

Solving Water Issues Collaboratively



U.S. Institute for Environmental Conflict Resolution

Udall Foundation

A Presentation to the Western Coalition of Arid States (WESTCAS)

Dr. Peter B. Williams, Director
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Workable
Solutions to
Environmental
Conflict



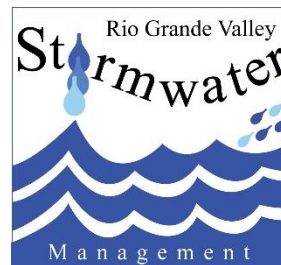
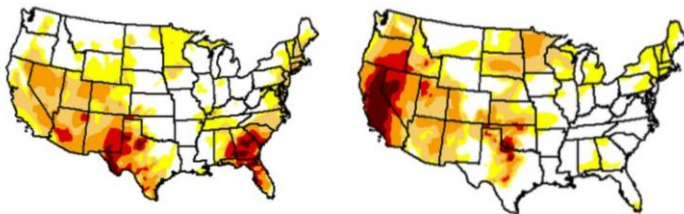
Who?

- US Institute for Environmental Conflict Resolution: Est. in 1998, as part of Udall Foundation, a small federal agency established in 1995
- USIECR Mission: Help federal agencies and other affected stakeholders address environmental disputes, conflicts, and challenges, including helping agencies build internal capacity to address those challenges

We help people better understand problems and opportunities from different perspectives so they can find options for dealing with the former by taking advantage of the later.

Outline for Today

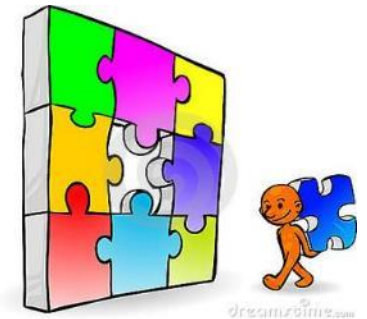
- Overview of Environmental Collaboration and Conflict Resolution (ECCR) field and practice
- Understanding and Addressing Environmental Conflict
- Best Practices and “Watch Outs”
- A Few Relevant Examples of ECCR
- Opportunities and Resources for You



Overview of ECCR

- *When you find yourself involved in a well-established, destructive conflict, don't assume you know its cause, that anyone is to blame, or that the other person is deliberately trying to hurt you. Dedicate yourself to the discovery of what's truly going on before taking any action. The situation may call for third party assistance.*

Mayer, Richard J., 1990, Conflict Resolution: The Courage to Confront, Batelle Press, Columbus OH., 144 pp.



ECCR and Arid States

- Many of the issues you deal with are about resources—like water—or about environmental effects of projects, including effects on people and communities
- Going to court takes the decision out of your hands
- Taking a *positional-bargaining approach* often ends in a lose-lose situation and misses opportunities to build capacity to work together
 - Start with extreme positions and bargain *DOWN* as you give up parts of your position
 - Why not build UP around interests instead of positions?

As issues become more complex and resources become more valuable to more people for more reasons, perhaps a different approach is worth considering...

ECCR: A Different Way

- Environmental Conflict Resolution (ECR), as a field or discipline, began in the early 1970s and expanded or formalized in 1980's and 1990's
- Today, ECR often combines three basic fields of practice:
 1. Alternative Dispute Resolution (ADR) methods, including mediation and facilitation,
 2. Collaborative planning, including evaluation, monitoring, and implementation
 3. Environmental problem solving, including strategic planning, sensemaking, and risk management
- Emphasis on *process*: Who get's involved and how?
 - *Protecting process integrity is key*
- Main ECR Characteristics:
 - Voluntary participation
 - Litigation or appeals remain an option
 - Third-party neutral to help focus on process
 - Agreement seeking, even if the agreement is consensus ("I can live with it") as opposed to unanimity ("I entirely agree")



Overview of ECCR

- Conflict resolution skills can help address many situations you run into every day:
 - ✓ Inherently complex issues that can be about science, engineering, social or economic issues, or legal issues
 - ✓ Different groups may have vastly different opinions on how to proceed
 - ✓ Different groups may apply political pressure to shape the outcome
 - ✓ Often, people don't even agree on the problem!

Three ways for the wheels to come off:

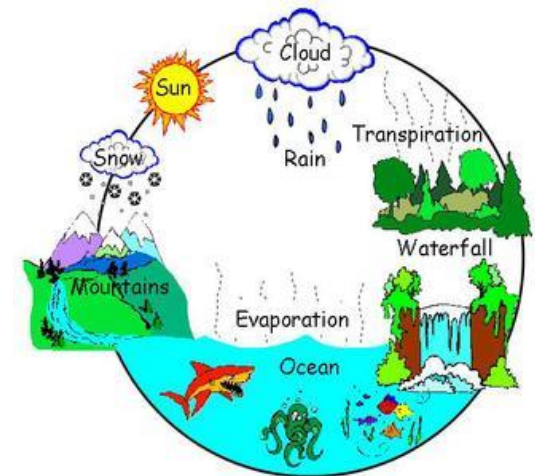
- Political pressure,
- Legal flaw,
- Unworkable



So, need an approach that...

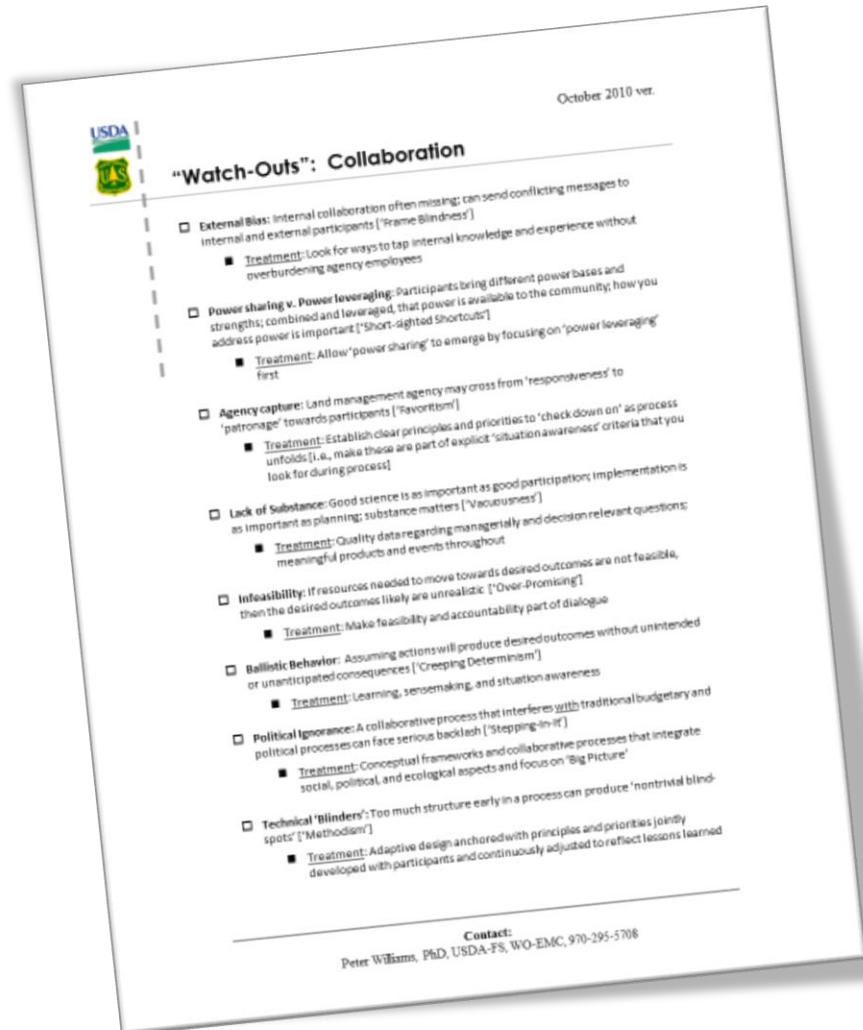
- (1) Invites support,
- (2) Is procedurally sound,
- (3) Leads to a workable solution

Water Cycles and Decision Cycles



Best Practices and “Watch Outs”

- Collaboration often requires:
 - A **convener**, someone to bring everyone together
 - A **neutral third-party**, someone who focused only on helping the process and not determining the outcome
 - A **willingness** to work together
 - A **focus** on PROCESS, CONTENT, AND OUTCOME, the three parts of every decision



Best Practices and “Watch Outs”

- Everybody needs a good listening to!
- If you don't let folks talk, they won't listen to what you have to say!
- Pay attention to who's saying what!
- Listen for the usual tension:
 - There's too little information/There too much information
 - We need more research or time/We need to decide
 - You won't listen to *new* ideas/You won't listen to *different* ideas
 - Many others!



Best Practices and “Watch Outs”

- Look for common ground—sometimes people are actually *violently agreeing* on a particular point when it sounds like they are disagreeing
- Maintain your perspective at all times
- If you lose your temper, you’ve lost
- Go to the balcony: Step back, gain some perspective, then try again



What's on the Horizon?

- Challenges driven by climate: Sea level rise or drought
- Energy siting: Pipelines, well-heads, solar, and wind
- Infrastructure corridors to move people, goods, water, and energy
- Cross-cultural and cross-boundary issues: Working with American Indian Tribes, Alaska Natives, and other First Nations;
- Environmental damage from storms, oil spills, or other causes
- Community resilience and capacity building
- Training and education
- Evaluation and metrics to show what works, why, and ROI

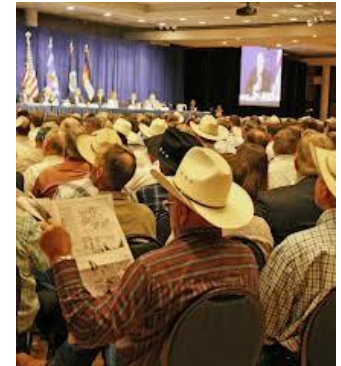


Recent USIECR Project Examples



Forest Plan Revisions: Three Early Adopter forests in California, and Flathead NF (MT)

National Planning Rule and FACA Committee: Development of a national collaborative process



Glen Canyon National Recreation Area Assessment: Assessment of stakeholders for GMP



Annually the U.S. Institute assists more than 1,000 stakeholders involved in environmental conflicts nationwide



Missouri River: 70 member committee working across 8 states



Opportunities and Resources for You

- Opportunities

- Consulting
- Private Firms
- Non-Governmental Organizations
- Academia
- Federal Agencies
 - ADR
 - ECCR

- Resources

- USIECR
- EPA-Conflict Prevention and Resolution Center (CPRC)
- DOI- Collaborative Action and Dispute Resolution (CADR)
- USACE-Institute for Water Resources (IWR)

Questions? Thoughts? Comments?