FY 2010 ECR Policy Report to OMB-CEQ

On November 28, 2005, the Director of the Office of Management and Budget (OMB), and the Chairman of the President's Council on Environmental Quality (CEQ) issued a policy memorandum on environmental conflict resolution (ECR).

The memorandum requires annual reporting by departments and agencies to OMB and CEQ on progress made each year. This joint policy statement directs agencies to increase the effective use and their institutional capacity for ECR and collaborative problem solving.

ECR is defined in Section 2 of the memorandum as:

"third-party assisted conflict resolution and collaborative problem solving in the context of environmental, public lands, or natural resources issues or conflicts, including matters related to energy, transportation, and land use. The term "ECR" encompasses a range of assisted negotiation processes and applications. These processes directly engage affected interests and agency decision makers in conflict resolution and collaborative problem solving. Multi-issue, multi-party environmental disputes or controversies often take place in high conflict and low trust settings, where the assistance of impartial facilitators or mediators can be instrumental to reaching agreement and resolution. Such disputes range broadly from administrative adjudicatory disputes, to civil judicial disputes, policy/rule disputes, intra- and interagency disputes, as well as disputes with non-federal persons/entities. ECR processes can be applied during a policy development or planning process, or in the context of rulemaking, administrative decision making, enforcement, or litigation and can include conflicts between federal, state, local, tribal, public interest organizations, citizens groups and business and industry where a federal agency has ultimate responsibility for decision-making.

While ECR refers specifically to collaborative processes aided by third-party neutrals, there is a broad array of partnerships, cooperative arrangements, and unassisted negotiations that federal agencies enter into with non-federal entities to manage and implement agency programs and activities. The Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving presented in Attachment A (of the OMB/CEQ ECR Policy Memo) and this policy apply generally to ECR and collaborative problem solving. This policy recognizes the importance and value of the appropriate use of all types of ADR and collaborative problem solving."

The report format below is provided for the fifth year of reporting in accordance with this memo for activities in FY 2010.

<u>The report deadline is February 15, 2011</u>.

We understand that collecting this information may be challenging; however, after compiling previous reports, the departments and agencies are requested to collect this data to the best of their abilities. The 2010 report, along with previous reports, will establish a useful baseline for your department or agency, and collect some information that can be aggregated across agencies. Departments should submit a single report that includes ECR information from the agencies and other entities within the department. The information in your report will become part of an analysis of all FY 2010 ECR reports. You may be contacted for the purpose of clarifying information in your report. For your reference, copies of prior year synthesis reports are available at www.ecr.gov.

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Date this report is being submitted:	February, 2011

Section 1: Capacity and Progress

1. Describe steps taken by your department/agency to build programmatic/institutional capacity for ECR in 2010, including progress made since 2009. If no steps were taken, please indicate why not.

    [Please refer to the mechanisms and strategies presented in Section 5 of the OMB-CEQ ECR Policy Memo, including but not restricted to any efforts to a) integrate ECR objectives into agency mission statements, Government Performance and Results Act goals, and strategic planning; b) assure that your agency's infrastructure supports ECR; c) invest in support or programs; and d) focus on accountable performance and achievement. You are encouraged to attach policy statements, plans and other relevant documents.]

    The US Forest Service continues to take steps to build programmatic and institutional capacity for ECR and collaboration at the local, regional, and national levels. Key steps taken in FY2010 include:
    - On-going use of new business rules that help the Agency measure the performance and accountability associated with goals and targets. With these new rules, the Agency can now fully capture accomplishments related to the benefits of combined programmatic support, as well as collaboration and partnerships.
    - National collaboration training, web-based and in-person training associated with general collaboration and specific practices as they relate to the National Forest Management Act Planning Rule.
    - Renovation and re-launch of on-line resources to incorporate electronic tools and resources associated with ECR and collaboration, known as the e-Collaboration effort.
    - Development and delivery of peer-learning sessions to improve partnership and collaboration skill sets within the Agency. These sessions incorporate web-based and conference call learning platforms through the National Forest Foundation.
    - Hosting of Collaborative Forest Planning Workshops, which integrate collaboration research on forest plan revisions and the collaborative experiences of Forest Service staff and community members (Collaboration Cadre).
    - Selection by the Secretary of Agriculture of ten Collaborative Forest Landscape Restoration projects. Awarded an initial $10 million to begin work in FY2010, all projects operate through collaborative groups and include partnership efforts on forest restoration treatments that reduce wildfire risk, enhance fish and wildlife habitats, and maintain and improve water quality.
    - Design of inter-agency (FS, BLM, and NPS) distance learning course entitled "Managing by Network." Through peer-learning sessions, employees are introduced to emerging skill sets oriented towards managing public resources in a complex, networked environment (including the use of partnerships, collaboratives, volunteers and alliances). The course culminates with a real-world practicum and development of case studies based on personal experience.

    Further examples of such capacity building are included in the Agency Supplement to this

report. Tables 5-1 though 5-5 of the Supplement describe actions taken by national forest units in response to the November 2005 ECR Policy Memo.

Note: The term "ECR" is not used extensively above. It is understood that the term "collaboration" as used above includes the evaluation of the situation to determine if ECR is appropriate or if the use of collaboration without the use of a third party neutral will meet the needs of the situation.

Section 2: Challenges

2.   Indicate the extent to which each of the items below present challenges or barriers that your department/agency has encountered in advancing the appropriate and effective use of ECR.

	Extent of challenge/barrier		
	Major	Minor	Not a challenge/ barrier
	Check **only** one		
a) Lack of staff expertise to participate in ECR		X	
b) Lack of staff availability to engage in ECR		X	
c) Lack of party capacity to engage in ECR		X	
d) Limited or no funds for facilitators and mediators	X		
e) Lack of travel costs for your own or other federal agency staff		X	
f) Lack of travel costs for non-federal parties		X	
g) Reluctance of federal decision makers to support or participate			X
h) Reluctance of other federal agencies to participate			X
i) Reluctance of other non-federal parties to participate			X
j) Contracting barriers/inefficiencies			X
k) Lack of resources for staff capacity building		X	
l) Lack of personnel incentives		X	
m) Lack of budget incentives		X	
n) Lack of access to qualified mediators and facilitators			X
o) Perception of time and resource intensive nature of ECR	X		
p) Uncertainty about whether to engage in ECR		X	
q) Uncertainty about the net benefits of ECR			X
r) Other(s) (please specify): _____			
s) No barriers (please explain): _____			

Section 3: ECR Use

3. Describe the level of ECR use within your department/agency in FY 2010 by completing the table below. [Please refer to the definition of ECR from the OMB-CEQ memo as presented on page one of this template. An ECR "case or project" is an instance of neutral third party involvement to assist parties in reaching agreement or resolving a dispute for a particular matter. In order not to double count processes, please select one category per case for decision making forums and for ECR applications.]

| | Cases or projects in progress[1] | Completed Cases or projects[2] | Total FY 2010 ECR Cases[3] | Decision making forum that was addressing the issues when ECR was initiated: | | | | | Of the **total FY 2010 ECR cases** indicate how many your agency/department | |
				Federal agency decision	Administrative proceedings /appeals	Judicial proceedings	Other (specify)		Sponsored[4]	Participated in but did not sponsor[5]
Context for ECR Applications:										
Policy development	3	0	3	2	0	0	1		2	1
Planning	24	12	36	28	5	1	2		22	14
Siting and construction	0	0	0	0	0	0	0		0	0
Rulemaking	1	0	1	1	0	0	0		1	0
License and permit issuance	1	0	1	1	0	0	0		0	1
Compliance and enforcement action	0	2	2	0	2	0	0		1	1
Implementation/monitoring agreements	4	1	5	4	0	0	1		4	1
Other (specify): _____	0	1	1	0	0	0	1		1	0
TOTAL	33	16	49	36	7	1	5		31	18
	(the sum should equal **Total FY 2010 ECR Cases**)			(the sum of the Decision Making Forums should equal **Total FY 2010 ECR Cases**)					(the sum should equal **Total FY 2010 ECR Cases**)	

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[1] A "case in progress" is an ECR case in which neutral third party involvement began prior to or during FY 2010 and did not end during FY 2010.

[2] A "completed case" means that neutral third party involvement in a particular matter ended during FY 2010. The end of neutral third party involvement does not necessarily mean that the parties have concluded their collaboration/negotiation/dispute resolution process, that all issues are resolved, or that agreement has been reached.

[3] "Cases in progress" and "completed cases" add up to "Total FY2010 ECR Cases".

[4] Sponsored - to be a sponsor of an ECR case means that an agency is contributing financial or in-kind resources (e.g., a staff mediator's time) to provide the neutral third party's services for that case. More than one sponsor is possible for a given ECR case.

[5] Participated, but did not sponsor - an agency did not provide resources for the neutral third party's services for a given ECR case, but was either a party to the case or participated in some other significant way (e.g., as a technical expert advising the parties).

4.   Is your department/agency using ECR in any of the substantive priority areas you listed in your prior year ECR Reports? Indicate if use has increased in these areas since they were first identified in your ECR report. Please also list any additional priority areas identified by your department/agency during FY 2010, and indicate if ECR is being used in any of these areas. Note: An overview of substantive program areas identified by departments/agencies in FY 2009 can be found in the FY 2009 synthesis report.

List of priority areas identified in your department/agency prior year ECR Reports	Check if using ECR	Check if use has increased in these areas
Protracted and costly environmental litigation	X	X
Unnecessarily lengthy projects and resource planning processes (planning delays)	X	X
Costly delays in implementing needed environmental protection measures	X	X
Foregone public and private investments when decisions are not timely or are appealed (administrative appeals)	X	X
Lower quality outcomes when environmental plans and decisions are not informed by all available information and perspectives	X	X
Deep-seated antagonism and hostility repeatedly reinforced between stakeholders by unattended conflicts	X	X
List of additional priority areas identified by your department/agency in FY 2010	Check if using ECR	
_____	☐	
_____	☐	
_____	☐	

Please use an additional sheet if needed.

5.   It is important to develop ways to demonstrate that ECR is effective and in order for ECR to propagate through the government, we need to be able to point to concrete benefits; consequently, we ask what other methods and measures are you developing in your department/agency to track the use and outcomes (performance and cost savings) of ECR as directed in Section 4 (b) of the ECR memo, which states: *Given possible savings in improved outcomes and reduced costs of administrative appeals and litigation, agency leadership should recognize and support needed upfront investments in collaborative processes and conflict resolution and demonstrate those savings and in performance and accountability measures to maintain a budget neutral environment* and Section 4 (g) which states: *Federal agencies should report at least every year to the Director of OMB and the Chairman of CEQ on their progress in the use of ECR and other collaborative problem solving approaches and on their progress in tracking cost savings and performance outcomes. Agencies are encouraged to work toward systematic collection of relevant information that can be useful in on-going information exchange across departments*? [You are encouraged to attach examples or additional data]

See Appendix A of the Agency Supplement for a complete list of responses.

For the past five years, the Forest Service has contacted each national forest unit to query their use of ECR and collaboration. Since 2009, the Washington Office of the Forest Service has utilized an on-line survey instrument, as well as established regional contacts, to increase accountability, response rates, and visibility of ongoing ECR efforts across the country. Through these inquiries, individual forests and regions are reminded of the value of ECR and collaboration. These inquiries also provide valuable information to the Washington Office to assist in the improvement of information exchange and the development of ECR-relevant tools. The survey instrument now includes questions additional to those required by this report, particularly questions relevant to the status of collaborative capacity within the Agency.

Although some national forests are developing methods to measure ECR use and benefits at the forest level, most local units do not specifically track ECR use. Multiple national forest units note that ECR – as well as collaborative efforts without the assistance of a neutral third party – reduce appeals and litigation and their associated costs. Forests also credit ECR and collaboration with producing management plans and actions with broader support.

- The Lolo National Forest utilizes several processes to demonstrate the use and outcomes of ECR on the forest. The Five-Year Planning Process recognizes achievements secured within a specified time period, which may be sped or slowed by use of ECR or collaboration in a given project. The budget associated with Five-Year Planning forecasts the timelines and expenditures necessary to accomplish integrated resource management objectives developed through collaboration. As is the case across the Forest Service, process-related planning and decision information on the Lolo is tracked in the Agency's

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Planning, Appeals & Litigation System (PALS). The Lolo interacts regularly with key members of the public and relevant resource management organizations. Importantly, the forest actively seeks feedback during this public involvement, allowing the unit to identify sources of increase or decrease in resource management conflicts.

- In FY 2010, the Angeles National Forest completed several projects that made use of the principles of ECR, although the projects did not involve the use of a neutral third party. Several reporting databases tracked the timelines for these projects, and the forest investigated any reported delays to determine if the application of ECR principles could return the projects to their proper timelines.

- The Deschutes National Forest supports a Provincial Advisory Committee and utilizes the group to resolve environmental disputes. In some cases, the collaborative group has led to avoided appeals and litigation, thereby reducing associated costs.

- The Medicine Bow-Routt National Forests and Thunder Basin National Grassland did not track specific cost savings in FY 2010, but the unit contends that the decline in appeals and litigation it has experienced is a valuable way to measure the success of conflict resolution and collaboration techniques.

- The White Mountain National Forest considers collaboration an integral part of how the forest operates, and collaborative work is included as a performance measure for many personnel on the forest.

Other examples submitted by national forest units as methods or measures to track the use and outcomes of ECR include: informal, qualitative review and discussion after an action; benefits of participation in groups such as RACs, State Fire Plan Working Groups, and Resource Conservation and Development Councils; amount of new and additional resources brought to projects through cooperative interactions; and outcomes in terms of products developed through consensus.

6. Describe other significant efforts your agency has taken in FY 2010 to anticipate, prevent, better manage, or resolve environmental issues and conflicts that do not fit within the Policy Memo's definition of ECR as presented on the first page of this template.

See Appendix B of Agency Supplement for a complete list of responses.

Across the National Forest System, collaborative approaches to environmental conflict management have spread more markedly than the use of ECR. While 47 local units reported ECR cases in FY 2010, nearly two-thirds of national forest units (78 forests) responded to the survey with at least one example of active collaboration.

Establishing agency credibility with the public is paramount in managing environmental issues and conflicts. The NEPA and administrative appeal process provides opportunities to work with the public and help them gain understanding as to why we are proposing a certain action. In these instances, both ECR and collaboration are of great importance to the Forest Service.

Collaboration, as presented to national forest respondents, is a process where groups with different interests voluntarily come together to explore differences, identify common interests, and seek common-ground solutions (without the use of a third party neutral to convene or facilitate the group). In addition to the increasing instances of collaboration across the Agency, forest units emphasized the importance of involving *all* stakeholders *early* in the collaborative process for *all* aspects of National Forest management. This level of commitment to collaboration has helped forest units anticipate, prevent, better manage, or resolve environmental issues and conflicts.

- More than 90% of respondents state they have some access to collaborative tools and guidance. Nearly 50% state that their work would benefit from increased access to collaborative tools and resources.
- Nearly 70% of national forest respondents indicate that they begin collaborating during the earliest "project identification" stage.
- More than 80% of respondents state that the majority of key participants in their collaborative projects are proactively engaged from the beginning to the end of the activity.
- Nearly 70% of respondents communicate with key participants on a regular basis.

Many forests are actively involved in local collaborative groups such as Natural Resource and Land Council Groups, Provincial Advisory Committees (PACs), Resource Advisory Committees (RACs), and Stewardship Groups. Other efforts cited as helping forests better manage conflict include: early engagement with stakeholders; field trips; frequent community meetings and roundtables; cooperative agreements; partnerships with federal, state, and local governments; networking with forests that have found success in collaboration; informal appeal resolution; close coordination with research and development; and staff training in collaboration and dispute resolution.

Specific examples of on-going collaborative efforts include:

Development of collaborative groups
Collaborative efforts between agency line officers and partners have proven effective in project design, development and implementation, and so continue to be used on many national forest units.

- *Montana Forest Restoration Committee* - The Lolo National Forest utilizes early public collaboration in the development of most of its larger NEPA projects. The forest's staff members participate in the Montana Forest Restoration Committee, as well as the local Lolo Forest Restoration Committee and the Sanders/Mineral County Stakeholders Group. Staff members engage various NGO partners through partnership agreements in order to enhance funding and staff support available for project analysis and implementation. Forest staff members are also heavily engaged with local RACs in the identification and development of resource improvement projects and provide annual accounting of accomplishments to the groups.
- *Northern Front Range Mountain Pine Beetle Working Group and Colorado Bark Beetle Cooperative* – In response to the bark beetle epidemic, the Arapaho and Roosevelt National Forests have established or joined multiple partnership groups and roundtables with private landowners, State and Federal agencies, and other interests to help manage the outbreak on the forests.
- *Tapash Collaborative group* - The Okanogan-Wenatchee National Forest uses collaborative groups to manage conflict on multiple forest districts. The Tapash Collaborative met great success in FY 2010 when it received significant new funding for fuels reduction activities on the forest's southern districts. The Tapash Collaborative is jointly championed by The Nature Conservancy and the Forest Service, and the collaborative approach was inspired by the mixed land ownership and high wildfire risk in the area.
- *Bitterroot Restoration Committee* – The Bitterroot National Forest relies upon the Bitterroot Restoration Committee to determine areas of conflict and of common ground within forest projects. The Committee may be responsible for decreasing levels of public opposition in recent years, as the group provides a civil forum for would-be opponents to interact with one another.
- *Midwest Natural Resource Group and the Great Lakes Restoration Initiative* – The Eastern Regional Office's participation in these and other multi-agency natural resource management collaborations has generated additional funding and has resulted in the achievement of some Forest Plan and related restoration objectives across large landscapes.
- *Travel Plan Implementation Task Force* –The Dixie National Forest established a stakeholder group called the Motorized Travel Plan Implementation Task Force to help expand agency capacity to implement the forest's motorized travel plan decision.

NEPA Planning and Early Public Engagement
Many forests pointed to the importance of early public involvement, especially before

embarking on potentially controversial projects. Other forests stated that their greatest collaborative efforts tend to be through project NEPA planning. These forests work with a great diversity of constituents and user groups, as well as local government, tribes, and other state and federal agencies.

- The Coconino National Forest regularly uses the NEPA process as a forum to identify common interests and seek common-ground solutions with citizens and state agencies on a variety of projects, such as Travel Management and water tank development.
- The National Forests of Florida rely on intensive informal public involvement methods with key stakeholders early and often throughout project development. This approach has increased trust and support of management activities.
- The White River National Forest conducts round-table discussions and involves the public early in the forest's Landscape Restoration initiative. These actions have helped reduce conflict and misperceptions and have encouraged new ideas and involvement in project proposals.
- The Angelina/Sabine, Davy Crockett and Sam Houston National Forests have worked collaboratively with partners to develop projects before beginning the scoping process. This early involvement allows the forests to more fully incorporate their partners' needs and interests into project development.
- The Mendocino NF utilizes pre-scoping collaboration with interested parties to refine proposed actions, identify sources of conflict early in the process, and ultimately reduce analysis and documentation workload, as well as the potential for appeal.
- The Beaverhead-Deerlodge National Forest conducts field trips with serial appellants and litigants and also fosters personal communications with those parties. The forest also works closely with serial appellants to better define their needs and objectives for projects.
- Each ranger district on the Tonto National Forest hosts an annual range allotment permittee luncheon. These luncheons provide an opportunity to discuss range management objectives, and allow the forest and its permittees to communicate in a more personal manner.

PACs, RACs, and Stewardship Groups
- The Ottawa National Forest participates in collaborative groups associated with stewardship contracting projects for the Mud Lake Vegetation Management Project, as well as with a Resource Advisory Committee associated with Title II projects and the Secure Rural Schools and Community Self-Determination Act.
- The Deschutes National Forest utilizes multiple collaborative groups to help inform a variety of forest projects. Currently active groups include the Provincial Advisory Committee, the Fire Learning Network, Central Oregon Partnership for Wildfire Risk Reduction, and several smaller collaborative groups formed to assist in individual projects. These groups have helped to improve technology transfer, to prioritize landscapes for fuels and hazard reduction, to develop proposals through consensus, and to increase public knowledge of Forest Service actions.
- The Siuslaw National Forest uses PACs, RACs, and Stewardship Groups to

provide constant contact with the public and to develop relationships with stakeholders.

- The Olympic National Forest has undertaken several stewardship projects, which have brought diverse groups together to work collaboratively and resolve resource concerns prior to reaching a decision. The forest successfully used the informal disposition meeting process to resolve an administrative appeal, allowing for the timely implementation of a project.

Staff trained in partnership, collaboration, and conflict resolution

- The Medicine Bow-Routt National Forests and Thunder Basin National Grassland use collaboration in many projects. The forests attribute their success to having leaders who value collaboration, conflict resolution, and consensus building, as well as having employees with developed dispute resolution skills.
- The George Washington National Forest applies a collaborative approach to revising its Forest Plan by structuring the collaborative process so that Forest Service personnel can manage the process rather than utilizing a third party.
- The Umpqua National Forest has invested in initial training for the Forest Leadership Team (FLT) in collaborative learning, and in more advanced trainings for individual FLT members and leaders of the forest interdisciplinary team. The forest partnered with a state agency to assess collaborative potential, and the FLT plans to develop a strategy for the future of collaboration on the forest
- The Daniel Boone National Forest has hired a third party to provide training to partners in order to bridge the knowledge gap in trail use and management.

Utilizing ECR Principles

- The Angeles National Forest used the principles of ECR to develop its Station Fire Restoration Strategy, and to develop partnerships to pursue post fire recovery actions.

Section 4: Demonstration of ECR Use and Value

7   Briefly describe *your department's/agency's most notable achievements* or advances in using ECR in this past year.

See Appendices C and D of Agency Supplement for a complete list of responses.

Units contacted for development of this report noted many outstanding achievements in using ECR in FY 2010. Specific examples include:

- Extending the cooperative agreement for the Dinkey Collaborative Forest Landscape Restoration Project. A professional facilitator proved crucial to gain the trust and cooperation of stakeholders and to build an implementation and monitoring plan for the restoration project. (*Sierra National Forest*)
- Facilitator hired to provide common understanding among local governments, federal agencies, and tribes regarding legal requirements that must be considered the development of travel management alternatives. (*Wallowa-Whitman National Forest*)
- Forest Plan revision efforts began in 2007, and through public collaboration and a partnership agreement with the US Institute for Environmental Conflict Resolution, conflicts around desired conditions were identified and resolved. Facilitator assistance and three stakeholder working groups have resulted in improved communication and understanding about interest and issues, greater trust and credibility for the Agency, and more inclusive and broadly supported Forest Plan components. (*Prescott National Forest*)
- The Tongass Futures Roundtable culminated in FY 2010 with the agreement of several parties to support the Tongass Transition, a Five-Year Vegetation Management Plan that incorporates harvest, watershed restoration, and wildlife habitat improvements. (*Tongass National Forest*)
- National Riparian Service Team provided facilitation during a three day discussion on the assessment of impacts from grazing on fish habitat. Guidance, expertise, and facilitation built trust among the parties and will assist in the determination of Forest Plan compliance related to livestock grazing and the rate of recovery for riparian areas. (*Malheur National Forest*)
- Utilizing 36 CFR 251.103 – regulation that allows for mediation in states with a Department of Agriculture certified mediation program – the forest resolved an administrative appeal from a grazing permittee outside of formal appeal review. (*Bridger-Teton National Forest*)
- In preparation for the release of the Record of Decision for Subpart B of the Travel Management Planning Process, the US Institute for Environmental Conflict Resolution conducted agency and stakeholder assessments to determine appropriate next steps for engaging the public and making adjustments to the Motor Vehicle Use Map. The ability to articulate next steps during the release of the decision was critical to the success of the decision roll-out in FY 2011. (*Plumas National Forest*)

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- Following an appeal decision that directed the forest to amend its Forest Plan to include a viability analysis for bighorn sheep, the forest secured a third party to facilitate the interdisciplinary planning process. Facilitated groups reviewed the scientific literature, and representatives from tribes and state and local agencies provided assistance under cooperative agreements. (*Payette National Forest*)

8. ECR Case Example

a. Using the template below, provide a description of an ECR case (preferably <u>completed</u> in FY 2010). Please limit the length to no more than 2 pages.

Name/Identification of Problem/Conflict
Overview of problem/conflict and timeline, including reference to the nature and timing of the third-party assistance, and how the ECR effort was funded
Lolo National Forest Previously embroiled in disagreement over restoration activities and desired outcomes, the Montana Forest Restoration Committee (MRFC) was developed between 2007 and 2010 to help local forest-level restoration committees, such as the Lolo Restoration Committee, find common ground during project-level planning. The National Forest Foundation, supported by US Forest Service appropriations, hired a third party facilitator with Common Ground, Inc. The facilitator was engaged in the process to help bring various interests from the environmental community, timber industry, Federal, State, and local governments, and multiple publics together to develop a set of Forest Restoration Principles that could be applied to various US Forest Service projects.
Summary of how the problem or conflict was addressed using ECR, including details of any innovative approaches to ECR, and how the principles for engagement in ECR were used (See Appendix A of the Policy Memo, attached)
The principles and processes of ECR facilitated the development of a set of Forest Restoration Principles that was agreed upon by all parties. The thirteen restoration principles allowed parties with opposing interests to find "common ground" that could be applied to projects proposed by the Forest Service. The MFRC and the Lolo Restoration Committee typically utilize ECR practices that include: round-robin discussions, identification of catch points, identification of common agreement, drafting of resolutions, editing and modification of resolutions, and final agreement using clear, gestural responses (thumbs-up, thumps-sideways, thumbs-down).
Identify the key beneficial outcomes of this case, including references to likely alternative decision making forums and how the outcomes differed as a result of ECR
The development of the Restoration Principles has allowed previously adversarial community members to find initial points of shared understanding at the outset of each environmental project. These sites of common ground have longevity in the community; therefore new baselines of civility and common understanding do not need to be unearthed every time a new forest proposal is made.

Reflections on the lessons learned from the use of ECR

While the collaborative approach significantly increased the time required for up-front planning, it has decreased appeals and litigation and has built a level of trust that may allow the forest to undertake less extensive and costly analysis and documentation for future projects. The forest has also leveraged significant additional funds and staff support for analysis and implementation through its participation in committees and stakeholder groups and its formal engagement with NGOs. To maintain the current level of trust in the long-term, the forest will require a significant commitment from the Agency to support collaboration and its outputs, even when those outputs are not associated with conventional timber targets.

b. Section I of the ECR Policy identifies key governance challenges faced by departments/agencies while working to accomplish national environmental protection and management goals. Consider your departments'/agency's ECR case, and indicate if it represents an example of where ECR was or is being used to avoid or minimize the occurrence of the following:

	Check all that apply	Check if	
		Not Applicable	Don't Know
Protracted and costly environmental litigation;	X		
Unnecessarily lengthy project and resource planning processes;	X		
Costly delays in implementing needed environmental protection measures;	X		
Foregone public and private investments when decisions are not timely or are appealed;	X		
Lower quality outcomes and lost opportunities when environmental plans and decisions are not informed by all available information and perspectives; and	X		
Deep-seated antagonism and hostility repeatedly reinforced between stakeholders by unattended conflicts.	X		

9. Please comment on any difficulties you encountered in collecting these data and if and how you overcame them. Please provide suggestions for improving these questions in the future.

The use of an online survey, clear points of contact at the Washington Office, and regional ECR coordinators have led to improved information gathering and feedback. Follow-up with individual forest respondents clarified any data inconsistencies encountered through the survey instrument.

Please attach any additional information as warranted.

Report due February 15, 2011.
Submit report electronically to: ECRReports@omb.eop.gov

Attached A. Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving

Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving

Informed Commitment	Confirm willingness and availability of appropriate agency leadership and staff at all levels to commit to principles of engagement; ensure commitment to participate in good faith with open mindset to new perspectives
Balanced, Voluntary Representation	Ensure balanced inclusion of affected/concerned interests; all parties should be willing and able to participate and select their own representatives
Group Autonomy	Engage with all participants in developing and governing process; including choice of consensus-based decision rules; seek assistance as needed from impartial facilitator/mediator selected by and accountable to all parties
Informed Process	Seek agreement on how to share, test and apply relevant information (scientific, cultural, technical, etc.) among participants; ensure relevant information is accessible and understandable by all participants
Accountability	Participate in the process directly, fully, and in good faith; be accountable to all participants, as well as agency representatives and the public
Openness	Ensure all participants and public are fully informed in a timely manner of the purpose and objectives of process; communicate agency authorities, requirements and constraints; uphold confidentiality rules and agreements as required for particular proceedings
Timeliness	Ensure timely decisions and outcomes
Implementation	Ensure decisions are implementable consistent with federal law and policy; parties should commit to identify roles and responsibilities necessary to implement agreement; parties should agree in advance on the consequences of a party being unable to provide necessary resources or implement agreement; ensure parties will take steps to implement and obtain resources necessary to agreement