looking at how to retain staff and ensure staff careers are nurtured and developed. To support that effort, they spotlight a staff's career in their monthly newsletter.

Once all interested agencies had responded, Steph Kavanaugh asked the Forum members if and how their agencies are incorporating DEIA and EJ principles into their work.

The U.S. Nuclear Regulatory Commission (NRC) mentioned that they completed a study on how EJ is incorporated into their regulatory policies. They are now looking at how to incorporate EJ further into their policies and practices. Additionally, NRC now has the ability to do Government-to-Government (G2G) consultation with Tribes and are solidifying their policies to begin G2G consultation.

DOI CADR shared that they are speaking with their prime contractors on applying DEIA principles into projects and seeing movement and capacity building within the contractor teams. Environmental Protection Agency (EPA) cited that they are receiving requests for contractors to have EJ experience for projects.

EPA also mentioned that after the accessibility training that the National Center, DOI, and EPA attended, they had internal conversations on how to apply accessibility within their projects. EPA staff was overwhelmed by the accessibility training and wanted to identify priority areas where they could make progress right away. They have already made changes to the event and training registrations by adding a box, "need accessibility accommodations." EPA staff will reach out to anyone who checks that box to assess and accommodate their needs.

The National Center is reviewing their practices through a new level of DEIA awareness. Additionally, since the National Center's mission includes working closely with Native Americans and Alaska Natives, they monitor which of their projects includes a significant Tribal component. This year, all but one of their projects has had a Tribal component. Historically, only half of their projects met this criteria. The

National Center views this as a reflection of increased focus on Tribal engagement, consultation, and outreach by partner agencies.

NOAA asked CEQ if any guidance exists on incorporating the intersection of EJ principles, conflict resolution, and Government-to-Government consultation. Tom Sharp, CEQ, responded that there is a ton of overlap between those areas but no formal concentration. CEQ hopes to develop a product on lessons learned through the intersection of those areas. Tom mentioned that although the EJ movement is not a new movement, the Federal family has renewed and increased focus there. Agencies need to consider what EJ means within the architecture of their programs and missions. Tom said that there is no cookie cutter approach to EJ consultation. EJ consultation needs to look at a community and tailor your approach to that community, similar to Tribal consultation.

Closing Thoughts

CADR shared that when they think of DEIA, they focus on “Inclusion”. The ECCR field has a long history of inclusion, but CADR doesn’t believe we live up to it always. CADR asked ECCR Forum members to think about the cultures of our organizations, our work as neutral practitioners in the DEIA space, how to make our work more accessible, and how to earn trust within EJ communities while simultaneously being neutral and maintaining our credibility with all the communities we engage. CADR further stressed the importance of dialogues after trainings to process and incorporate these learnings effectively.

Tom Sharp, CEQ, encouraged agencies to send any trainings they have taken so to keep a running list for agencies to access. Additionally, Tom mentioned that through these trainings, best practices and lessons learned will rise to the surface.

The next meeting is projected to be in Spring 2023.

APPENDIX A: Meeting Attendees

Name	Agency
Carrie Greco	U.S. Army
Cynthia Politowicz	U.S. Army
Amy Coyle	Council on Environmental Quality (CEQ)
Gabrielle Gundry	Council on Environmental Quality (CEQ)
Megan Healy	Council on Environmental Quality (CEQ)
Jomar Maldonado	Council on Environmental Quality (CEQ)
Thomas Sharp	Council on Environmental Quality (CEQ)
Terry Bowers	Department of Defense (DoD)
Steven Miller	Department of Energy (DOE)
William Hall	Department of the Interior (DOI)
Krystyna Bednarczyk	Federal Aviation Administration
Gina Cerasani	Environmental Protection Agency (EPA)
Gina Langan Garcia	Environmental Protection Agency (EPA)
JD Hoyle	Federal Energy Regulatory Commission (FERC)
Josh Hurwitz	Federal Energy Regulatory Commission (FERC)
Krista Sakallaris	Federal Energy Regulatory Commission (FERC)
Stephen Williams	Federal Energy Regulatory Commission (FERC)
Frank Sprtel	National Oceanic and Atmospheric Administration (NOAA)
Lauren Cordova	Udall Foundation
Stephanie Kavanaugh	Udall Foundation, National Center
Elyse Magen	Udall Foundation, National Center
Brian Manwaring	Udall Foundation, National Center
Melanie Knapp	Udall Foundation, National Center
Courtney Owen	Udall Foundation, National Center
Stacy Langsdale	U.S. Army Corps of Engineers (USACE)
Joan Olmstead	U.S. Nuclear Regulatory Commission (NRC)
Michelle DeGrandi	Veterans Affairs (VA)
Catherine Johnson	Veterans Affairs (VA)