

National Roster of Environmental Dispute Resolution and Consensus Building Professionals

Program Overview

July 2004

The National Roster of Environmental Dispute Resolution and Consensus Building Professionals (“Roster of ECR Practitioners”) is managed by the U.S. Institute for Environmental Conflict Resolution, an independent, impartial federal program established by Congress to assist parties in resolving environmental, natural resource and public lands disputes. The roster was developed, with the support of the Environmental Protection Agency, after three years of gathering input from users, private dispute resolution practitioners, and others. The Institute began accepting applications in September 1999. The roster first became operational in February 2000.

The purpose of the roster and the referral/advise system is

- to provide an efficient, credible and user-friendly source from which to systematically identify experienced environmental mediators, facilitators, consensus builders, process designers, conflict assessors, system designers, neutral evaluators/fact finders, superfund allocators, regulatory negotiation neutrals.
- to provide a central place for those involved in environmental disputes or situations, as well as U.S. Environmental Protection Agency ADR Specialists and the Department of Interior’s Office of Collaborative Action and Dispute Resolution, to look for practitioners who have experience with environmental issues.
- to provide a central place for the U.S. Institute to look for practitioners who have experience with environmental issues, particularly to implement the enabling legislation which directs the U.S. Institute to use service providers in the geographic area of the dispute to the maximum extent possible.
- to increase the use of collaborative processes by providing a useful tool for locating appropriate practitioners.
- to provide users with detailed Practitioner Profiles to be used as a helpful first step in the process of selecting an appropriate neutral.
- to provide stakeholders with information and advice about, as well as assistance with, selecting an appropriate neutral and using collaborative processes.

Roster search and referral services are available

- **to anyone**, through the Institute’s Roster Manager (520-670-5299; roster@ecr.gov).
- to the Institute as a primary source for identifying practitioners when making referrals and when locating neutrals for subcontracting.
- to the U.S. Environmental Protection Agency, its prime contract administrator, the Department of the Interior Dispute Resolution Council, the Oregon Consensus Program Interim Director and Oregon DOJ ADR Coordinator, and roster members to search directly to locate practitioners to assist in resolving environmental disputes across the country.
- to the public on the Web, in the future (anticipated for fall 2004).

Each practitioner on the roster meets these entry criteria

- 1.) Served as a lead neutral in a collaborative process (e.g., mediation, consensus building, conflict assessment) for at least **200 case hours** in two to ten environmental cases.
- 2.) **and** accumulated a total of **60 points across three categories**: additional case experience and complex case experience; experience as a trainer or trainee; and substantive work/volunteer/educational experience in fields related to alternative dispute resolution/environmental conflict resolution, such as law, science, or public administration.

Current Roster Membership

Current roster members:	247
Applicants declined:	49
Average environmental/public policy case experience:	30 cases
States with at least one listing (including D.C.):	42
Canadian provinces with at least one listing:	2

Number of Roster Members in Each State/Province:

Alaska	2	Massachusetts	14	Rhode Island	1
Arizona	10	Michigan	3	South Carolina	1
California	27	Minnesota	1	South Dakota	2
Colorado	31	Missouri	5	Tennessee	2
Connecticut	1	Montana	4	Texas	4
D.C.	15	Nevada	1	Utah	3
Florida	10	New Hampshire	1	Vermont	3
Georgia	2	New Jersey	1	Virginia	12
Hawaii	1	New Mexico	7	Washington	15
Idaho	4	New York	6	West Virginia	2
Illinois	2	North Carolina	7	Wisconsin	2
Indiana	1	Ohio	3	Wyoming	3
Kansas	2	Oklahoma	1		
Maine	7	Oregon	17	BC, Canada	1
Maryland	5	Pennsylvania	3	ON, Canada	2

Transportation Roster (Sub-Roster of Transportation Mediators & Facilitators): 43

How the referral, advice, and assistance process works

1. **A stakeholder or other interested person contacts the Institute.** The Roster Manager, Joan Calcagno, gathers information from this person and provides advice to ensure a successful selection process and to identify a specific combination of the **search criteria** collated to best meet the characteristics, criteria, and priorities most likely to identify possibly appropriate practitioners. She also provides advice about the proper use of the Profile as a first step only and the process of working with other participants in selecting an appropriate neutral.
2. **The Roster Manager selects from the available search criteria:**
 - The practitioner's location
 - The type of services needed (mediation, facilitation, consensus building/policy dialogues, regulatory negotiations, superfund allocation, neutral evaluation/fact finding, conflict assessment/process design, dispute system design)
 - The type of case experience the practitioner has (from a list of 40 environmental issues)
 - The scale of the case/controversy (local/community; state/regional; national; international)
 - The geographic areas in which the practitioner has worked (from 13 geographic areas, including foreign countries)
 - Special expertise: as a trainer, with complex cases with more than 10 parties, language skills, other project needs (e.g., logistical support for complex cases, language translation or interpretation; information management/computer support)
 - Education and professional experience (from a list of 18 subject areas)
3. The **search is run in different combinations** and narrowed or expanded depending on the number of practitioners from the initial search results and the purpose of the search.
4. **The Roster Manager reviews the Profiles** of the practitioners who meet the selected search criteria, sometimes has follow-up contact with the requestor, and prints Practitioner Profiles for those that are a best match.
5. **The requestor is sent an explanatory cover letter, the selected Profiles, two information pieces** (one explaining the search results and one providing guidance on the process of selecting a neutral). Contacts for other existing programs and networks of environmental practitioners are also provided, where available and helpful.

The Practitioner Profile provided to referral requestors includes:

- contact information, fee structure, and a narrative summary
- descriptions of up to five selected cases
- examples of training courses taken or provided
- a list of the types of issues in which the practitioner has case experience
- areas of the country/foreign countries in which the practitioner has worked
- special capacities (e.g., computer/web support, access to technical experts)
- professional and education experience
- language proficiency information

Searches/Referrals February 2000 through June 2004:

Total:	304
U.S. Institute (internal search/referrals)	61
Referrals to others (external search/referrals):	144
Searches by EPA ADR searchers and EPA prime contract administrators:	65
Searches by Roster Members (since 9/2003)	31
Searches by OR DOJ ADR Coordinator	3

The 61 internal search/referrals were associated with cases/projects initiated by:

Federal Government	45	State Entities	2
Regional Forums/Entities	3	Tribes	1

in these regions: West: 38 East: 11 Central: 3 National: 9

The 144 external search/referrals were requested by people connected with:

Fed Gov/Entities/Contractors	67	Academic/Academic Centers	5
State Gov/Entities/Contractors	17	Env/Conservation NGOs	5
Other Roster Members; Other Rosters; Other Practitioners:	19	Tribes/Tribal Attyns	5
Corporate/Corp Attyns/Industry	13	International Organizations:	2
Local Gov/Entities/Contractors	7	Private Citizens' Attyns	2
		Regional Forums/Entities	2

in these regions: West: 93 East: 34 Central: 14 International: 3

Predominant substantive issue: Most of the searches/referral requests involve a number of issues. The predominant substantive issues have been (in declining order of frequency) as follows.

- Transportation/Urban Infrastructure (Since fall 2001, from the Transportation Roster)
- Public Lands Issues
- Land Use/Growth Management/Sustainable Development
- Energy Issues (predominately hydro re-licensing); Resource Management
- Native American Issues; Watershed Management/Planning
- Superfund
- Endangered Species; Fisheries
- Water Management/Allocation/Rights
- Environmental Enforcement/Permitting; NEPA; Water Quality/River Basins
- Air Quality; Allocation of Liability for Damages; Coastal Zone Issues; Ecosystem Management; Military Base Issues; Wildlife Issues
- Agricultural Issues; Environmental Justice; Hazardous Waste; Mining
- Oceans; Solid Waste Issues; Misc. other (teambuilding); Pesticides/Toxic Substances
- Cross Cultural; Landfills; Oil & Gas Production; Radioactivity; Training; Urban Infrastructure; Misc. Others (e.g., insurance coverage, budgeting, or contracting issues related to environmental issues)

External search/referral requests in the first six months of 2004:

Tribal Consultation (AZ)
Water Allocation/Assessment Formula Mediation (D.C.)
Bycatch Reduction Device Workshops RFQ (Gulf States)
EIS Public Involvement RFQ Team (ID, WA) (Transportation Roster)
Foreign Countries User Training (International)
Superfund Site Remediation Facilitation (KS)
Water Quality Standards Co-op Agreement (OK)
Fuels Reduction Collaborative Process RFQ (OR)
ASHTO/Env. Consultants Workshop Facilitation (UT) (Transportation Roster)
Sewer Project RFQ Team (UT)
Oil Facility EIS Public Involvement Team (WA)

Current Recruitment Activities

We are now recruiting with a focus on diversity in backgrounds and professional services and for geographic balance, particularly in those states in which currently there are no roster members: Alabama; Arkansas; Delaware; Iowa; Kentucky; Louisiana; Mississippi; Nebraska; North Dakota.

Application Information

How to submit: A roster application can be completed and submitted **online from the U.S. Institute's web site: www.ecr.gov**. Click the roster link. Review the right-hand navigation bar for important information and next steps. Online applications are encouraged. Hard-copy applications are available for those without web access. The application process is ongoing and continuous.

Working from a downloadable paper version: You can print a "non-submittable" version from the "Welcome..." page (the first page after you log in). You can download Acrobat Reader from this same page, if needed. Print out the Instructions and the Glossary also. You can use these materials to fill in information and perhaps a support person can do the actual online work.

Please take note that reviewing the entry criteria and reading all the instructions and the definitions in the glossary before you submit is important. The Entry Criteria and key definitions are available from the roster main page. The complete Glossary and Instructions are accessible as a whole, once you have logged in the application system, by clicking on the item in the right-hand navigation bar on the "Welcome..." page or at the top of any application page. They each can be viewed as a whole in a window. You can print them by using the print function with a right-hand mouse click.

Available from the website: www.ecr.gov (click the roster link):

- **Choosing An Appropriate Neutral** (guidance for the process of selecting a neutral)
- **Frequently Asked Questions About Roster Search Results** (information about the search and the process for getting to the roster members referred)
- **Background** on the development of the roster.
- Details regarding the **Entry Criteria**
- The roster **Application**

Questions, comments, referral requests:

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