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Environmental Dispute Resolution Program: Year 5 Accomplishments: February 2016 – January 2017

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Wallace Stegner Center

for Land, Resources and the Environment

UNIVERSITY OF UTAH S.J. QUINNEY COLLEGE OF LAW

ENVIRONMENTAL DISPUTE RESOLUTION PROGRAM

YEAR 5 ACCOMPLISHMENTS: FEBRUARY 2016 – JANUARY 2017

February 1, 2017

Introduction

The mission of the Wallace Stegner Center for Land, Resources and the Environment at the University of Utah S.J. Quinney College of Law is to provide interdisciplinary opportunities for classroom and clinical education, scholarly and applied research, and public service in the areas of natural resources and environmental law and policy. The Center serves as an umbrella for several programs within the University of Utah S.J. Quinney College of Law, including its domestic and international environmental law curriculum and research activities. In cooperation with other colleges and departments at the University of Utah, and at other institutions, the Center provides a forum for multidisciplinary research, conferences, and collaborative educational opportunities related to natural resources and environmental issues.

With an extraordinary five-year grant from the Alternative Visions Fund of the Chicago Community Trust, the Center has expanded its mission to promote collaboration, mediation, and other dispute resolution processes as a means to address contemporary environmental conflicts through a new Environmental Dispute Resolution (EDR) Program. EDR processes help parties to engage in a rational discussion, overcome communication obstacles, and fashion potential solutions that result in better environmental protections and more effective practices, while avoiding costly litigation and ongoing conflicts. The Stegner Center's EDR Program, which began operation in mid-February 2012 under the leadership of Michele Straube, is unique among the College of Law's peer institutions and is proving to be a valuable asset regionally and nationally.

This report covers *activities* for the fifth full year of the EDR Program, running from February 1, 2016 through January 31, 2017. The Stegner Center's EDR Program encompasses four inter-related categories of activity designed to support and expand the use of EDR in Utah and the Mountain West: academic instruction, capacity-building, public education, and facilitation/mediation services.

Environmental Dispute Resolution Program

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Program Development / Outreach

Staffing

- [Michele Straube](#) has been Director of the EDR Program since its inception. She is a J.D. with extensive experience in environmental/natural resource law and mediation. Ms. Straube is 100% supported by the EDR Program.
- [Danya Rumore](#) was hired as the EDR Program's Associate Director in July 2015, directly after completing her Ph.D. in Environmental Policy and Planning from MIT. During her graduate studies, Dr. Rumore worked as the Assistant Director of the MIT Science Impact Collaborative and as an Associate with the Consensus Building Institute. Dr. Rumore continued to split her time in 2016 between the EDR Program (Associate Director and Research Assistant Professor, College of Law, 75%) and the Department of City and Metropolitan Planning (Research Assistant Professor, 25%).
- The EDR Program also relies on students from across campus to help with logistics, research and facilitation support for specific projects. In 2016, our students came from the College of Law; City and Metropolitan Planning Department; Environmental Humanities Program; Parks, Recreation, and Tourism Program; and the University of Virginia Law School. Some students receive clinical or other academic credit for their work, some are funded by outside fellowships, and some are funded through the EDR Program and our projects. During 2016, the EDR Program and Ecological Planning Center also co-hosted a post-graduate fellow from MIT.

Collaboration with Others

- Continued collaboration with University of Utah, Global Climate and Sustainability Center – Ms. Straube was the College of Law, Stegner Center, representative to GCSC till August 2016. Dr. Rumore was the College of Law's representative to the Executive Committee for the Fall 2016 semester and continues to be the law school's alternate representative. GCSC provided fellowship funding on the 2016-2017 academic year for two students to work with the EDR Program.
- Collaborated with University of Utah, Ecological Planning Center (EPC) – Dr. Rumore is a research affiliate of the Ecological Planning Center, which is based in the Department of City and Metropolitan Planning.
- Continued collaboration with University of Wyoming – We are in regular contact with the William D. Ruckelshaus Institute of Environment and Natural Resources to learn from their experience in offering a natural resource leadership workshop similar to the EDR Program's *Short Course on Effective Natural Resources Collaboration*, and welcomed Jessica Clement Western, Director of their Collaboration Program in Natural Resources, as a guest speaker this year. We also arranged for Ms. Western to meet with Stegner faculty about the Wyoming Public Lands Initiative while she was in SLC for the *Short Course*.
- Continued collaboration with Utah State University – We are in regular contact with various USU faculty and staff to share opportunities. E.g., a Sociology/Natural Resources faculty member included the EDR Program on a short list of potential facilitators for county task

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forces working on inter-generational poverty and other rural development topics. We also worked with a Natural Resources faculty member and his staff to participate in a Sagebrush Conference in 2016, and have agreed to help design and facilitate constructive discussions at the upcoming Society for Range Management annual conference (February 2017).

- Collaborated with The Langdon Group and various state and federal agencies – We worked closely with these entities to develop a one-day *Forum on Collaboration* presented in November 2015. Twenty-five state and federal agencies provided sponsorship funding and agenda suggestions for the event. The leftover sponsorship funding is being used to support our *Dialogues on Collaboration*, which the EDR Program co-hosts with The Langdon Group.

Outreach / Professional Affiliations

- Posted bi-weekly EDR blogs from 24 guest authors.
- Ms. Straube served as co-chair for the American Bar Association / Section on Environmental, Energy and Resources (ABA-SEER) Alternative Dispute Resolution (ADR) Newsletter Committee for the 2015-2016 academic year.
- Ms. Straube served on the Steering Committee for the University Network for Collaborative Governance (UNCG), a national coalition of university programs that focus on public policy collaboration, for two years. Dr. Rumore has taken over that leadership position for the 2016-2017 and 2017-2018 academic years.
- The EDR Program will be hosting the combined UNCG and Association for Conflict Resolution – Environmental and Public Policy Section (ACR-EPP) conferences in the new College of Law building in June 2017. Dr. Rumore is the Chair of the UNCG Conference Committee. She is also spearheading efforts to design the agenda for the day in which the two conferences will overlap, which will focus on ways universities and practitioners can work together to further EDR and collaborative problem solving in the public sector.
- The EDR Program has been included in the National Coalition for Deliberation and Dialogue (NCDD)'s inventory of deliberation and dialogue programs.
- The EDR Program coordinated the College of Law Green Team, a collaboration between faculty, staff, students, alumni, and interested community members. It works to identify and implement policies and programs to encourage sustainable behaviors that complement the green features of the recently completed platinum LEED law school building. In 2015, the Green Team focused primarily on assisting with the move into our new building. Following the 2015 move, the Green Team has been less active.

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Academic Instruction

- Ms. Straube taught *Environmental Conflict Resolution* in Spring 2016, a 2-credit class qualifying for skills credit (all law students need to complete at least one skills credit course to graduate). The class size was small, which created the opportunity for other students (from the law school and other graduate programs) to participate in role play exercises. We were also able to pilot use of Dr. Rumore’s climate change simulations (created for real clients as part of her PhD work) in a classroom setting.
- Ms. Straube taught *Conflict Management* in Fall 2016, a 2-credit class qualifying for skills credit, which presents law students with a broad overview of conflict prevention, conflict management and dispute resolution approaches to the range of conflicts and disputes they will encounter in their professional lives. Although the course does not focus specifically on environmental or natural resource conflicts, it is often the law students’ *only* exposure to principles of effective conflict management and collaborative problem-solving.
- Dr. Rumore developed a *Negotiation and Dispute Resolution in the Public Sector* 3-credit graduate-level course for the City and Metropolitan Planning Department, which she taught in Spring 2016. The 3-credit graduate-level course qualifies for all four of the City and Metropolitan Planning Department’s specializations. In the class, students learn the theory and practice of mutual gains negotiation and consensus building, and are introduced to facilitation and mediation.
- As part of the NITC educational grant, Dr. Rumore taught an applied *Zion Regional Planning Workshop* course in Fall 2016. This course engaged four graduate students in on-the-ground collaborative planning work in the Zion region. Students in the course also worked with Dr. Rumore to develop tools and resources to teach students and stakeholders about collaborative regional planning, and related skills and approaches.
- Due to a colleague’s illness, Dr. Rumore co-instructed the City and Metropolitan Planning Department’s *Reason, Power, and Values* graduate level seminar course during the Fall of 2016. The course teaches about the role of reason, values, and power in urban and environmental planning, with a particular emphasis on collaborative planning in the context of complex public policy challenges. The course included 15 graduate students.
- The EDR Program is committed to developing opportunities for students to have hands-on experiences with environmental dispute resolution processes beyond the classroom. Law students can receive academic credit through two clinics (Environmental Practice, Mediation) for working on EDR Program projects, count their hours working with us toward the law school’s *pro bono* certificate, or undertake independent research projects whose final reports satisfy the law school writing requirement or certain fellowships. U of U Planning graduate students can work with us on projects that interest us to fulfill their “professional project” requirement or as research assistants. We were also fortunate to benefit from University of Virginia Law School public service fellowship funding, which allowed us to host a summer 2016 fellow here in Salt Lake City.
- The following students were great assets to EDR Program projects over the past year (and, in some cases, will continue to work with us in the coming year):

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- Dylan Corbin (Master of City and Metropolitan Planning student). Worked with Dr. Rumore to complete the Situation Assessment for the Zion Regional Collaborative Planning effort in Spring 2016. He has continued to provide support for the Zion Region Collaboration effort. He is also currently working with Dr. Rumore to write an academic paper sharing lessons learned from this effort, as well as to complete tools and resources for advancing collaborative regional planning around national parks and other gateway regions. Mr. Corbin has also assisted with the *Short Course* and various other EDR Program efforts. His work with the EDR Program is supported by a City and Metropolitan Planning Department graduate student assistantship.
- Katherine Daly (Master of City and Metropolitan Planning student). Worked with Dr. Rumore to design and facilitate a community forum in the Town of Rockville during Spring 2016. Dr. Rumore was so impressed with Ms. Daly's skills and promise as a collaborative professional that the EDR Program offered Ms. Daly an EDR fellowship for Summer 2016 and the 2016-2017 academic year. Ms. Daly has been assisting the EDR Program with the Zion Region Collaboration effort and our collaborative planning work in Bonner County, Idaho. She has also assisted with the *Short Course*, Program outreach and graphic design, and a variety of other tasks. Ms. Daly's work with the EDR Program is supported by funding from the NITC grant and EDR Program funds. She received a prestigious Women and Transportation Seminar scholarship for her EDR Program work on the Zion project.
- Kim Kernan (LLM law student). Her extensive negotiation and land use advocacy background prior to returning to law school has been helpful to the EDR Program. She has acted as co-facilitator for an Escalante River Watershed Partnership quarterly meeting (taking notes and drafting meeting summaries), and will be working more extensively with the EDR Program this spring. Her law school tuition is supported by a GCSC fellowship.
- Kailey Kornhauser (Master of Environmental Humanities student). Completed an independent study with the EDR Program in Spring 2016, focusing on collaborative problem solving and resilience in the public sector. She then secured funding from the Environmental Humanities program to support her continued work with the EDR Program during Summer 2016 and the 2016-17 academic year. Ms. Kornhauser has worked on a wide variety of EDR Program efforts, including co-facilitating the Zion Region Collaboration effort, assisting Dr. Rumore with the 37 Degrees North effort, providing organizational support for the *Short Course*, and helping with outreach and communication efforts. Dr. Rumore is advising Ms. Kornhauser's thesis research on collaborative Forest Service plan revisions.
- Nils Lofgren (2L law student). Conducting legal and policy research to support our work with the US Forest Service on collaborative forest plan revisions. Mr. Lofgren's work with the EDR Program is supported by an EDR fellowship for Spring 2017.
- Cody Lutz (Master of City and Metropolitan Planning student). Joined the EDR Program in Fall 2016. Mr. Lutz has provided support for the Zion Region Collaboration effort and the *Short Course*. He is also currently working with Dr. Rumore to design and facilitate a community forum in the Town of Springdale. Mr. Lutz's work with the EDR Program is supported by a GCSC fellowship, and a graduate student assistantship from the City and Metropolitan Planning Department.
- Megan Mustoe (3L law student). Ms. Mustoe worked with the EDR Program last academic year *pro bono* (i.e., without receiving academic credit or pay), and is

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- supported for this academic year by a David C. Williams Fellowship. She has conducted legal research on various issues, acted as co-facilitator in select La Sal Sustainability Collaboration monthly meetings (taking notes and drafting meeting summaries), assisted in the development and implementation of the *Short Course*, and acted as co-mediator for a litigation-related mediation. Ms. Mustoe was hired to act as a facilitator for the Utah Forest Restoration Working Group (a project the EDR Program did not have the capacity or interest to take on), which she is doing on her own with Ms. Straube's minimal remote supervision.
- Andrew Ognibene (1L law student from University of Virginia Law School). Mr. Ognibene learned about the EDR Program through our 2015 summer fellow, Hannah Payne, and contacted us about working with the EDR Program as a summer fellow in 2016. He secured his own stipend funding from U Va. Mr. Ognibene conducted research for the EDR Program and the Stegner Fellows Program, and acted as co-facilitator for an Escalante River Watershed Partnership quarterly meeting (taking notes and drafting meeting summaries). He received an offer of a 2017 summer job (after his 2L year) with a regional natural resources law firm in Denver, in part on the basis of his EDR experience with us during Summer 2016.
 - James Owen (3L law student). Developing a series of five role-play simulations based on an over-arching fact scenario, our work product under the RMMLF special projects grant. We have submitted a proposal for Mr. Owen to present at the Natural Resources Law Teachers Institute in June 2017. Mr. Owen received academic credit through the Environmental Clinic for his work with the EDR Program in Fall 2016; his continuing work is supported by an EDR fellowship in Spring 2017, paid by RMMLF.
 - Natalie Watkins (Master of City and Metropolitan Planning student). Assisted the EDR Program with various support tasks in Spring 2016, such as reviewing existing facilitation training programs to inform our potential design of a facilitation course, conducting background research for projects, graphic design for outreach materials, and updating email lists. She also served as a teaching assistant for Dr. Rumore's 2016 *Negotiation and Dispute Resolution* course.
- Dr. Rumore is serving as a doctoral committee member for two Ph.D. students: Chris Zajchowski (Ph.D. candidate in Parks, Recreation, and Tourism), who has been working with Dr. Rumore to explore how mental models influence, and are influenced by, collaborative planning efforts; Robin Rothfeder (Ph.D. candidate in City and Metropolitan Planning), who is working with Dr. Rumore on a theory and practice of ecological planning; and Zacharia Levine (Ph.D. candidate in City and Metropolitan Planning), who is working with Dr. Rumore on gateway community planning challenges. Dr. Rumore has also served on the thesis and/or professional project committees for multiple Masters students from the Planning Department and other departments around campus.
 - EDR Program staff members are often invited to give guest lectures or presentations in classes across campus. During 2016, we gave presentations about collaborative problem-solving to classes in the College of Law, Communications Department, Conflict Resolution Certificate Program, Department of City and Metropolitan Planning, College of Engineering, and the Global Change and Sustainability Center.

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Capacity-Building

Utah Program on Collaboration

- We have been working with colleagues in the private sector, academia and government agencies to develop and launch a three-part *Utah Program on Collaboration* to build natural resources collaboration leadership capacity throughout the state. The *Program* consists of a one-day *Forum on Collaboration*, *Dialogues on Collaboration*, and a *Short Course on Effective Natural Resources Collaboration*.
 - To inform the *Program*, EDR Program staff and partners at The Langdon Group conducted over 30 interviews with key individuals in state and federal environmental and natural resource (ENR) agencies.
 - In November 2015, we held our first *Utah Forum on Collaboration*. The *Forum* brought together almost 40 high-level leaders from state and federal ENR agencies for peer-to-peer learning about opportunities and challenges for ENR collaboration in Utah. The *Forum* covered topics including the fundamentals of collaborative problem-solving, inter- and intra-agency collaboration, and collaboration with other stakeholders. It provided participants resources to support agency collaborative efforts, such as information on where to find facilitators and collaboration support, as well as case studies of collaboration; these [resource materials](#) are also available on the EDR Program website.
 - *Dialogues on Collaboration*, the second component of the Program on Collaboration, began in 2016. The *Dialogues* provide an in-person peer-to-peer sharing opportunity for a broad range of ENR stakeholders (agency leaders, local governments, conservation groups, industry, interested members of the general public) to explore key ENR issues and collaboration topics. We hosted the first *Dialogue* on June 15, 2016, focused on “Working With Elected Officials: What Collaboration Can Bring to the Table.” The second *Dialogue*, hosted on December 7, 2016, focused on “Working with Tribes: What Collaboration Can Bring to the Table.” Both *Dialogues* followed a similar format, involving panel presentations and small group discussions. Based on the highly positive feedback received from participants, we plan to host future *Dialogues* on a semi-annual basis, focusing on topics the participants have asked for.
 - We delivered the inaugural *Short Course on Effective Natural Resources Collaboration* starting in June 2016 to a cohort of 24 participants. With the use of donated scholarship funds (Huntsman Corporation, Wagner Family Foundation), we were able to choose a highly diverse group that included mid- to upper-level professional representatives from all levels of government (local, state, regional, federal), NGOs, corporations, tribes, legislative staff, and consulting firms. The *Short Course* is a six-session training program teaching the skills and theory of collaborative problem solving around environmental and natural resources issues. The training has been very well-received; we have been improving the curriculum and approach between sessions based on end-of-session participant evaluations, and will also use this information to improve the curriculum before we implement the 2017 *Short Course*. The application process for the 2017 *Short Course* will open in April 2017.

Rocky Mountain Mineral Law Foundation (RMMLF) Special Project

- The EDR Program received a RMMLF Special Projects Fund grant to develop a series of inter-connected role-play simulation exercises that will be used to teach mineral law students and practitioners negotiation and collaborative problem-solving skills in a risk-free, but realistic, environment. The exercises are being designed to successively engage

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students in learning key skills and concepts; each simulation will build on the lessons learned in prior exercises and are designed to expose participants to a variety of stakeholder roles, with the aim of enhancing participants' ability to fully understand the varying perspectives on complex mineral law issues. The exercises, based on an oil and gas development scenario, start with a relatively simple two-party negotiation, move to a three-party negotiation, and continue on to include more complex issues and negotiation situations. When complete, we will present the exercises at the Rocky Mountain Natural Resources Law Teachers Institute (in June in Banff), and distribute them widely to law and other graduate schools, as well as professional associations working on mineral development issues.

Requests for Advice

- The EDR Program receives numerous requests to provide advice or guidance on EDR process design and implementation over the course of a year. While the program often does not get public credit for these coaching or mentoring conversations, it is a significant contribution to expanding the use of collaborative problem-solving and dialogue as the means for managing conflicts around environmental and natural resource issues. In 2016, the Program received a range of requests from helping stakeholders think through how to create an opportunity for dialogue to recommending a facilitator or mediator.

Public Education

The EDR Program seeks out opportunities to educate the public about the existence of EDR processes and their benefits, as well as to provide information to professional audiences about basic skills for dialogue and collaboration.

EDR Blog

- The [EDR Blog](#), launched in 2014, was envisioned as a way to raise awareness that collaborative problem-solving and consensus-building are being used effectively in Utah and beyond. EDR Blog content is written primarily by guest bloggers, with some entries from EDRP staff to promote our activities and share our insights.
- In 2014, we posted 19 entries from 14 authors; in 2015, we posted 27 entries from 26 authors; in 2016, we posted 26 entries with 24 authors.
- The blog posts highlight EDR best practices and lessons learned, identify EDR opportunities for current controversial issues, share the neuroscience and psychology underlying humans' unique ability for collaboration and dialogue, and discuss other miscellaneous EDR topics.
- This year's guest authors included graduate and undergraduate students from multiple institutions, fellow facilitators and mediators, academics from around the country, environmental and community activists, as well as state and federal agency officials.

Case Studies

- Our [case study library](#) continues to grow. In addition to three practitioner-written case studies, we have "published" five *Environmental Conflict Resolution* student papers to the EDR Program website, with a stand-alone Executive Summary for each paper. Four additional student papers are in the process of editing, and should be "published" in the next few months. We will also be adding a variety of case studies that were developed for the *UT Forum on Collaboration and Short Course*.

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Written publications, blog posts, and podcasts

- Book / Book chapters
 - Czaika, E., D. Rumore, and T. Schenk (2016) Finding the Facts about Joint Fact-Finding: Criteria and Approaches for Rigorous Evaluation, *Joint Fact Finding in Urban Planning and Environmental Disputes*, London, UK: Routledge.
 - Schenk, T., E. Czaika, M. Russo, and D. Rumore (2016) Joint Fact Finding: An Approach for Advancing Interactive Governance When Scientific and Technical Information Is in Question, chapter in Edelenbos and van Meerkert (eds.) *Critical Reflections on Interactive Governance*, Edward Elgar Publishing.

- Articles
 - Rumore, D., T. Schenk, and L. Susskind (2016) Enhancing Communities' Readiness to Adapt to Climate Change Through Role-Play Simulations, *Nature Climate Change*, 6: 745-750.
 - Cachelin, A., J. Rose, and D. Rumore (2016) Leveraging Place and Community for Critical Sustainability Education: The Promise of Participatory Action Research, *Journal of Sustainability Education*.
 - Spence, J., L. Pilkington, L. Whitham, J. Tuhy, M. Straube, M. Wight (Centennial issue 2016) The Escalante River Watershed Partnership – Glen Canyon National Recreation Area Teams up with Regional Partners to Restore the Escalante River Watershed, *NPS Crossroads in Science* magazine.

- Blogs, Podcasts, Media
 - *ABC4 Live*, Straube interview, 1/21/16
 - [Q&A w/ the Environmental Dispute Resolution Program: Creating a Culture of Environmental Collaboration](#), Sustainable Utah blog, Rumore (3/8/16)
 - [Apply for Short Course on Effective Natural Resources Collaboration](#), EDR Blog, Straube, 3/14/16
 - [The Power of Collaborative Tinkering and Creative Problem Solving](#), EDR Blog, Rumore, 3/28/16
 - Interviewed by *Moab Sun* reporter about consensus-building processes and forest plan revisions (8/16), Straube (used by reporter as background information)
 - [So Little Time, So Much to Read: Conflict Management Blogs I Follow](#), EDR Blog, Straube, 8/29/16
 - [Using Serious Games to Help Communities Make Progress on Serious Problems](#), EDR Blog, Rumore, 10/24/16

Presentations

- “Coloring Inside the Lines: Exploring the Boundaries of Ethics in Negotiation,” Law of the Colorado River Continuing Legal Education Seminar, Las Vegas, NV, 2/5/16, Straube
- “Engaging Stakeholders: What works, what doesn’t work, and why?,” Sagebrush Ecosystem Conservation workshop, Salt Lake City, UT, 2/24/16, Straube
- “Forum on Collaboration,” International Association for Public Participation (IAP2) regional annual conference, Salt Lake City, UT, 4/22/16, Straube
- “Secrets of Effective Collaboration,” UT Department of Environmental Quality, Salt Lake City, UT, 5/25/16, Straube

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- “2015 ADR Year in Review,” (moderator), ABA-SEER ADR Committee webinar, 6/1/16, Straube
- “Advancing the Evaluation of Collaborative Governance Through Research and ‘Pracademic’ Collaboration,” University Network of Collaborative Governance conference (session organizer, co-facilitator, and presenter), 6/14/16, Rumore
- “Collaborative Planning: A Tool for Helping Gateway Communities Thrive,” Utah Outdoor Recreation Summit (invited talk), 9/14/16, Rumore
- “Collaborative Regional Planning: A Tool for Helping Gateway Regions Thrive,” City and Metropolitan Planning Brownbag Series, 9/26/16, Rumore
- “Collaborative Planning in the Zion Region,” WTS Fall Retreat (invited talk), 10/09/16, Rumore
- “Collaborative Planning in Gateway Regions,” Park, Recreation, and Tourism Program (invited talk), 10/11/16, Rumore
- “Water Diplomacy: Theories, Tools, and Techniques,” Oregon State University Water Cooperation and Peace Seminar Series (invited talk), 11/02/16, Rumore
- “Collaborative planning: assessment, evaluation, and innovation,” Association of Collegiate Schools of Planning, 11/04/16
- “Public Involvement, Collaborative Decision Making, and Facilitation,” WTS and IAP2 (invited panel talk), 1/17/17, Rumore
- “Collaborative Groups Related to Sustainable Grazing on Public Lands,” Society for Range Management Symposium, St. George, 2/2/17, Straube

Facilitation/Mediation Services

The EDR Program intends to be directly involved in a small number of fee-for-service EDR projects that have the potential to be precedent-setting, demonstrate best practices, and/or provide learning opportunities for students. Program staff’s involvement may include collaborative process design and/or serving as mediator/facilitator. Program staff also provide some *pro bono* facilitation services as a professional courtesy. Building on Dr. Rumore’s experience working at MIT and the Consensus Building Institute, we are also exploring ways of using academic research as a way to provide capacity building, stakeholder engagement, and collaborative planning support to communities and stakeholder groups, and to further the theory and practice of collaborative processes.

Town of Rockville

- This past spring, Dr. Rumore worked with EDR Program Fellow Katherine Daly to conduct a simple situation assessment, and then design and facilitate a community learning forum on another contentious issue: the replacement or rehabilitation of the town’s historical bridge. The Community Forum on the Rockville Truss Bridge was held on February 26, 2016, and led to the community successfully working through divides to unite in an effort to rehabilitate the historic bridge. The EDR Program provided ongoing support for the community, which has now secured funding and Utah Department of Transportation support for restoring the bridge. Rockville public officials wrote an EDR Blog about the forum and how it helped the town make progress on a seemingly intractable conflict: [“How Dialogue Can Help Small Towns Navigate Planning Challenges.”](#)

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Zion Regional Collaborative Planning

- The regional growth, increased national park visitation, water shortage, and other pressures that are affecting Rockville are impacting the entire Zion Canyon region, including Zion National Park and the communities in the western transportation corridor leading into the park. Through discussion with diverse regional stakeholders, we learned that there is great opportunity to provide collaborative planning support for stakeholders in the region to help them address the issues they are currently facing and projected risks associated with increased growth and climate change.
- In partnership with the Ecological Planning Center, the EDRP is now leading a multi-year action research project providing planning support for the region while studying the effectiveness of collaborative scenario planning as an approach for helping gateway regions thrive amid significant tourism and growth pressures.
- The situation assessment, completed in Summer 2016, identified significant opportunities for, and potential benefits of, planning collaboration in the Zion region. The Zion Region Collaborative effort is now underway. Regional stakeholders—including representatives from Zion National Park, Bureau of Land Management, Town of Springdale, Town of Rockville, Town of Virgin, Washington County, Iron County, Kane County, multiple regional tourism offices, Utah Office of Tourism, Utah Office of Outdoor Recreation, local businesses, conservation NGOs, and other entities—have met three times since July 2016.

Town of Springdale

- As a result of our work in Rockville and the Zion Region, the Town of Springdale approached the EDR Program in Fall 2016 about facilitating a community forum on lodging development and community character. To help the community have a productive dialogue about these changes and how the town should manage lodging development in the future, Dr. Rumore and EDR Program Fellow Cody Lutz conducted a simple situation assessment, then designed and facilitated a community learning forum held on January 25, 2016.

Bonner County Regional Collaborative Planning

- In Spring 2016, Dr. Rumore was approached by colleagues in Bonner County, Idaho, about assisting with countywide land use and planning-related tensions. Dr. Rumore assisted a local group of citizens in forming Project 7B, a community group focused on supporting meaningful dialogue and collaboration around countywide land use and planning concerns. A situation assessment of growth, land use, and planning related concerns in Bonner County was completed in Summer 2016, with the support of EDR Program Fellow Katherine Daly. Ms. Daly also assisted Project 7B in developing educational materials about planning-related concerns in Bonner County, which are now being shared via the Project 7B website.
- Building on the findings of the assessment, Dr. Rumore is now working with Project 7B and local municipalities to convene and facilitate a stakeholder workshop, which will be held on February 10, 2017, will engage key regional stakeholders—including Bonner County commissioners and planners, municipal mayors and other key public officials, and representatives of other key stakeholder groups—in facilitated dialogue about land use and planning-related opportunities and challenges in the county, and potential pathways forward.

Environmental Dispute Resolution Program

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La Sal Sustainability Collaboration (LSSC)

- The LSSC is co-convened by the Utah Grazing Improvement Program (in the Department of Agriculture & Food) and the Grand Canyon Trust; its members include representatives from the ranching permittees, San Juan County, state wildlife agency and conservation groups. Federal and state land managers are participating actively in the group as resource experts. The purpose of the Collaboration is to co-create an approach to management of an area encompassing tens of thousands of acres in the “Southern La Sal’s and Canyons” where federal, state and private rangelands are operated as an integrated, sustainable system. The Collaboration’s recommendations will (1) provide for ecological resilience, (2) sustain economic viability, (3) promote cultural preservation, (4) be socially acceptable, and (5) be legally defensible.
- The group was created as a first-of-its-kind effort to bring all public and private land managers together to develop a comprehensive approach to grazing management that maximizes private and public values. The group has been meeting monthly since August 2014; it did not meet its over-optimistic intention to complete its work within a year. EDR Program staff’s activities for the LSSC include process design, meeting facilitation, and between-meeting mediation as needed. We have also been able to use clinical law students to provide facilitation support.
- Various outside realities during 2016 significantly affected the LSSC process, which in turn required significant EDR Program support in the form of mediation, conflict coaching, and report-drafting. The group’s “final” meeting – intended as a signing celebration – is scheduled for February 8, 2017. If the current consensus holds, and the consensus recommendations are signed, it will be a testament to the good will, optimism and determination of the co-conveners, the stakeholders’ love of place, and the benefits of mediation/facilitation.

Escalante River Watershed Partnership (ERWP)

- Now in its seventh year, ERWP is implementing a collaborative and comprehensive approach to restore, protect and maintain a healthy riparian ecosystem in the Escalante River watershed. The effort was initiated in 2009 by The Nature Conservancy, National Park Service and Grand Staircase-Escalante National Monument, and continues to operate as a loose collaboration of partners. Partnership members include federal and state agencies, local elected officials, various non-profit organizations, and local landowners.
- EDR Program staff’s activities for the ERWP since February 2012 have included committee and full partnership meeting facilitation, ongoing coordination and mediation between stakeholders as issues arise, partnership development advice, and facilitation of an annual strategic planning retreat. By the end of 2015, the partnership was operating well and capable of self-facilitation, with conflict coaching needed only for discrete issues.
- In 2016, the EDR Program coordinated the 5-year renewal of the ERWP Partnership Agreement, which resulted in 13 partners renewing their written commitment, and 8 new partners signing on. We also facilitated the group’s negotiations to update their Charter to strengthen behavioral norms. Outside events during 2016 created some “difficult conversations” for the partnership, and may have long-term repercussions about the scope of the partnership’s efforts. The group went through two unsuccessful job searches in 2016 for a Watershed Partnership Coordinator (general reluctance of applicants to move to Escalante, UT), and is likely to renew its search in the next year or two.

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Other Facilitations (select examples):

EDR Program staff provided additional facilitation services during 2016, a few of which are highlighted here:

- University of Utah Fossil Fuel Divestment Committee. The EDR Program identified and trained 14 student facilitators, and helped design a small group discussion process for a meeting of any U of U faculty/staff/students interested in providing input for the Academic Senate's consideration of divesting from fossil fuel / re-investing in other things. Dr. Rumore and Ms. Straube coordinated the small group discussions in March 2016. The Academic Senate ultimately voted to "strategically" divest from fossil fuel investments over the next five years.
- Environmental Water Transactions Work Groups (The Nature Conservancy, TNC). In early 2016, TNC approached the EDR Program about facilitating their Colorado Environmental Water Transactions Work Group. Dr. Rumore conducted simple assessments for two work groups, and facilitated the full day workshop in Utah on April 21, 2016, and the full day workshop in Arizona on July 7, 2016.
- 37 Degrees North Steering Committee. During Fall 2016, Dr. Rumore worked with Kailey Kornhauser, an EDR Program Fellow, to conduct a simple situation assessment, and to design and facilitate three steering committee meetings aimed at developing a proposal for a cross-university effort that will provide capacity-building for southeastern rural Utah. She is currently working with the steering committee to finish the proposal, which will be used to secure longer term support, and build on- and off-campus partnerships for the initiative.
- Rocky Mountain Wild v. Walsh. Ms. Straube was selected as mediator in a Federal Court-ordered mediation between seven conservation group plaintiffs, two federal government defendants, three intervenor-defendants, and any other entities who might be affected by a settlement. The court case involved a challenge to a F&WS decision to delist two threatened plant species under the Endangered Species Act on the basis on a conservation agreement between federal agencies and intervenor-defendants. Ms. Straube mediated a full day meeting on January 23, 2016, which included 37 participants, to ascertain whether settlement of the case was possible. While the mediation conversations are confidential settlement negotiations, the parties did agree to meet again to explore certain topics in more detail.

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