

**FY 2017 TEMPLATE**  
**Environmental Collaboration and Conflict Resolution (ECCR)<sup>1</sup>**  
**Policy Report to OMB-CEQ**

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.

The memorandum requires annual reporting by departments and agencies to OMB and CEQ on progress made each year in implementing the ECCR policy direction to increase the effective use and institutional capacity for ECCR.

ECCR is defined in Section 2 of the 2012 memorandum 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.*

*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 policy and regulatory disputes to administrative adjudicatory disputes, civil judicial disputes, intra- and interagency disputes, and disputes with non-Federal persons and entities.*

*Environmental Collaboration and Conflict Resolution can be applied during policy development or planning in the context of a rulemaking, administrative decision making, enforcement, or litigation with appropriate attention to the particular requirements of those processes. These contexts typically involve situations where a Federal department or agency has ultimate responsibility for decision making and there may be disagreement or conflict among Federal, Tribal, State and local governments and agencies, public interest organizations, citizens groups, and business and industry groups.*

*Although Environmental Collaboration and Conflict Resolution refers specifically to collaborative and conflict resolution processes aided by third-party neutrals, there is a broad array of partnerships, cooperative arrangements, and unassisted negotiations that Federal agencies may pursue with non-Federal entities to plan, manage, and implement department and agency programs and activities. The Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving are presented in Attachment B. The Basic Principles provide guidance that applies to both Environmental Collaboration and Conflict Resolution and unassisted collaborative problem solving and conflict resolution. This policy recognizes the importance and value of the appropriate use of all forms collaborative problem solving and conflict resolution.”*

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<sup>1</sup> The term ‘ECCR’ includes third-party neutral assistance in environmental collaboration and environmental conflict resolution

This annual report format below is provided in accordance with the memo for activities in FY 2017.

The report deadline is February 23, 2018.

We understand that collecting this information may be challenging; however, the departments and agencies are requested to collect this data to the best of their abilities. The 2017 report, along with previous reports, will establish a useful baseline for your department or agency. 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 an analysis of all FY 2017 ECCR reports. You may be contacted for the purpose of clarifying information in your report. For your reference, prior year synthesis reports are available at <http://www.ecr.gov/Resources/FederalECRPolicy/AnnualECRReport.aspx>

## FY 17 ECCR Report Template

Name of Department/Agency responding:	<u>U.S. Department of Transportation</u>
Name and Title/Position of person responding:	<u>Ami Lovell, Attorney</u> <u>Amy Coyle, Senior Attorney</u>
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Date this report is being submitted:	<u>Date 07/09/2018</u>
Name of ECR Forum Representative	<u>Amy Coyle, Krystyna Bednarczyk, Gerald Solomon, Colleen Vaughn</u>

1. **ECCR Capacity Building Progress:** Describe steps taken by your department or agency to build programmatic and institutional capacity for environmental collaboration and conflict resolution in FY 2017, including progress made since FY 2016. Include any efforts to establish routine procedures for considering ECCR in specific situations or categories of cases. To the extent your organization wishes to report on any efforts to provide institutional support for non-assisted collaboration efforts include it here. If no steps were taken, please indicate why not.

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

The U.S. Department of Transportation (DOT) took the following steps to build programmatic and institutional capacity for ECCR in FY 2017:

**Office of the Secretary (OST)**

The Office of the Under Secretary for Transportation Policy (Policy) has an interagency agreement with the U.S. Institute for Environmental Conflict Resolution (USIECR) that includes a range of services related to improving efficiencies for environmental review and permitting to accelerate project delivery and achieve improved environmental and community outcomes. This includes use of collaboration and conflict resolution to improve interagency coordination and expedite projects related to the permitting and environmental review of major transportation infrastructure projects.

**Federal Aviation Administration (FAA)**

On an ongoing basis, FAA works collaboratively with other parties, including the public and other stakeholders, to resolve potential environmental conflicts; recommends use of ECCR when conflicts arise during the National Environmental Policy Act (NEPA) analysis or related consultation requirements that cannot be addressed in discussions between airports, FAA, and external stakeholders; and provided ECCR training to Agency Environmental Protection Specialists from across the country at FAA's annual environmental forum.

**Federal Highway Administration (FHWA)**

FHWA added ECCR capacity through its interagency agreement with the USIECR. During FY 2017, FHWA continued to promote the services the USIECR offers, including training and third-party neutral collaboration and conflict resolution.

## 2. **ECCR Investments and Benefits**

- a) Please describe any methods your agency uses to identify the (a) investments made in ECCR, and (b) benefits realized when using ECCR.

Examples of investments may include ECCR programmatic FTEs, dedicated ECCR budgets, funds spent on contracts to support ECCR cases and programs, etc.

Examples of benefits may include cost savings, environmental and natural resource results, furtherance of agency mission, improved working relationship with stakeholders, litigation avoided, timely project progression, etc.

### **OST Policy**

Policy invested \$150,000 in an interagency agreement with the USIECR. This includes a range of services related to improving efficiencies for environmental review and permitting to accelerate project delivery and achieve improved environmental and community outcomes. This also includes implementing reforms to improve interagency coordination and expediting projects related to the permitting and environmental review of major transportation infrastructure projects.

### **FAA**

The FAA's Office of Airports does not employ methods to specifically identify the investments made in ECCR. Airports prepare the overarching environmental review documents (for NEPA, and associated environmental requirements) that might include ECCR. When ECCR needs are identified, they are typically for an airport and a stakeholder to resolve conflicts regarding an aspect of an airport development project, with FAA participating because of its role as signatory of a NEPA decision document. When there is an ECCR requirement, those costs are bundled into the FAA airport improvement grants airports typically request to reimburse environmental review expenses. Airports have rarely needed to use ECCR, so that cost is minimal.

FAA's method of evaluating the benefits of ECCR for airport projects is qualitative: either the resolution of the stated conflict that created the need for ECCR for a proposed airport development project or tangible progress towards resolving that conflict (i.e., if ECCR helped airports and stakeholders better establish their positions, etc.).

FAA's main benefit from ECCR is improved working relationships with stakeholders. It is a tool FAA relies on when conflicts cannot be resolved within a NEPA or consultation framework.

### **FHWA**

FHWA's methods for identifying investments include the ECCR budget. FHWA has invested in the USIECR interagency agreement for ECCR services, FHWA tracks benefits through case studies. For example, ECCR benefits in FY 2017 included an executed MOU in Indiana for tribal consultation under Section 106 of the National Historic Preservation Act (Section 106) and the initiation of stakeholder engagement meetings to facilitate collaboration and consultation to expedite the environmental review for a large corridor study on Interstate 11 in Arizona.

**Federal Transit Administration (FTA)**

To identify investments that have been made in ECCR, FTA relies on regularly-scheduled monthly environmental discussions between Headquarters and Regional Offices. The Regional Offices may also contact Headquarters' subject matter experts to discuss individual projects and their potential need for ECCR.

- b) Please report any (a) quantitative or qualitative investments your agency captured during FY 2017; and (b) quantitative or qualitative results (benefits) you have captured during FY 2017.

**OST Policy**

Policy invested \$150,000 in an interagency agreement with the USIECR.

**FHWA**

- a. FHWA invested \$100,000 in an interagency agreement with the USIECR.
- b. The USIECR assisted FHWA with third-party neutral services to resolve environmental conflict and coordination in two State Division offices. The benefits to the Federal-Aid Highway Program from these services in FY 2017 include an executed MOU to expedite Section 106 tribal consultation for highway projects in Indiana and early collaboration in accordance with the NEPA and 40 CFR parts 1500-1508 to expedite environmental review for an interstate project in Arizona.

- a) What difficulties have you encountered in generating cost and benefit information and how do you plan to address them?

Benefits are typically qualitative and the full benefits of an ECCR accomplishment in one fiscal year may not be measurable during that fiscal year. DOT does not have a tracking system in place to generate cost and benefit information.

**FTA**

In the current fiscally constrained environment, it is difficult for transit providers to set aside money for possible ECCR expenses. It is likely that transit providers would use funds from their projects' contingency funds, but contingency funds can be used for a variety of tasks. Thus, it is difficult to pinpoint or guarantee the availability of ECCR funds, making generating cost information near impossible.

3. **ECCR Use:** Describe the level of ECCR use within your department/agency in FY 2017 by completing the table below. [Please refer to the definition of ECCR from the OMB-CEQ memo as presented on page one of this template. An ECCR “case or project” is an instance of neutral third-party involvement to assist parties in a collaborative or conflict resolution process. In order not to double count processes, please select one category per case for decision making forums and for ECCR applications.

	Total FY 2017 ECCR Cases <sup>2</sup>	Decision making forum that was addressing the issues when ECCR was initiated:					ECCR Cases or projects completed <sup>3</sup>	ECCR Cases or Projects sponsored <sup>4</sup>	Interagency ECCR Cases and Projects		
		Federal agency decision	Administrative proceedings /appeals	Judicial proceedings	Other (specify)	Federal only			Including non federal participants		
<i>Context for ECCR Applications:</i>											
Policy development	___	___	___	___	___	___	___	___	___	___	
Planning	___	___	___	___	___	___	___	___	___	___	
Siting and construction	<u>1</u>	<u>1</u>	___	___	___	___	<u>1</u>	___	___	<u>1</u>	
Rulemaking	___	___	___	___	___	___	___	___	___	___	
License and permit issuance	___	___	___	___	___	___	___	___	___	___	
Compliance and enforcement action	___	___	___	___	___	___	___	___	___	___	
Implementation/monitoring agreements	<u>1</u>	___	___	___	<u>1</u>	EIS	___	<u>1</u>	<u>1</u>	___	
Other (specify): <u>Tribal Consultation</u>	<u>1</u>	___	___	___	<u>1</u>	Section 106	<u>1</u>	___	___	<u>1</u>	
<b>TOTAL</b>	<b><u>3</u></b>	<b><u>1</u></b>	<b><u>0</u></b>	<b><u>0</u></b>	<b><u>2</u></b>		<b><u>2</u></b>	<b><u>1</u></b>	<b><u>1</u></b>	<b><u>2</u></b>	
		(the sum of the Decision Making Forums should equal Total FY 2017 ECCR Cases)									

<sup>2</sup> An “ECCR case” is a case in which a third-party neutral was active in a particular matter during FY 2017.

<sup>3</sup> A “completed case” means that neutral third party involvement in a particular ECCR case ended during FY 2017. 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.

<sup>4</sup> Sponsored - to be a sponsor of an ECCR 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 ECCR case.

Note: If you subtract completed ECCR cases from Total FY 2017 cases it should equal total ongoing cases. If you subtract sponsored ECCR cases from Total FY 2017 ECCR cases it should equal total cases in which your agency or department participated but did not sponsor. If you subtract the combined interagency ECCR cases from Total FY 2017 cases it should equal total cases that involved only your agency or department with no other federal agency involvement.

#### 4. ECCR Case Example

Using the template below, provide a description of an ECCR case (preferably completed in FY 2017). Please limit the length to no more than 2 pages.

Name/Identification of Problem/Conflict
<p>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</p>
<p>Work continued on FHWA and Indiana DOT's (INDOT) efforts to improve processes for engaging multiple tribes in consultation under Section 106 for traditional cultural resources throughout the State. This effort began in FY 2016 and the USIECR completed the work in FY 2017.</p> <p>In FY 2017, the USIECR facilitated coordination among INDOT, the FHWA Indiana Division, and multiple tribes with historic property affiliations in Indiana. These efforts resulted in a multi-agency, multi-tribe executed MOU that provides a programmatic approach to consultation under Section 106 on surface transportation highway projects in Indiana.</p>
<p>Summary of how the problem or conflict was addressed using ECCR, including details of any innovative approaches to ECCR, and how the principles for engagement in ECCR outlined in the policy memo were used</p>
<p>The USIECR provided services to help FHWA and INDOT improve tribal coordination practices with tribes having cultural and ancestral ties to Indiana. Services included assessing the feasibility of a workshop, gathering information on process design, and convening a two-day workshop with representatives from multiple tribes, FHWA, and INDOT to discuss developing an MOU. Out of the workshop, a sub-group of tribal representatives drafted an MOU with FHWA and INDOT. The sub-group met regularly and engaged additional tribes at several points in the MOU process. Parties to the MOU circulated drafts for comments, then circulated the final MOU for signature and execution. The signatory parties executed the MOU in April 2017.</p>
<p>Identify the key beneficial outcomes of this case, including references to likely alternative decision making forums and how the outcomes differed as a result of ECCR</p>
<p>The FHWA Indiana Division and INDOT have a process in place to consult with tribes, and this new process will have beneficial impacts by creating efficiencies on multiple projects throughout the State.</p>
<p>Reflections on the lessons learned from the use of ECCR</p>
<p>Lessons learned such as engaging multiple stakeholders with varying interests fosters better communication and clearer expectations of respective roles.</p>



**5. Other ECCR Notable Cases:** Briefly describe any other notable ECCR cases in the past fiscal year. (Optional)

**FAA**

The Office of Airports completed an ECCR process in FY 2017 for proposed construction at Tulelake Airport in California that was reported in FY 2016. Tulelake Municipal Airport is a small, general aviation airport located in rural northeastern California. The airport property was federal property conveyed to local authorities for airport purposes. The airport sponsor proposes to build a perimeter fence around the airport to control public access to the airport and prevent mule deer from crossing the airport runway. All aviation development at the airport currently has some level of controversy because some historic preservation groups want to see the airport closed and relocated. This is because the airport was part of the Tule Lake Segregation Center, a World War II facility used to incarcerate Japanese-American United States citizens and legal residents. The USIECR entered into a reimbursable agreement in FY 2015 with Modoc County, the sponsor of the Tulelake Municipal Airport, using a portion of an Airport Improvement Program grant, to serve as a neutral facilitator for stakeholder concerns associated with development at the airport.

The USIECR conducted three stakeholder meetings in FY 2017, including one in December 2016, and concluding with two telephone meetings in March 2017.

While consensus on the fence project was not reached, there were several benefits of the third-party neutral facilitated stakeholder meetings. These benefits included: 1) clarifying that many stakeholders groups supported the fence project; 2) clarifying that the participating historic preservation groups would be satisfied only if the existing airport were converted to a historic site; 3) obtaining clear statements from local municipalities that they did not want to relocate the airport; 4) increasing understanding by State Historic Preservation Officer of intractability of opposing viewpoints; and 5) attempting to avoid probable litigation. ECCR enabled all stakeholders to articulate their positions. It also allowed the FAA to better understand their positions and determine if consensus was achievable.

**FHWA**

FHWA and Arizona DOT used a third-party neutral service under the interagency agreement with the USIECR, to begin a process of stakeholder engagement in FY 2017 for a large corridor project, Interstate 11, which will help facilitate and expedite the development of a Tier 1 environmental impact statement.

**Maritime Administration (MARAD)**

Since mid-2011, MARAD has participated in a liability allocation process supervised by third-party neutrals to apportion liability for contamination at the

Portland Harbor Superfund Site (Site), in Portland, Oregon. The Site is a complex, mega site involving contaminated sediments. In accordance with the Environmental Protection Agency's (EPA) regulations at 42 CFR Part 300 and in an effort to seek an efficient and mutually beneficial resolution of the dispute and potential lawsuit(s) related to the site cleanup, the Federal parties (represented by the Department of Justice (DOJ)) have engaged in the voluntary mediated allocation process with private parties identified as potentially responsible parties. Pursuant to a framework and timeline set forth in a confidentiality and mediation agreement governing the proceedings, participants are continuing to gather information and establish the allocation record that will form the basis for subsequent stages of the allocation.

## 6. Priority Uses of ECCR:

Please describe your agency's efforts to address priority or emerging areas of conflict and cross-cutting challenges either individually or in coordination with other agencies. For example, consider the following areas: NEPA, ESA, CERCLA, energy development, energy transmission, CWA 404 permitting, tribal consultation, environmental justice, management of ocean resources, infrastructure development, National Historic Preservation Act, other priority areas.

### **OST Policy**

Policy is currently developing specific task orders with the USIECR based upon project specific services to align those involved in environmental review and permitting to improve the process and accelerate project delivery.

### **FHWA**

FHWA has an ongoing agreement with the USIECR that the agency has used over the years on multiple different environmental issues – tribal engagement being the most common use of the agreement.

**7. Non-Third-Party-assisted Collaboration Processes:** Briefly describe other significant uses of environmental collaboration that your agency has undertaken in FY 2017 to anticipate, prevent, better manage, or resolve environmental issues and conflicts that do not include a third-party neutral. *Examples may include interagency MOUs, enhanced public engagement, and structural committees with the capacity to resolve disputes, etc.*

**FAA**

FAA works collaboratively with other parties, including the public and other stakeholders, to resolve potential environmental conflicts. For example, FAA is actively involved in community roundtables surrounding numerous airports, serving as both a technical resource and facilitator.

To encourage early coordination with stakeholders, FAA continues to update its desk reference for FAA’s NEPA procedures, which helps to outline coordination and consultation practices for each environmental media to ensure that stakeholders are notified early in the environmental process and that their concerns are heard and addressed prior to a final document.

FAA continues to highlight its community involvement manual that encourages early, open and frequent communication with project stakeholders as well as the use of facilitated conflict resolution.

In addition, FAA has managed and resolved several environmental conflicts without the assistance of a neutral third party.

**FHWA**

FHWA has multiple interagency agreements with resource and regulatory agencies to develop innovative ways to establish and maintain relationships with these agencies and to expedite environmental review processes at the national and regional level. FHWA’s liaison program provides funding for dedicated staffing (research and innovation liaisons) at national offices of six resource and regulatory agencies to work with FHWA subject-matter experts in the development of innovations such as programmatic approaches to accelerate environmental reviews and project delivery.

**Federal Railroad Administration (FRA)**

FRA has not used third-party ECCR processes, but employs various non-assisted collaboration efforts. Although FRA does not specifically dedicate resources for ECCR, non-assisted collaboration efforts can be employed for specific projects as needed and are considered a part of the project scope if required.

FRA worked with the Advisory Council on Historic Preservation in developing programmatic agreements (PAs) and other processes for the Section 106 process for railroad projects. These PAs involve collaboration with other agencies.

When a project is in the scoping phase, or even before the NEPA process starts, FRA assesses potential conflicts and works to resolve them early using memoranda of understanding or agreement that clearly state the roles and responsibilities of various interested parties. FRA has found this to be particularly useful in several projects where potential conflicts could have become worse without a clear understanding developed at the beginning of the process.

FRA also employs extending comment periods or holding additional public meetings to assure public input is received and tries to interact with citizens opposed to projects in a constructive, respectful way. This includes making phone numbers and emails available, and to the best extent possible, answering questions and responding to public requests and questions.

### **MARAD**

MARAD promotes non-assisted collaboration amongst multidisciplinary and integrated intra-agency teams to enhance resource planning and project management. For example, to streamline the review of deepwater port license applications, the Office of Deepwater Ports and Offshore Activities has assembled a multidisciplinary planning, legal, and project management team from across the MARAD community to work in concert with its partners at the U.S. Coast Guard (USCG) during the environmental review phase. MARAD and USCG also maximize opportunities for interagency cooperation by inviting natural resource agency representatives to participate in early project planning as coordinating agencies for NEPA purposes. MARAD similarly collaborates on the environmental review of multimodal projects awarded Transportation Investment Generating Economic Recovery (TIGER) grants.

Additionally, MARAD continued to rely on its Gateway Offices as MARAD's day-to-day representatives throughout the Marine Transportation System (MTS) in FY 2017. These offices are critical to the viability and effectiveness of MARAD and its future programs. In addition to other responsibilities, the Gateway Offices represent DOT and industry interests on aquatic invasive species task forces and regional planning bodies that were organized under the auspices of the National Ocean Council (NOC). These offices help disseminate MARAD priorities to the industry, serve as liaisons to the regional maritime economies, and relay the concerns of a broad range of port, shipper, and carrier stakeholders to headquarters. For example, as a Federal participant representing the interests of the transportation industry, MARAD's Gateway Directors on the NOC Regional Planning Bodies for the Northeast and Mid-Atlantic Regions assisted in the release of the Nation's first regional ocean plans. The ocean plans call on member Federal agencies to use regional data portals, where practicable and appropriate, for information to guide agency decisions and actions within the Northeast and Mid-Atlantic marine regions. The data portals may be used to identify who or what may be affected by proposed activities or where additional information is needed. Such data may include ecosystem information, impacted marine animals, human activities within the proposed geographical area, and other relevant projects. Additionally, member Federal agencies also committed in the ocean plans to implement best practices to facilitate early coordination with other Federal agencies, local governments,

stakeholders, and tribes in actions affecting the two marine regions. Although a recent Executive Order (EO) established the Ocean Policy Committee, and revoked the prior EO that established the NOC, MARAD representatives will continue to facilitate discussion and early coordination among the various maritime stakeholders, to ensure appropriate consideration of port, shipper, and carrier stakeholders in ocean and ocean transportation policy.

**Pipeline and Hazardous Materials Safety Administration (PHMSA)**

In FY 2017, PHMSA served as a cooperating agency on various pipeline construction and development projects. Four of these projects are proposed for Alaska. Other projects involve the development of new liquefied natural gas (LNG) facilities. PHMSA provides its expertise at the request of the lead agencies, typically Federal Energy Regulatory Commission (FERC) or the U.S. Army Corps of Engineers, to help ensure pipeline safety and environmental protection.

PHMSA does not participate in or approve the construction of infrastructure, but PHMSA often becomes aware of disputes between landowners and pipeline operators. These disputes most often arise during construction of a pipeline but also after the pipeline is operational. To assist with resolution of these disputes, PHMSA’s Community Liaisons engage with pipeline stakeholders. The mission of the Community Liaison Program is to advance public safety, environmental protection, and pipeline reliability by facilitating clear communications among all pipeline stakeholders, including the public, the operators and government officials. Community Liaisons provide information about the Office of Pipeline Safety programs to pipeline safety stakeholders, and also work with pipeline operators to encourage prudent land use planning and prevent or mitigate excavation damage and encroachment.

8. **Comments and Suggestions re: Reporting:** 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.

***Please attach any additional information as warranted.***

Report due February 23, 2018.

Submit report electronically to: [owen@udall.gov](mailto:owen@udall.gov)

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

<b>Informed Commitment</b>	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
<b>Balanced, Voluntary Representation</b>	Ensure balanced inclusion of affected/concerned interests; all parties should be willing and able to participate and select their own representatives
<b>Group Autonomy</b>	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
<b>Informed Process</b>	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
<b>Accountability</b>	Participate in the process directly, fully, and in good faith; be accountable to all participants, as well as agency representatives and the public
<b>Openness</b>	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
<b>Timeliness</b>	Ensure timely decisions and outcomes
<b>Implementation</b>	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