

MISSOURI RIVER RECOVERY AND RESTORATION



**RESPONSE TO THE
U.S. INSTITUTE FOR ENVIRONMENTAL CONFLICT RESOLUTION
REQUEST FOR PROPOSALS**

***SUBMITTED BY
RESOLVE
AND
WESTERN ECOSYSTEMS TECHNOLOGY***

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Introduction

The Missouri River and its tributaries drain a region of natural, historic, cultural, and economic grandeur at the geographic center of this country. Controversies have surged across this vast region for decades, much like the historic floods people have sought to tame. The stage now may be set, however, for a promising new opportunity for decision makers (and the stakeholders whose interests they seek to serve) to engage in a dialogue with one another that not only results in decisions that better address competing needs but also provide a stronger foundation for collaborative problem solving in the future.

The Missouri River Mainstem Reservoir System is comprised of six dam and reservoir projects, constructed from 1933-1966 and operated by the U.S. Army Corps of Engineers (USACE) as an integrated system to provide multiple benefits of flood control, navigation, irrigation, hydropower, water supply, water quality, recreation, and fish and wildlife. The Missouri and its tributaries draw water from large snow melts in the Rockies, which historically caused significant spring and early summer flooding. As the population of the basin grew, construction and operation of the reservoir system provided significant benefits both in reducing damaging floods and in enabling the transport of agricultural products and other goods to the Mississippi River and then on to the rest of the world. Natural flooding was a major factor in how the Missouri River ecosystem evolved over thousands of years, however, and the changes in the flow regime ultimately have been a major factor in significant changes in habitat for fish and wildlife. Of particular concern have been the negative impacts to habitat for the endangered pallid sturgeon, the endangered least tern, and the threatened piping plover. As USACE and other agencies work to address the challenges of competing needs for how the Missouri River is managed, the problem is only made more difficult by current drought conditions.

Under the Endangered Species Act (ESA), USACE has the responsibility to conserve listed species; and, in 2000, USACE asked the U.S. Fish and Wildlife Service (USFWS) to consult on the operations of three major projects: The Missouri River Mainstem System, the Kansas River Tributary Reservoirs, and the Missouri River Bank Stabilization and Navigation Project. The agencies prepared biological opinions (revised in 2003); and, in March 2004, USACE issued a revised Missouri River Master Water Control Manual that calls for modifications in river operations, including: drought conservation measures, unbalancing of the upper three reservoirs, non-navigation flows, and an adaptive management process. The 2003 amendment to the 2000 biological opinion also stipulated a “spring pulse” from the system.

Changes also have been taking place in the relationship between federal agencies and the 27 sovereign tribal nations within the Missouri River basin. Most significantly, in 2004, most of the tribes in the basin signed a Programmatic Agreement with USACE, the Advisory Council for Historic Preservation, and others concerning the operation and management of the Missouri River Mainstem System for compliance with Section 106 of the National Historic Preservations Act. In the Preamble, authored by the Tribal Representatives, this programmatic agreement is based on “principles of Consultation, and Collaboration, and Shared Stewardship...and provides the opportunity to develop a dialogue and forum for the various Indigenous Nations and Federal agencies to begin addressing all resources considered sacred or important by Indigenous Peoples.”

These government actions, along with a comprehensive Missouri River Recovery Implementation Program (MRRIP) create a framework and a focus for federal agencies, tribal governments, states and other stakeholders to work together, as described in the RfP, “to restore the Missouri River ecosystem and to protect and recover threatened and endangered species.”

The events of recent years only set the stage, however. Many of the decisions made to date remain controversial and implementation questions still need to be decided.

RESOLVE and Western Ecosystems Technology (WEST) are pleased to submit this proposal to provide the full set of services outlined for the two projects as outlined in the Request for Proposals – Project 1, “Facilitation of Intergovernmental Process to Develop Agreement on a ‘Spring Rise’ Proposal” and Project 2, “Situation Assessment for Missouri River Recovery Implementation Committee,” is to assist in the design and convening of the MRRIC process. We have the ability to act quickly to respond to the immediate needs of the USACE as it seeks to finalize its plan for a 2006 spring release and the expertise to integrate the complex factors that will help shape a successful Missouri River Recovery and Restoration program and meet the needs of the stakeholders across this enormous geographic area.

Team Composition, Roles and Statement of Interest

The RESOLVE/WEST Team is comprised of a highly qualified team of individuals. Team members have complementary skills, were selected for the relevance of those skills to the needs of the two Missouri River Recovery and Restoration projects and have worked closely together on other projects.

The team will be led by Gail Bingham, President of RESOLVE, one of the leading pioneers of the use of mediation in public decision making, and a practitioner with a particular specialization in water resources issues. Gail also is a member of the U.S. Institute’s National Roster and its Native Dispute Resolution Network. Will Singleton, Kathleen Rutherford and Sierra Trujillo will comprise the other members of the team from RESOLVE. RESOLVE is partnering on this project with Dale Strickland and Clayton Derby, of WEST, both of whom have extensive experience on water resources and ESA issues, including providing administrative and technical support for a similar, interagency process on the Platte River involving the restoration of habitat for the endangered least tern and whooping crane, and threatened piping plover, and the development of a plan for assisting in the recovery of the pallid sturgeon.

Gail Bingham will serve as the overall project lead and will be responsible for technical direction and quality control for all aspects of the work. She will be the principal point of contact for the U.S. Institute and the Core Planning Group. For the “Spring Rise” project, she will attend the Core Planning Group meetings, facilitate Intergovernmental meetings, and provide any targeted mediation assistance, as requested by the parties. Gail also will oversee the Situation Assessment (project two) and conduct interviews and analysis for the assessment.

Will Singleton, Senior Mediator, will be the project manager and the principal point of contact for RESOLVE/WEST project team members. He will be responsible for establishing and implementing the management systems for both projects, day to day coordination of the entire team, providing continuity for all of the separate streams of the project, and ensuring scheduling accountability. He will co-facilitate the Intergovernmental Meetings as needed for the “Spring Rise” project and will conduct interviews and analyses for the Situation Assessment with Gail.

Kathleen Rutherford, Senior Mediator, will work collaboratively with the Institute, as requested, on engaging tribal interests in the Spring Rise project. Kathleen also will be the lead for all general public involvement work, including the public workshop, for the Spring Rise project.

Dale Strickland, Vice President of WEST, will be responsible for leading the technical working groups for the Spring Rise project, assisted by Clayton Derby. Dale also will personally attend the Intergovernmental meetings, providing an effective communication link between technical and

policy discussions. In addition, he will serve as an expert advisor for the Situation Assessment. Clayton Derby will attend technical working group meetings, provide technical support and prepare technical work group meeting summaries.

Sierra Trujillo will provide administrative support for both projects.

Our team is ready to engage immediately to help the USACE, USFWS, USEPA and other agencies develop and implement a successful approach to both projects. We will establish a clear, well organized, thoughtful and robust approach through which the agencies can cooperate, stakeholders can be engaged, and the legal and regulatory requirements of the effort can be met effectively and efficiently. It is clear that many people have dedicated themselves to making a positive contribution to the complex issues in the Missouri River basin, both by raising questions and seeking to address the competing interests in the region. We respect the past efforts to address these problems and would be honored to have the opportunity to facilitate continuing efforts at collaborative problem solving.

Statement of Qualifications

RESOLVE and WEST are excited to submit this statement of qualifications to assist the stakeholders involved in making Missouri River recovery and restoration decisions. The intersection of effective stakeholder engagement and interagency consensus building with the complex policy and technical factors affecting operations of the Missouri River Basin System is a perfect fit with our team's capabilities and experience, and we will provide the services requested with the highest degree of professional quality, personal commitment and enthusiasm for the opportunity to be of service on issues of such critical importance to the region and to the nation.

Strengths this team brings to the Missouri River Recovery and Restoration process include:

- In-depth knowledge of water and natural resources issues and of the region, its stakeholders, and the technical, legal, regulatory and policy issues involved, bringing for example prior experience with similar issues on the Platte River and with adaptive management approaches to water and natural resources issues;
- Highly skilled and creative mediation and facilitation skills and experience, integrating complex scientific and technical information with multi-party consensus-building processes;
- Thoughtful ability to assess the issues and dynamics of these situations and to contribute to the design of processes that effectively build on opportunities and overcome obstacles;
- A team that integrates the process and technical capabilities needed to support the efforts of those involved to work effectively together and develop successful solutions for the complex issues involved in Missouri River recovery and restoration;
- Respect for and experience working with sovereign tribal governments;
- Skill and capacity to coordinate interagency negotiations at a policy level with technical work groups and to link both with opportunities for the general public to be informed and to contribute;
- Strong and effective project management skills in establishing clear roles and division of responsibility to ensure focus and accomplishing multiple tasks within tight timelines; and
- Geographic roots principally in region, combined with the ability to coordinate with agency leadership in Washington DC easily, if needed.

RESOLVE

RESOLVE is a non-profit organization specializing in facilitating and mediating solutions to complex natural resource, environmental, energy, public health, and community-based planning issues. Founded in California in 1977, RESOLVE has offices in Portland, OR, Denver, CO, and Washington, DC. Throughout its nearly 30-year history, RESOLVE has been a pioneer in helping stakeholders and interested parties to develop their own solutions to public policy issues and in advancing the practice of consensus-building in public decision making through research and education.

RESOLVE's work is grounded in fostering both improved relationships and problem solving, to produce results that advance the diverse interests at stake. This may involve negotiating a specific dispute, facilitating thoughtful information exchange and public listening sessions, staffing complex collaborative efforts, or other types of consensus-building processes. We are known for the breadth and depth of our mediation and facilitation expertise and our ability to help parties analyze and work through difficult issues, particularly those involving highly visible and political dynamics, complex scientific and technical information, and cultural differences. Our approach is flexible. We talk to the parties involved, learn about their goals and concerns, and identify the barriers that they face. We work with the parties to tailor a process to their unique situation, with the goal of fostering dialogue, dealing constructively with differences, and reaching agreement on implementable solutions.

Specifically, RESOLVE's core competencies include:

- conflict assessments and process design for convening negotiations, dialogues, and collaborative processes and helping parties to evaluate whether and how such consensus-building processes might be used constructively to achieve their objectives;
- mediation of negotiated rulemaking, policy dialogues, and litigation settlements;
- facilitation of (and meeting logistics for) workshops, collaborative fact-finding processes, and public-private partnership efforts;
- training in negotiation, consensus-building, partnering, mediation and facilitation;
- coaching and mentoring to improve the knowledge, skills and abilities of others to deal with differences more effectively themselves;
- capacity building and dispute systems design to increase the ability of institutions to manage controversial decisions and to build partnerships in carrying out collaborative projects;
- information collection, evaluation and analysis to support reflection and shared learning about what does and does not work in resolving complex public policy issues; and
- outreach and education to disseminate information about the use of consensus building tools.

RESOLVE has earned an outstanding reputation for neutrality, credibility, and for our ability to help participants engage productively both as leaders of, and participants in, consensus-building processes. Each member of the RESOLVE team is known and respected for his or her ability to understand and bring resolution complex environmental, technical, and public policy issues and decision-making challenges, such as those that will arise in these two Missouri River Recovery and Restoration projects. We have extensive experience with a wide range of natural resource issues, in inter-agency negotiations, and involving multiple levels of government and public and private stakeholders effectively. RESOLVE is experienced and comfortable working on highly visible projects, involving large numbers of participants and multiple interests, where parties have a much at stake and where leadership must be responsive and accountable to diverse constituent interests.

Western Ecosystem Technology (WEST)

WEST specializes in a common sense, defensible, and professional approach to the solution of natural resource problems and works effectively with stakeholders from a wide variety of perspectives. WEST has a permanent core of *ecologists* and *biometricians* with broad experience in basic and applied ecological studies and the sophisticated analysis of natural resource data. This unique blend of disciplines and our years of experience in both areas allow us to aid in the development of original solutions to a wide range of natural resource issues.

Founded in 1990, WEST has extensive experience in state and federal environmental regulation compliance including work related to the Clean Water Act (CWA), Endangered Species Act (ESA), National Environmental Policy Act (NEPA), Forest Management Act (FMA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and others. WEST also provides statistical consulting services and contract research nationally and internationally to industry, government, and private organizations. In addition, WEST specializes in providing technical support for conflict resolution and negotiation of natural resource issues with the public and private sectors.

WEST is headquartered in Cheyenne, Wyoming in the heart of the old west. Cheyenne is serviced by an excellent regional airport and modern communication networks. We are only one and one-half hours north of Denver International Airport with jet service around the world. Our location allows us to provide professional services throughout the United States and Alaska. Our location also allows us to draw directly on the resources of the University of Wyoming, University of Colorado, and Colorado State University. We also have offices in Laramie, Wyoming and Walla Walla, Washington. We establish temporary offices when necessary to meet our client's needs.

WEST maintains state-of-the-art computer equipment, software, and high speed internet access necessary for producing high quality technical work products.

Qualifications Based on Selection Criteria

1) Demonstrated experience and expertise working as an environmental conflict resolution practitioner in crafting joint solutions to technically complex and highly contentious intergovernmental water use and natural resources management issues involving a wide range of governmental and nongovernmental stakeholders.

Gail Bingham is among the most experienced environmental conflict resolution practitioners in the country. She has mediated numerous complex contentious environmental, natural resources, community planning and health disputes since the late 1970s. She is known for her ability to help parties work through challenging situations, involving:

- large numbers of governmental and nongovernmental stakeholders,
- senior policy makers,
- multiple interrelated issues requiring significant analysis of complex scientific and technical information,
- complex inter-relationships between multiple statutes, regulations and agency authorities, and simultaneous decision-making in multiple administrative, judicial and legislative forums,
- highly contentious dynamics, and
- intense public interest and scrutiny.

Gail has served as a mediator for a wide variety of federal, state, and local agencies and private parties on a wide range of subjects such as: federal drinking water regulations, national wetlands policy, water quality and water supply, public lands management, endangered species, funding infrastructure costs for water and wastewater utilities, groundwater protection, hydro-electric relicensing, chemicals policy, solid waste source reduction, hazardous waste management, oil spill contingency plans, pesticides policy, children's health, and local community land use and infrastructure issues.

Gail has emphasized water resources issues throughout her career, and she has written and spoken extensively on the subject of mediating water resource disputes. For example, she was asked by the Western Water Policy Review Advisory Committee to author a technical paper for the Committee entitled *Seeking Solutions: ADR and Western Water Issues*. She also served on a National Academy of Sciences committee reviewing potential changes in the flow regime at Glen Canyon Dam (with some of the same concern for sediment transport and deposition in the Colorado River as is true for the Missouri), and worked for a summer in Pinedale, Wyoming conducting field research on irrigation return flows for her graduate advisor, Luna Leopold, former director of the water resources division of the U.S. Geological Survey. In addition, Gail is a recognized expert on principles and approaches for helping parties integrate complex scientific and technical information into consensus-building efforts, is the author of *When the Sparks Fly: Building Consensus When the Science is Contested*, and has spoken on this subject widely, including at DOI University and the US Geological Survey.

The following are examples of Gail's experience in crafting joint solutions to technically complex and highly contentious intergovernmental water policy use issues, particularly involving senior government officials and other senior stakeholders:

- USGS Advisory Committee on Water Information (involving the Water Resources Director and senior leadership from DOI and stakeholder organizations)
- Colorado River Delta Stakeholders Meeting (the Deputy Secretary of the U.S. Department of the Interior, the heads of state water agencies and programs including the Metropolitan Water District of Southern California,.)
- National Streamgaging Workshops (state water engineers, an associate director of the USGS, chair, and directors of the Interstate Council on Water Policy.)
- National Wetlands Policy Forum (three governors, five cabinet level officials including the Administrator of EPA, CEO's of private corporations and public interest groups),
- TMDL Listening Sessions (EPA general counsel, Director of the Office of Wetlands Oceans and Watersheds, state water program administrators.)
- Truckee Carson Rivers Mediation (the Assistant Secretary for Water of the U.S. Department of the Interior representing a team including USFWS, BuRec, and BIA, two tribal chairmen, executive director of a major water irrigation district, etc.)
- Microbial and Disinfection By-Products Negotiated Rulemaking (agency office directors and heads of programs, vice-presidents of corporations, national association executives,);
- Water Quality 2000 (association directors, agency office directors).

Dr. Dale Strickland has provided technical support in the facilitation of numerous issues related to endangered species, migratory birds, and other wildlife and has conducted hundreds of technical and public meetings regarding controversial natural resource issues throughout the West. He currently serves as the Executive Director of the Platte River Endangered Species Partnership, where his duties

include the facilitation of extensive technical meetings. Dr. Strickland has also provided technical support for numerous facilitated meetings related to avian interactions with wind turbines.

2) Demonstrated experience, sensitivity and effectiveness in working with sovereign tribal nations in achieving solutions to long-standing cultural and natural resources issues.

Gail Bingham has worked on Western water resources, endangered species, cultural heritage, and sovereignty issues with tribal colleagues and clients since the early 1980s, beginning with her work as a member of the Board of Western Network in Santa Fe, New Mexico, and continuing with projects through today. Examples of project experience involving sovereign tribal nations include:

- Truckee Carson Rivers Mediation (involving the Pyramid Lake Paiute and the Fallon Paiute Shoshone tribe)
- Relicensing of the Noxon Rapids and Cabinet Gorge hydro electric dams (involving the Confederated Salish and Kootenai tribes, Coeur d'Alene, Kootenai, and Kalispel)
- A negotiation training workshop for the Joint Business Council of the Shoshone and Arapahoe at Wind River
- A situation assessment for BLM on revisions to the Resource Management Plans affecting Otero Mesa (involving the Mescalero Apache and Ysleta del Sur Pueblo)
- Mediation between the Hualapai tribe and the National Park Service of issues concerning a cooperative management area along the Colorado River

Kathleen Rutherford has cultivated a strong working relationship over the last three years with the Council of Energy Resource Tribes (CERT). She has worked with CERT to develop inter-tribal and inter-governmental strategic planning processes to advance Indian energy development and attended three CERT annual conferences during which she delivered presentations and facilitated exploratory dialogues focused on identifying specific opportunities and barriers to Indian renewable energy development. In addition, Kathleen also has been asked to facilitate a series of meetings for the Department of the Interior on improving the agency's ability to respond to and facilitate Indian energy development. Over the course of the last decade, Kathleen has facilitated many intergovernmental and/or multiple stakeholder processes on environmental, health and energy issues in which tribal representatives have played critical roles. Her understanding of and respect for the complexity of multi-cultural, government to government relations is grounded in this experience.

Dr. Strickland has worked with numerous Native American tribes on a variety of environmental issues. Example projects for sovereign tribal nations include:

- Preparation of a prairie dog management plan for the Pine Ridge Indian Reservation, South Dakota. Bureau of Indian Affairs.
- Coached an employee of the Wind River Indian Reservation in the development of a BA as a part of an Environmental Assessment.
- Team leader for the preparation of an Environmental Assessment under NEPA for a proposed casino by the Klamath Tribes, Oregon, as consultant to the Indian Gaming Commission.
- Team leader for the preparation of an Environmental Assessment under NEPA for a proposed casino by the Ogallala Sioux Tribe, Pine Ridge Reservation, South Dakota, as consultant to the Indian Gaming Commission.

- Team leader for the preparation of an Environmental Assessment under NEPA for a proposed casino by the Colville Tribe, Colville, Washington, as consultant to the Indian Gaming Commission.

3) Familiarity with the Endangered Species Act and demonstrated experience and expertise in helping parties reach implementable agreements related to the recovery of endangered species.

Dr. Strickland has extensive experience with endangered species both as a consultant and as an employee of the state of Wyoming. As a consultant he has worked on numerous projects including:

- Executive Director of the Platte River Endangered Species Partnership, providing administrative support for the Partnership's Governance Committee and numerous subcommittees and facilitation of the Technical Committee.
- Preparation of an Adaptive Management Plan for resolving impacts of the construction and operation of the Montanore Project by Mines Management, Inc. (MMI) on US Forest Service (USFS) lands in Sanders and Lincoln Counties, near Libby, Montana.
- Consultant to the Wyoming Game and Fish Department on the re-introduction of the black-footed ferret in the Shirley Basin of Wyoming.

In addition to his consulting experience Dr. Strickland worked for the Wyoming Game and Fish Department for 15 years. While with the Game and Fish Department, he had primary responsibility for endangered species, planning, data support services, and environmental impact and risk assessment in the Wildlife Division for more than 7 of the 15 years he was with the Department. Dr. Strickland served as the State of Wyoming's representative on the Interagency Grizzly Bear Committee, the initial Chair of the Black-footed Ferret Advisory Team, and supervised staff involved in the inventory the grizzly bear, bald eagle, black-footed ferret and the inventory and re-introduction of the peregrine falcon.

Will Singleton has worked from the national to local levels on matters involving the Endangered Species Act. Will is currently the lead facilitator for the Technical Study Committee in the Northwest Corridor Environmental Impact Study in northwest metro Denver. Will has been leading the group as it considers potential impacts to the habitats of Preble's meadow jumping mouse and the bald eagle. Will led a team of facilitators from RESOLVE for an Endangered Species Act Summit convened by Western Governors Association in December, 2004. This effort analyzed how states could become more involved in federal efforts to conserve threatened and endangered species. Finally, Will worked in Washington with congressional leaders on federal endangered species policy.

Kathleen Rutherford also served as a member of the facilitation team for the Western Governors Association Endangered Species Act Summit. Kathleen's energy work has provided several opportunities to address ESA issues with respect to energy project development and operations. As a Community Involvement Officer for the State of Colorado, Kathleen worked on ESA issues at a number of Superfund sites. Of note, she facilitated meetings that led to the final cleanup implementation plan between the State of Colorado, EPA and a county on a mining site cleanup affecting the Blue River and French Creek that addressed both TMDL and ESA issues. Kathleen also has worked on ESA issues at the former Rocky Flats, which included both plant and animal species, and through a series of strategic planning and interest-based negotiation training sessions with the Mount Sopris Chapter of the Sierra Club as they engaged in White River National Forest management decision-making processes.

Gail Bingham has worked on ESA issues on the Otero Mesa, Truckee Carson, and hydro-relicensing cases noted above.

4) Demonstrated ability experience and expertise in designing, conducting, and verbally communicating neutral situation assessments.

Gail Bingham has designed, conducted and communicated over 20 situation assessments during her 26 year career as an environmental conflict resolution practitioner. Her expertise in assessments and process design was recognized by her colleagues in her selection as one of the three experts for an online dialogue on conflict assessments conducted by the U.S. Institute for Environmental Conflict Resolution a few years ago, for which she used the Truckee Carson assessment as a case example. Her Otero Mesa assessment is posted on the U.S. Institute's web site. Gail is an excellent speaker and writer, engaging others in positive and interactive opportunities to think together about the dynamics of a situation, approaches to building on opportunities and overcoming challenges, and a shared plan of action.

Will Singleton also is experienced designing and convening dialogue for diverse groups on natural resource policy issues. Recently, he has provided assessments for the public involvement team of a NEPA based environmental study for a major transportation planning project in the Denver area (Northwest Corridor). Last year, he conducted extensive interviews and composed an assessment for the Colorado association of counties (Colorado 64) on a set of principles for water development and their efforts to build diverse stakeholder support for the initiative. After making the assessment, Will presented his findings to the county representatives and proposed ways for the group to move forward. Will has been making political assessments for members of Congress and other key decision-makers for much of his career, and brings a keen understanding of the dynamics of stakeholder interests.

Dr. Dale Strickland has designed and conducted public involvement process for the Platte River Endangered Species Partnership. He has also done numerous assessments for the Governance Committee of the Partnership, and the makeup of the Committee (i.e., federal and state agencies, water users, and environmentalists) made neutrality essential in these assessments. He has designed and conducted public involvement processes for two Environmental Impact Statements and numerous other NEPA based environmental studies. During is years with the State of Wyoming Dale conducted hundreds of public meetings seeking input on the states endangered species programs, wildlife management plans and regulations.

5) Demonstrated ability of the Contractor to provide effective collaborative leadership for a team of senior-level professionals. Demonstrated ability of the team members to work together efficiently and effectively.

RESOLVE and WEST are accustomed to staffing projects to match the needs of the specific situation. For complex projects such as this one, this often means creating a team of individuals with complementary expertise. Many RESOLVE projects involve mediators from more than one of our three offices and also involve colleagues from outside of the organization.

Our approach is to: 1) establish clear, distinct roles for each member of the team, 2) create an overall project management structure based on effective coordination and regular communication between team members, and 3) encourage each team member to use their best abilities within that structure to reduce redundancy while giving everyone (including and especially the client) confidence that information from different aspects of the project will be shared and that expectations and deliverables will be met.

The RESOLVE/WEST team has a proven track record working together on renewable energy and ESA issues through the National Wind Coordinating Committee. Each organization also works in teams regularly on complex projects.

As President of RESOLVE, Gail has significant leadership experience establishing a culture of openness, collaboration and effectiveness in the organization. She has managed numerous large teams over the years (e.g. the seven-member staff for EPA's Children's Health Protection Advisory committee, which currently is planning, facilitating and doing meeting summaries for six simultaneous plenary and working groups, and an upcoming project for the US Fish and Wildlife Service and the US Geological Survey that will involve a staff of five or six). Dale Strickland is Vice President of WEST, and has similar experience managing and participating in project teams.

During his career as a consultant, Dr. Strickland has been the team leader or participated in more than 50 interdisciplinary teams conducting NEPA environmental impact studies, Natural Resource Damage Assessment studies, contract research and planning (e.g., Platte River). Dr. Strickland was Assistant Chief of the Wildlife Division of the Wyoming Game and Fish Department and was directly responsible for administration of over 150 full time employees and an annual budget in excess of \$8,000,000. Dr. Strickland's still is a positive can-do attitude with an emphasis on making sure that resources (i.e., people, information and budgets) are adequate to get the job done.

6) Availability of team members to begin the projects immediately upon award of the contract and to participate in all currently scheduled meetings. Ability and willingness to make this project your priority commitment during its duration, but especially through the summer of 2005.

All members of the RESOLVE/WEST team are available to begin work on the project immediately. Each of our other projects can be managed to enable us to concentrate our time and efforts on our specific roles according to the calendar provided in the RfP.

7) Total cost and hours of professional service to complete the proposed Scopes of Work, along with the collective value added by each team member of the team.

The RESOLVE/WEST team will provide the services proposed within the cost ceiling available. We are proposing the partnership of our two organizations and the specific individuals involved because of the particular value we see to this process of an integrated team of facilitation and technical expertise. Collectively, this team brings the strengths noted on page 4 of this proposal. The specific value each of us brings individually is described in this section.

8) Geographic proximity, travel time and costs from base of operations to Missouri River Basin area.

WEST is based in Cheyenne, Wyoming, and the RESOLVE staff all will operate from its Denver, Colorado office. Travel times from Cheyenne and Denver to other points in the Basin are reasonable (e.g. the RESOLVE team can easily travel by air to Omaha, on economical flights from Denver International Airport). Gail Bingham, who works in RESOLVE's Washington DC office, will bill travel time and costs as if she were based out of the Denver Office, while still providing easy accessibility to decision makers in Washington DC, if needed.

9) Member of U.S. Institute’s National Roster of Environmental Conflict Resolution and Consensus Building Professionals or equivalent experience.

Gail Bingham, Kathleen Rutherford and Will Singleton are all members of the Institute’s National Roster. Gail also is a member of the Native Dispute Resolution Network. Dale’s experience, as evidenced by projects like the Platte River Partnership, numerous NEPA projects, and his participation on many fact-finding panels, provides the equivalent knowledge and skills applicable to facilitating the technical work groups for the Spring Rise process. He is an effective listener, with demonstrated success understanding the interests and concerns of all sides. He also is a thoughtful leader, able to gain the trust of a group and to create an environment in which individuals with diverse technical knowledge can work collaboratively sharing information and solving problems.

Team Biographies

Gail Bingham

Gail Bingham is President of RESOLVE. She has mediated environmental, natural resources, community planning and health disputes on a full time basis since the late 1970s, with a special emphasis on water resources and water policy issues. Under Gail’s leadership, RESOLVE has been a pioneer in fostering consensus building in public decision making. Gail is known for her ability to help parties produce results on the toughest issues, for enhancing the capacity and competence of others in dealing with conflict, and for intellectual leadership to advance current knowledge about the effective use of public involvement, collaborative problem solving, consensus-building and dispute resolution in public decision making.

Gail has an in-depth understanding of: consensus-building processes; environmental, public health, natural resources and other public policy issues; the dynamics of the policy making process, political and cultural differences in a wide variety of settings; and how to integrate complex, scientific and technical information into multi-party consensus-building efforts. She has served as a mediator for many federal, state, and local agencies, tribes, and private parties in situations involving very senior officials on a wide variety of topics. She also has worked with a wide range of communities, cultures and stakeholders within the United States, including government agencies, tribal leadership, agricultural communities and organizations, public utilities, business groups and industry.

Gail is the author of numerous publications, including:

- *When the Sparks Fly: Building Consensus When the Science is Contested* (an overview of principles and practical strategies for leaders dealing with science-intensive policy issues);
- the preface to *The Promise and Performance of Environmental Conflict Resolution*, by Rosemary O’Leary and Lisa B. Bingham editors, published by Resources for the Future
- “The Environment in the Balance: Mediators are Making a Difference,” in an issue entitled “The Geography of Hope” *ACR Resolution*;
- *Seeking Solutions: Alternative Dispute Resolution and Western Water Issues* (for the Western Water Policy Review Advisory Committee);
- a chapter on “Alternative Dispute Resolution in the NEPA Process,” for a book entitled *Environmental Policy and NEPA*;
- *Resolving Water Disputes: Conflict and Cooperation in the United States, the Near East, and Asia* (a report for the U.S. Agency for International Development; and

- *Resolving Environmental Disputes: A Decade of Experience*, (the first, comprehensive, empirical study of the use of mediation in environmental issues).

Gail currently serves on the Panel on Public Participation in Environmental Assessment and Decision Making for the National Academy of Sciences and on the National Environmental Conflict Resolution Advisory Committee to the U.S. Institute for Environmental Conflict Resolution. Many years ago, she also served on an NAS committee reviewing potential changes in the flow regime at Glen Canyon Dam. She served two terms on the Board of Directors of the Society of Professionals in Dispute Resolution (now the Association for Conflict Resolution); was the founding chair of its environment and public policy sector and a president of its Washington DC Chapter; and served on numerous committees including the first and third Commissions on Mediator Qualifications. She also has testified before Congress on several occasions, on topics such as the Administrative Dispute Resolution Act and the Negotiated Rulemaking Act. She attended Stanford University, graduated from Huxley College of Environmental Studies in Washington State, and did her graduate work in environmental planning at the University of California, Berkeley, where her advisor was Luna Leopold, former director of the water resources division of the US Geological Survey.

William Singleton

Will Singleton is a Senior Mediator with RESOLVE who has worked at the state, national and international levels to build consensus on complex natural resource issues. Will's focus at RESOLVE is on Western natural resource and public lands issues, drawing from his experience as a facilitator of high level programs involving national political leaders, industry, and the conservation community.

Will currently is working in renewable energy, forest health, transportation, water supply and endangered species issues. His active projects include the Northwest Corridor EIS, a Colorado Department of Transportation study to evaluate the best options for completing the regional and interregional network in the Denver metro area. Will leads the Technical Support Committee, is co-facilitator of the committee of elected officials, is facilitating the public meetings, and is leading the project's strategy for engaging environmental justice communities. Will is also the lead facilitator for the Wind Energy and Biomass Task Forces for a major initiative by the Western Governors Association to develop 30,000 MW of additional energy by 2015.

He has over thirteen years of experience working on natural resource management issues from the international level to the state and local level. Prior to working with RESOLVE, Will convened and facilitated working sessions between federal agency officials and members of Congress on watershed policy, land-use and its impacts on freshwater ecosystems, renewable energy, governance/participatory decision-making, and US export policy. The federal departments and agencies include NOAA and the Department of Commerce, the Department of Energy, the US State Department, the Council on Environmental Quality, the US Department of Treasury, the White House National Security Council, and the US Agency for International Development. Will has convened energy related dialogues with stakeholders that include energy industry - BP, BP Solar, GE Capital, Texaco, Toyota, environmental organizations - the World Resources Institute, Friends of the Earth, Environmental Defense, and World Wildlife Fund, the Sierra Club and the Nature Conservancy, large complex institutions - the World Bank, the Global Environment Facility and the Export Import Bank of the United States and government decision-makers. Through Will's experience with native tribes in Bolivia and the Philippines, he has become attuned to the sensitivities necessary to build constructive dialogue with native cultures.

He has a proven ability to build integrated strategies to address complex policy issues by identifying the key principles that can enable a layman's clear understanding in a complex array of data. Will is an accomplished consensus builder among divergent groups of political ideologies, societal levels, cultures and public/private or civil society roles. Will is an effective communicator and understands the needs of high-level government decision-makers.

Will's experience as an organizational executive also gives him extensive experience in managing programs and people starting from strategic formulation on how to delineate implementation and responsibilities to ensuring collaborative accountability for producing outputs on time. Will is highly experienced in program creation, strategizing, planning and implementation. All of which make him ideal for both his coordination role for the two projects and the strategic assessment role in Project 2.

Will holds a BA in political science from Davidson College and has pursued post-graduate studies at Johns Hopkins University. He is a former congressional staff person who focused on international trade, environment, and security issues for an Appropriations Committee chairman.

Kathleen Rutherford

Kathleen Rutherford, MPA, is a Senior Mediator with RESOLVE. Kathleen has a broad range of experience in public involvement process design and facilitation, collaborative problem-solving and consensus based decision-making, community relations and education.

She has facilitated and mediated policy dialogues, inter-agency regulatory dialogues, and strategic planning efforts at the local, regional, state, and federal levels and is knowledgeable in environmental, health, and other policy issues. Kathleen has also developed, trained and implemented programs in alternative dispute resolution training for a variety of audiences. She draws from this experience to assist clients in the public, private, and non-profit sectors to effectively recognize, raise, and resolve conflicts.

Kathleen holds a Master's Degree in Public Administration, with a concentration in Environmental Law and Policy Analysis from the University of Colorado (2001), and a B.A. from the University of Massachusetts-Amherst (1991). She has over 300 hours training in environmental negotiation, group facilitation, conflict management, process design and policy analysis. She received her leadership training through Leadership Aspen 1998. Kathleen is a former Affiliate Faculty member at Regis University in Denver, teaching graduate courses in Public Policy Advocacy and Conflict Resolution. She also teaches conflict resolution and negotiation at the Graduate School of Public Affairs at the University of Colorado, Denver.

Dale Strickland

Dr. Strickland is Vice President and Senior Ecologist of WEST. He received a BS in Biology and MS in Wildlife Management from the University of Tennessee and a Ph.D. in Ecology from the University of Wyoming. Dale was co-founder of WEST and under his leadership WEST has become a nationally recognized and highly respected environmental and statistical consulting firm.

Dr. Strickland is a nationally known wildlife ecologist with 30 years of experience in ecological research and wildlife management. His specialties include the design and conduct of wildlife studies, impact and risk assessment, and natural resource damage assessment studies; design and implementation of mitigation measures; project evaluation, and preparation and interpretation of natural resource laws and regulations; and expert witness in natural resource litigation. He also has extensive experience in project, budget and personnel management, coordinating with public and private sectors, and science based mediation and conflict resolution of natural resource issues. Dale has participated in the preparation of many of the documents required by the National Environmental Policy Act (NEPA), Forest Management Act (FMA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Clean Water Act (CWA), Endangered Species Act (ESA), and others.

Dr. Strickland has had extensive involvement with state regulatory agencies including State Engineers Offices, Departments of Environmental Quality, Departments of Agriculture, Oil and Gas Commissions, and federal agencies including FWS, BLM, USFS, NPS, BR, Corp. of Engineers, EPA, OSM, etc. He has authored, co-authored, or supervised the preparation of numerous Biological Assessments for the purpose of consultation with the FWS as required by Section 7 of the ESA, Environmental Impact Statements and Assessments, wetland delineations, T & E clearances, reclamation and storm-water management planning, and provided environmental quality control and inspection of construction projects.

Dale worked for the Wyoming Game and Fish Department for 15 years, and served as an adjunct with the research faculty of the University of Wyoming. While with the Game and Fish Department, he had primary responsibility for endangered species, planning, data support services, and environmental impact and risk assessment in the Wildlife Division for more than 7 of the 15 years he was with the Department. His research experience includes applied research on large and small mammals, birds, reptiles and amphibians, and habitat. Dale is the author of more than 75 papers and technical reports in scientific and popular literature on wildlife research and natural resource conservation and management. He is the lead author of a chapter on harvest management in the 5th edition of the Wildlife Techniques Manual and co-author of the text "Wildlife Study Design" published in 2001. He contributed guidance to documents for the National Oceanic and Atmospheric Administration for the quantification of injury due to oil spills in Type B Natural Resource Damage Assessments and authored a chapter in a guidance document on the conduct of research on avian wind power interactions for the National Wind Coordinating Committee. Dr. Strickland is currently the Executive Director of the Platte River Endangered Species Partnership, and he is also a peer reviewer for the National Renewable Energy Laboratory and the California Energy Commission on issues related to impacts of wildlife related to wind power development. Dale is also currently serving as an Associate Editor for the Journal of Wildlife Management, and is also currently serving as an Associate Editor for the Journal of Wildlife Management.

Dr. Strickland has conducted hundreds of public meetings regarding controversial natural resource issues throughout the West. His experience in conducting public meetings to discuss complex natural resource issues is invaluable in the process of scoping complex environmental issues.

Clayton Derby

Clayton Derby is currently the Assistant Executive Director of the Platte River Endangered Species Partnership Implementing the 1997 Platte River Cooperative Agreement. In this position his duties have included writing protocols for research and monitoring, writing technical plans and documents, organizing schedules and budgets, organizing and facilitating committee meetings, completing

minutes and notes for technical and Governance Committee meetings, and other administrative tasks for the Governance Committee. Examples of monitoring and research protocols that Mr. Derby has been involved in developing and implementing include protocols for documenting least tern and piping plover occurrence and reproductive success, whooping crane occurrence, and channel geomorphology. Mr. Derby was instrumental in drafting the document “Habitat Management Methods for Least Terns, Piping Plovers, and Whooping Cranes.” This document contains detailed discussions of past and present habitat management practices implemented on the central Platte River and throughout the ranges of the three species.

Besides his work related to least terns and piping plovers, Mr. Derby worked with the USFWS and technical subgroups composed of water users, state agency personnel, and federal agency personnel to develop monitoring and research concepts for documenting pallid sturgeon occurrence, habitat use, and changes in pallid sturgeon habitat in the lower Platte River. Protocols and field implementation related to pallid sturgeon resulting from this coordination are to be implemented during the Platte River Recovery Implementation Program. Besides his work on the Platte River Cooperative Agreement, Mr. Derby has been the Project Manager on several large scale environmental projects in which coordination was required between multiple state agencies, federal agencies, private developers, and other contractors.

Project List and References

Advisory Committee on Water Information, 2003 - present. (Bingham) The Advisory Committee on Water Information (ACWI) represents the interests of water-information users and professionals in advising the Federal Government on Federal water-information programs and their effectiveness in meeting the Nation's water-information needs. The Office of Management and Budget (OMB) Memorandum No. 92-01 designates the Department of the Interior, through the U.S. Geological Survey (USGS), as the lead agency. Other Federal organizations that fund, collect, or use water resources information work together with the USGS to implement program recommendations. RESOLVE facilitates the Committee's annual meetings. The member organizations represent all levels of government, tribal interests, and the private sector. The ACWI Chair of the ACWI is Interior's Deputy Assistant Secretary for Water and Science. The Alternate Chair is Dr. Robert Hirsch, the Associate Director for Water of the USGS.

Reference: Robert Hirsch, Associate Director for Water
U.S. Geological Survey, 202-648-5215

National Wetlands Policy Symposium, 2004. (Bingham) RESOLVE convened, drafted background papers, and facilitated a one-day, invitational symposium sponsored by the USEPA to reflect on accomplishments in national wetlands policy since the first National Wetlands Policy Forum (facilitated by RESOLVE), which recommended a national goal of “no overall net loss” and eventual gain in acres and function for our nation's wetlands resources. Participating in the meeting were a bipartisan group of local, state and federal officials, tribal leaders, leaders of environmental groups and businesses, farmers and ranchers and academic experts, largely reflecting the original Forum participants.

References: Benjamin Grumbles, Assistant Administrator for Water
U.S. Environmental Protection Agency, 202-564-5700
Gary Collins, President
Mni Soti Intertribal Water Rights Coalition, 307-332-6464

Mediation Assessment for Otero Mesa, 2002. (Bingham) RESOLVE conducted an assessment of the feasibility of mediating a dispute over an amendment to the Bureau of Land Management's Resource Management Plan for Otero and Sierra Counties, in New Mexico, for the purpose of guiding oil and gas leasing. The focus of the controversy has been on Otero Mesa, which covers the southern region of Otero County and which contains one of the last remaining portions of healthy Chihuahuan Desert grassland in the state. It is home to independent cattle ranches that have been in operation for generations and to the Aplomado falcon (a listed species), and is used by both the Mescalero Apache and the Ysleta del Sur Pueblo for traditional purposes. The assessment concluded that a formal mediation process would not be feasible, but recommended a variety of other efforts to increase dialogue.

Reference: Rich Whitley, National Stewardship & Partnership Coordinator
Bureau of Land Management, 541-618-2305

National TMDL Listening Sessions, 2001. (Bingham) RESOLVE facilitated five, interactive, national-level, meetings sponsored by EPA's Office of Water, involving 150-300 participants each. The purpose of the listening sessions was to identify issues and ideas for new TMDL regulations to be proposed in 2002. Each of the first four meetings focused on a different theme, with a wrap up session in Washington DC. Participants were engaged in small (8-12 person) roundtable discussions on specific questions at three to four sessions during the course of the meetings. Highlights were reported in plenary, with thoughtful reflections from a "listening panel" of EPA and other officials reporting what they heard and the implications for the rulemaking and program.

Reference: Diane Regas, Director, Office of Oceans Wetlands and Watersheds
U.S. Environmental Protection Agency, Office of Water, 202-566-1146

National Streamgaging Workshops, 2001. (Bingham) RESOLVE facilitated four, national-level, workshops sponsored by the Interstate Council on Water Policy. The purpose of the one-day workshops is to discuss the US Geological Survey's proposed National Streamgaging Information Program goals and strategies for a coordinated national, cooperative system involving states, tribes and other cooperators.

Reference: Susan Gilson, Interstate Council on Water Policy, 202-218-4133

U.S. Stakeholder Meeting for the Implementation of the DOI-SEMARNAP Joint Declaration on the Colorado River Delta, 2000. (Bingham) RESOLVE facilitated a national-level, meeting chaired by the Deputy Secretary of the Department of the Interior, involving the Colorado River basin states, water users, and environmental advocates. The purpose of the meeting was to discuss criteria, options, and next steps for proposals from United States to Mexico for improving the Colorado River Delta environment.

Reference: David Hayes (former Deputy Sec. of the Interior), Latham and Watkins,
202-637-2204

Northwest Corridor Environmental Impact Statement, 2003-2005. (Singleton) RESOLVE is leading the agency coordination, stakeholder involvement, and community consensus-building effort for the last segment of the highway beltway around the Denver metropolitan area. RESOLVE staff is mediating a corridor consensus committee that will attempt to resolve long-standing differences of opinion about whether, where and how the last segment will be built. The Corridor Consensus Committee is comprised of elected officials from counties and municipalities, the Colorado

Department of Transportation, and the Federal Highway Administration. RESOLVE leads the Technical Support Committee as it evaluates the more technical parts of the study. TSC members are city planners and transportation specialists from the municipalities and counties of the study area but also include environmental interests, CDOT, and the Federal Highway Administration. RESOLVE also coordinates with a team of web designers, public relations specialists, public meeting facilitators and NEPA experts as they work to meaningfully involve the general public and the key stakeholders.

Reference: Steve Sherman, Colorado Department of Transportation, 303-757-9159

Western Governors Association ESA Summit, (2004). (Singleton; Rutherford) RESOLVE worked with WGA staff to facilitate working groups to focus on ways in which states can become more involved in the implementation of the Endangered Species Act and if changes are needed to the ESA to promote that involvement. Participants included state wildlife department directors, high level officials from the US FWS, National Park Service, national, state, community based organizations and political leaders from the western states including HI and AK.

Reference: Shaun McGrath, Western Governors Association, 303-623-9378

Rocky Flats National Wildlife Refuge (2002-2004) RESOLVE is leading the stakeholder involvement effort for the U.S. Fish and Wildlife Service as it generates a Comprehensive Conservation Plan and an Environmental Impact Statement (CCP/EIS) for the refuge which is currently a Department of Energy site. RESOLVE has facilitated the Service's internal visioning work and alternative generation, meetings with key community organizations, a series of public scoping meetings and a series of alternative evaluation public meetings and convened and facilitated technical review groups focusing on the issues revealed by the scoping process. Included in the CCP/EIS will be an analysis of, and options to address, the historic Lindsay Ranch, the history of the Cold War and the Rocky Flats Nuclear Weapons Site and the possibility that the site could include road right-of-way for the Northwest Parkway.

Reference: Laurie Shannon, US Fish and Wildlife Service, 303-289-0151

Clean and Diversified Energy Initiative, Western Governor's Association (2005) (Rutherford) An advisory committee created by Western Governors to oversee their Clean and Diversified Energy Initiative has established eight task forces to recommend how the West can bring online 30,000 megawatts of clean energy by 2015 and increase energy efficiency 20 percent by 2020. In April, 2004 the Western Governor's committed to bringing 30,000 megawatts of clean and diversified energy online by 2015, and to increase energy efficiency 20% by 2020. Kathleen has worked closely with Western Governor's Association staff to design, and is leading the facilitation team for this 15 month-long process. Kathleen heads up the Clean and Diversified Energy Advisory Committee (CDEAC); it is to this committee that a set of eight task forces will make recommendations. The CDEAC will craft a set of policy and resource mix recommendations to the Governors based on the work of the task forces. In addition to the CDEAC, Kathleen will lead the Geothermal and Clean Coal task forces.

Reference: Rich Halvey, Program Manager, Western Governors Assoc., 303-623-9378

CERT/SCTCA: Southern California Inter-Tribal Energy Planning (2004) (Rutherford) Facilitated a meeting co-convened by the Council of Energy Resource Tribes and The Southern California Tribal Chairman's Association, with funding from DOE/EERE to initiate a collaborative strategic planning strategy for renewable energy development on Tribal lands.

Reference: Roger Frague, Deputy Director, Council of Energy Resource Tribes,
303-282-7576

Southwest Capacity Builders (1999-2000). (Rutherford) Designed and facilitated a series of meetings for this group of executive directors of regional, national and international nonprofit environmental groups convened to explore capacity building for local environmental groups in the Southwest Region of the United States. Participants included the Colorado Environmental Coalition, Environmental Support Center, Trust for Public Lands, Indigenous Environmental Network, Southwest Network for Environment and Environmental Justice, American Rivers Network, Institute for Conservation Leadership.

References: Dianne Russell, ED, Institute for Conservation Leadership, 301-270-2900
Richard Moore, ED, SW Network for Environmental & Economic Justice
505-242-5609

Platte River Endangered Species Cooperative Agreement (1998-Present). Dr. Strickland serves as the Executive Director for the Platte River Cooperative Agreement, which is a joint effort by the states of Wyoming, Nebraska, and Colorado and the Department of the Interior. He and his staff provide technical and administrative support for the Governance Committee, which oversees the development of The Platte River Recovery Implementation Program and is liaison with the Department of The Interior's EIS Team on preparation of the Programmatic EIS.

Reference: Roger Patterson, Director of NE Dept. of Natural Resources, Lincoln, NE
402-471-2363

Greybull Valley Dam and Reservoir EIS (1994-1998). WEST Inc. was the prime contractor and Dr. Strickland was the team leader for preparing a Third Party Environmental Impact Statement for a proposed off-channel reservoir in the Greybull Valley, Wyoming. The BLM was the lead agency for the project. The project involved wetland delineations and mapping, T&E species and other wildlife surveys, plant and habitat surveys, management of an interdisciplinary team of subcontractors, coordination with the BLM and ACOE Interdisciplinary Team and preparing the Draft and Final EIS.

Reference: Don Ogaard, BLM, Worland WY, 307-347-5100

Member of British Columbia's Grizzly Bear Scientific Panel (2001-2004). Dr. Strickland was a member of a panel of scientists representing the International Bear Association for Bear Research and Management that provided an independent review of the management of British Columbia's Grizzly Bear Population by the provincial wildlife agency. The report was published by the Ministry of Water, Land and Air Protection and was used in modification of the management of the grizzly by the Ministry's Wildlife Branch in response to public criticism.

Reference: Matt Austin, Victoria, BC, 250-387-9799

Anticipated Approach to Scope of Work

The RESOLVE/WEST team will provide the requested services with integrity and a commitment to the highest standards of professional quality. We will work collaboratively with one another, the Core Planning Group and all participants, with a deep dedication to and skill in ensuring the kind of shared leadership that will support efforts to achieve solutions to the substantive questions at stake. Specific approaches to individual tasks are described below.

The complexity of the issues, the geographic size of the Basin, the number and diversity of stakeholders and their interests, past history, and the many moving parts to this effort all make these two projects challenging. Further, a significant part of the process will need to be implemented under very tight deadlines. While agreement must ultimately come from the parties, we will put project management systems in place to make sure that our portion of the effort contributes positively to working within these time constraints successfully.

Suggested approaches to anticipated management challenges include:

**MANAGEMENT
CHALLENGE**

APPROACH TO ADDRESS CHALLENGE

Tight timeline

⇒ Creation of a specific project manager role, with the responsibility to “keep the trains running on time.” The project manager will establish a detailed timeline with outputs, send reminders as needed, and follow up to ensure that outputs are delivered on schedule. The project manager will organize a team organizational meeting at the beginning of the project to delineate the project plan and get the team’s buy-in and will organize and facilitate regular team conference calls on a bi-weekly basis to exchange information on and coordinate activities, identify opportunities for synergy or efficiencies between project elements, and share insights.

Two separate projects working on simultaneous schedules. Complex issues that span both projects.

⇒ Strong program management which incorporates both projects/contracts into one project plan and timeline. The program manager is the touch stone who understands what both projects are doing to help bring continuity to both. Designate team leaders for each segment for the work. Gail Bingham leads the Core Planning Group, Interagency Plenary meetings and the Situation Assessment. Kathleen Rutherford leads Tribal issues and Public Involvement, and Dale Strickland leads the Technical Working Groups. These leads have discretion to make the calls for their lead area and responsibility to carry their own programs through. (The project manager also will co-lead the Interagency Plenary meetings and the Situation Assessment, enabling him to be in direct contact with key elements and participants in both projects.)

Complex public involvement.

⇒ Utilize existing mechanisms from USACE and other agencies (and design new approaches if needed) to communicate with the public, emphasizing transparency and accessibility for technologically challenged stakeholders. Also connect these efforts with the “spring rise” process. Sierra Trujillo of the Denver Office will manage logistics for public meetings.

**PROJECT 1 – Facilitation of Intergovernmental Process to
Develop Agreement on a “Spring Rise” Proposal**

PHASE I: Information Gathering and Preliminary Process Design

Task I-1 *Meetings to Establish Parameters for Intergovernmental Process, Determine Participating Entities, Clarify Roles and Responsibilities, Identify Facilitation Needs.*

The RESOLVE/WEST team will work collaboratively with the U.S. Institute, meeting separately and together, as appropriate, with representatives of USACE, USFWS USEPA, and any other members of the Core Planning Group. Subject to the preferences of the Tribes, we hope that this Core Planning Group would include strong participation by Tribal governments. The purpose of these meetings will be to address and reach agreement on the procedural issues for the intergovernmental spring rise decision making process, as outlined in the RfP.

Our approach will be to assist in the dialogue between the members of the Core Planning Group, ask questions intended to elicit the interests and concerns of the members, and make suggestions about process options that will meet these needs. We assume that the USIECR will serve as the facilitator for this meeting, but we will work closely and flexibly with the Institute to ensure a smooth handoff and can assist with the facilitation, if requested. We will offer our process expertise, but our primary objective will be to build consensus between the agencies and Tribal governments on the parameters, participants, roles and responsibilities and facilitation needs of the process. The advantages of this approach are to help the sponsoring agencies establish a strong foundation for cooperation both amongst themselves and as collaborative leaders with respect to the other stakeholders, which is perhaps the most important strategic consideration for a collaborative process such as this.

The RESOLVE/WEST team will send three individuals to the two meetings contemplated, to ensure that the facilitators for both the interagency and technical working group meetings begin with a clear understanding of the approach and a good working relationship with members of the Core Planning Team. We also will produce draft and final meetings summaries of these meetings. Our objective will be to create meeting summaries that capture the procedural decisions made and provide a clear roadmap for the process. Having a written document will help avoid misunderstandings that can slow the process down midstream (or provide a basis from which to make changes if a decision is not working as planned).

Task I-2 *Review Background Information.*

The RESOLVE/WEST team has already begun and will continue to review relevant background information regarding the Missouri River spring rise provided by USACE, USFWS and other sources. We see this as an ongoing task, and have integrated it in our assumptions throughout both projects.

Task I-3 *Tribal Representation Coordination.*

Task I-3a *Information Gathering and Research.*

Task I-3b *Letter of Introduction and Follow up*

Task I-3c *Communication with Missouri River Basin Tribes Regarding Their Preferences for Participating in the Spring Rise Process*

Task I-3d *Inter-Tribal Meeting and Follow-up*

With 27 Tribes in the Missouri River Basin, each of which is a sovereign nation, special consideration and attention must be given to learning from these tribes about what an acceptable approach to tribal representation and participation in the “spring rise” process would be. We strongly believe in the importance of building relationships based on respect, listening and frequent communication. One way to demonstrate our respect at the beginning will be to visit as many of the tribes as possible personally, which we propose to do as part of the interview process in the situation assessment. The benefit of this approach is that the process and relationships begin on a more equal footing.

It is our understanding that the U.S. Institute is taking the lead in consulting with the tribes at this stage about their involvement and that this consultation is progressing rapidly. It would be very desirable, and we understand may be possible, for the initial information gathering, letter of introduction, communication and inter-Tribal meeting tasks above to take place prior to the initial Core Planning Group meeting. As in Task I.1, the most important strategic consideration will be to ensure that the design of the intergovernmental “spring rise” process be and be seen as inclusive and legitimate, therefore, we will play what ever role is appropriate to facilitate agreement about the process.

We propose to work closely with U.S. Institute staff and the USACE tribal liaison to follow up their efforts in coordinating and working with Tribes to generate and explore options for optimal Tribal participation. Given the rapid developments in this process, our approach will be to remain flexible, wait to see what has been accomplished prior to our involvement, and be guided by the Tribes themselves in what would be most useful to them. Thus, we believe it is premature to offer many other specifics. We will conduct Tasks I.3a-d as described in the Scope of Work to the extent they are relevant and desired.

Task I-4 *Develop Draft Process Design, Operating Protocols and Ground Rules*

The RESOLVE/WEST team will develop a draft design for the intergovernmental “spring rise” decision process, along with proposed operating protocols and ground rules, based on the decisions and outcomes from the meetings in Task I.1. The meeting summaries will be written in such a manner as to provide a strong foundation for these products. A draft version will be prepared for consideration and adoption by the full set of participating agencies to provide mutually agreed upon procedural guidelines. RESOLVE has produced many such documents in the past, each of which varies because of the importance of tailoring such products to the needs of the process and the preferences of the participants. However, RESOLVE will make documents from similar processes available as a resource, if desired.

PHASE II *Plan, Facilitate, Document, Follow Up Intergovernmental Plenary Meetings, Technical Working Group Meetings, Meetings of Core Planning Group, Public Workshop*

Task II-1 *Plan, Facilitate, Document, Follow Up 1-day Intergovernmental “Spring Rise” Plenary Meeting #1*

Task II-2 *Plan, Facilitate, Document, Follow Up 1-day Technical Working Group Meeting #1*

Task II-3 *Plan, Facilitate, Document, Follow Up 1-day Technical Working Group Meeting #2*

Task II-4 *Plan, Facilitate, Document, Follow Up 1-day Intergovernmental “Spring Rise” Plenary Meeting #2*

RESOLVE and WEST staff will work with the Core Planning Group to plan, facilitate, document and follow up all the meetings contemplated for the Spring Rise process in a manner drawing on the best practices in the field. (See specific tasks below.)

For all meetings, a key element of our approach will be to ensure excellent consultation, preparation and communication in advance so that all participants arrive at each meeting with a sense of ownership and alignment with the purposes of the meeting and their role, have the information they need, and are ready to make the contribution needed from them. This is critical in any process, but it is particularly true in this one with its tight timetable and relatively few meetings for the scope and significance of the issues.

The quality of the dialogue at each meeting also will be very important. We will help participants engage in a mode of collaborative problem solving, and will encourage the intergovernmental plenary group to allow the technical working group to serve as a trusted forum for “joint fact finding.” Specific steps, subject to discussion with the Core Planning Group, that might be considered both to establish a collaborative approach and to give the first meeting a running start include:

- work in advance of the first meeting to develop a shared set of criteria for the spring rise proposal to foster a principled approach working toward commend ends;
- preparation of and agreement on a list of the elements the proposal needs to contain;
- identification of those elements where fewer differences exist and obtaining participants’ support for the USACE or a small drafting team to prepare an initial draft of those sections for participants to react to;
- clarification at the first interagency meeting (or in advance) of the assumptions and the interests that underlie areas of difference, identification of questions/needed information that (if answered/obtained) might help untangle differences, and referral of those questions to the technical work group to foster a mode of joint inquiry and shared learning; and
- setting a tone of optimism and open-minded exploration of potentially conflicting options, encouraging participants to ask “what if” there’s another way to meet competing needs.

The potential benefits, if these or other collaborative strategies are agreed upon, are that when participants succeed at thinking together collaboratively and creatively, unproductive tensions and delays are reduced and the quality of the eventual decision improves.

Specific tasks that we will undertake include:

- *Ongoing consultation.* The RESOLVE/WEST team will communicate regularly with the Core Planning Group and all participants to ensure that the process is transparent and accountable to their needs and that any process disagreements are resolved prior to each meeting so that participants can focus on the issues at the meetings.
- *Prepare draft and final agendas.* The team will work with the Core Planning Group and participants to prepare the agenda for each meeting. Topics for the next agenda will be discussed at the end of each meeting to give everyone an opportunity to make suggestions, ensure maximum use of the time between meetings for preparation and foster transparency. RESOLVE/WEST staff will distribute draft agendas in advance of meetings for review and comment, and incorporate changes in a final agenda. We will consult with participants about public involvement at the meetings, and offer suggestions for effective ways to involve the public (e.g. interactive panels, opportunities for the public to ask questions, formal public comment, informal receptions, worksheets, supplemental “open house” or poster session informational opportunities tied to meetings, etc.) We also will use our experience to ensure that technical presentations, plenary and break-out discussion sessions are paced appropriately for the intended audience. We will communicate with any presenters or key invitees to ensure that expectations are aligned and logistical needs are taken care of.

- *Collect and distribute other pre-meeting materials and foster communication with the public.* RESOLVE/WEST staff will distribute the final agenda, along with other pre-meeting materials, to meeting participants in advance of the meeting date.
- *Foster communications with the public.* We will work with the USACE and other agencies to design and/or utilize existing mechanisms for communicating with the public such as existing web sites, list serves, mailing lists, and other distribution networks; and we will assist in the effective linkage between these mechanisms and the anticipated “spring rise” process.
- *Facilitate meetings.* The RESOLVE/WEST team’s approach to facilitation is grounded in a clear understanding both of what makes meetings work and the work that these particular meetings are intended to accomplish. We structure an environment in which all participants can participate actively, gain a clearer understanding of others’ interests and contributions, and develop concrete and creative solutions or recommendations. We appreciate the natural stages of collaborative problem solving and the timing needed for productive discussion of critical issues. We also understand the importance of meetings to foster good relationships between people.

During meetings, we do more than call on people and keep track of time. We help groups frame questions and organize their thinking to focus the discussion. We draw people out and assist those with different communication styles to articulate their views and hear each other so they can learn from each other and engage in collaborative problem solving. We listen for the interests that underlie positions, for common ground and for opportunities to make creative use out of differences. We ask questions to encourage productive lines of inquiry and articulate points of agreement to move discussions forward. We help all participants articulate their underlying interests so that they have a principled reference point to find “joint-gains” solutions considering the interests of everyone. Throughout the process, the RESOLVE team will remain impartial with respect to the interests of all participants. We have no decision-making authority and will not take positions on the merits of proposals.

We also can suggest ways of structuring the process to maximize the effective integration of science and policy discussions to the extent that is applicable. Our guiding principle is one of shared learning. Strategies that we have found effective include (although not all necessarily are applicable in this situation) working with participants to step back from disagreements about an aspect of the science to assess jointly what is known and not known (or what is in disagreement) and then to ask what can be decided based on what is known and what needs to be learned next. This can begin to change the dynamics of competing science or competing science priorities (if that is a problem). Another strategy is facilitating discussions about the questions of concern for which more data, more research, or other kinds of activities are needed. Where relevant, we also help scientists and technical experts explain (to non-scientists or to each other) the underlying assumptions behind models or calculations and the meaning of different findings. We also can serve as “agents of reality” calling the question on whether more research is needed or whether some actions can be decided based on what is known now. As agreements emerge, we also will raise questions to help participants review various aspects of implementation, discuss the implications of ongoing uncertainty, identify remaining questions, and establish next steps.

We anticipate that three members of the RESOLVE/WEST team will be present at each intergovernmental plenary and the two team members from WEST will be present at the

technical work group meetings. Team members will be available to facilitate, to take notes, coordinate with agency partners, communicate with the public, and help with logistics.

- *Participate in debriefing.* Following each meeting, RESOLVE/WEST staff will participate, in person or by teleconference, in a debriefing with members of the Core Planning Group to assess what went well and what could be improved. We will assess the both the execution and the outcomes of the meeting, with a focus on identifying changes that may improve future meetings. The debriefing also serves to identify/confirm next steps to further the objectives of the process.
- *Meeting summary.* RESOLVE/WEST staff will draft summaries after each meeting, describing what was discussed and agreed upon next steps. We find that such memos help ensure that ideas discussed aren't forgotten, are efficient tools to convey major decisions, and ensure that timelines for completing agreed upon actions are clear to all participants. In our experience, this tool is extremely helpful in maintaining momentum created in meetings.

Task II-5 *Plan, Facilitate, Document, Follow Up ½ day Public Workshop on Intergovernmental “Spring Rise” Proposed Plan for 2006 “Spring Rise”*

RESOLVE staff will plan, facilitate, document and follow up at least one ½-day Public Workshop on the Intergovernmental Group’s Proposed Plan for 2006 “Spring Rise”. Work necessary to execute the most effective public workshop includes working with the core planning group, its member agencies and Tribes to identify constituencies with an interest in this proposal, and/or those who may be directly impacted in the implementation phases, determining best location, timing and format for the meeting. Also important in the planning stages will be an explicit determination as to what type of meeting this will be for the public, e.g. what role they are expected to play, whether it is to receive information/status update, to weigh in on the decision-making process, etc., and to squarely and explicitly address that up-front. This will clarify what will happen with their feedback, and avoid the charge that the exercise is window-dressing. Equally important will be the need to provide background on the purpose of the Core Planning Group, its membership and how it was constructed. This will most effectively frame the way the meeting will run, and what follow-up will look like. A meeting summary will be distributed for public information, issues and/or questions that will require follow up will be highlighted for the Core Planning Group in the debrief session. Those issues which require follow-up with stakeholders from the public workshop will be addressed. We will seek to utilize existing websites as appropriate or other means that optimize technology without marginalizing those for whom internet accessibility may not be available.

Task II-6 *Plan, Facilitate, Document, Follow Up 1-day Meeting of Core Planning Group*

The approach to this meeting will be the same as that for the meetings above.

PHASE III: Mediation of Specific Remaining Issues (if needed)

Gail Bingham will be available on an as-needed basis to mediate specific issues and disputes as they arise. The approach to these mediations will be tailored to the unique situations. However, mediation intervention options can include: individual conciliation efforts to re-engage parties whose lines of communication have ruptured, coaching to enable parties to resolve their disputes themselves, single text strategies (shuttling substantive options between parties), and formal, face to face mediation. In some cases, particularly if litigation is involved, formal mediation may benefit from formal “mediation process agreements” to ensure that the mediation process is clear, mutually

agreed upon and transparent and that it has no adverse effects on other decision making processes underway. Gail has decades of experience in all forms of mediation and is widely accepted as a credible, trusted and skilled mediator.

PROJECT 2

Situation Assessment for Missouri River Recovery Implementation Committee

PHASE I: Situation Assessment and Preliminary Process Design

It is a commonly accepted standard of good practice to conduct an assessment prior to convening a mediated or facilitated process, consulting with the parties and involving them in shaping the process. Virtually always, how a collaborative effort is structured will directly affect the potential of the process to satisfy parties' interests, so it is important to ask those affected about their interests and concerns to design a process that is more promising than other forums. RESOLVE's philosophy is to mediate a shared assessment among the parties, with the product being general agreement as to the objectives of the process, who will participate and in what way, what the scope of issues will be, any deadlines, frequency of meetings, information needed to make sound decisions, who the mediator will be (if any), and other ground rules. Because collaborative efforts are voluntary, the benefit of this approach is that the likelihood of success is increased if all parties feel they have something to gain from participating. The transparency and involvement of participants in the design of the process also contributes significantly to the credibility and legitimacy of the effort.

Task I-1 *Review Background Information*

As noted above, The RESOLVE/WEST team has already begun and will continue to review relevant background information about the MRRIC process. Our approach will be to integrate learning throughout the assessment. The background information obtained in the spring rise process also will be relevant. Review of background information will be particularly helpful in preparing for the interviews below. By understanding prior decision making and consultation processes, we will be able to frame the questions more usefully and make the best use of the interviewees' time.

Task I-2 *Organization Meeting with Situation Assessment Coordination Group*

The RESOLVE/WEST team will participate in a one-day organizational meeting with representatives of USACE, USFWS, and any key stakeholders comprising the Situation Assessment Group. The objective of this meeting will be to establish preliminary mutual understanding of the purpose and need of the MRRIC; the purpose and desired outcomes of the situation assessment, the scope and relevant parameters to the assessment process; likely areas of conflict and controversy regarding the work of the MRRIC; relative priority of key issues; important stakeholders, their interests, specific individuals to be interviewed, and sequencing of interviews; communication protocols for the assessment group; how to describe the assessment to the public and ensure the transparency of the process; and next steps, schedule, etc, particularly on the initiation of the interviews.

Our approach will be similar to that proposed for our participation in the Core Planning Group meetings, as described above – asking questions intended to elicit the interests and concerns of the members and making suggestions about process options that will meet these needs. We assume that the USIECR will serve as the facilitator for this meeting, but we will work closely and flexibly with the Institute to ensure a smooth handoff. Our suggestion would be to hold this meeting in conjunction with the first, Intergovernmental “Spring Rise” Plenary meeting to reduce costs and the number of meetings for individuals involved in both.

Task I-3 *Develop Interview Protocol and Letter of Introduction*

RESOLVE will develop a set of interview protocols in consultation with the Situation Assessment Coordination Group. Questions that are often explored during an assessment include:

- What are the issues and to what degree is there agreement on how to frame them? Is there a sufficiently well-developed factual base to permit meaningful discussion and resolution of the issues, or a way to incorporate information collection steps or joint fact-finding into the negotiation process?
- What are the parties' interests and concerns, and is it possible to explore different options for achieving those interests?
- Who is interested in or affected by the outcome of the process? If there are large numbers of affected interests, what approaches to representation might be effective and acceptable? Which individual participants can best represent and reflect the interests of their constituencies? What communication mechanisms will be useful to ensure the public is informed and involved?
- Do the parties have some genuine interest in wanting to participate in the process as contemplated? What are the incentives for good faith negotiation, and how can these be strengthened so that participants feel themselves as likely, if not more likely, to achieve their overall goals using this process as they would through alternatives forums available to them?
- What attempts at resolving the issues have been tried in the past? What challenges were experienced, what worked well that can be built on, and what did not work as well?
- What resources do participants have and/or need to represent their interests and to contribute effectively, including technical support?
- Do existing deadlines create a realistic focus for making a decision within the foreseeable future? Is there enough time for the process?
- What mechanisms exist to implement a consensus, if reached, and what are the appropriate links to decision makers?

Task I-4 *Identify Key Stakeholder Interests and Specific Individuals to Be Interviewed*

The RESOLVE/WEST team will work closely with the Situation Assessment Coordinating Group to identify key stakeholder interests and specific individuals to be interviewed, using the approach described in the Scope of Work. It will be important to develop the list of interviewees quickly, to keep the list open for future additions as the interviews progress, and to maintain regular communication with the Coordinating Group. The RESOLVE/WEST team also will establish a project data base that includes all relevant contact information for those interviewed.

Task I-5 *Schedule and Conduct Confidential Interviews*

Immediately after the award of the contract, we will establish project milestones in cooperation with the U.S. Institute. Some interviews may be able to begin almost immediately after the meeting of the Situation Assessment Coordinating Group and preparation of the interview protocols, particularly with participants who may also be involved in the Spring Rise process and/or the Coordinating Group.

The RESOLVE/WEST team will develop different interview approaches, as appropriate, for different groups. For example, some may wish to involve many of their members while others may prefer individual interviews. Sensitivity to the preferences of the Tribes also will be important. Our

practice also is to use the interview protocol as a guide, but to allow the sequence of the conversation to flow naturally. The benefits of this are that the process remains open to information that one may not have anticipated and that the individual being interviewed can convey that which is most important to him or her.

We also will work with the Situation Assessment Coordinating Group to think through the most appropriate means of introduction to the interviewees. In some circumstances it is helpful for the agency sponsor to call in advance. In other situations, a personal call from either Gail or Will is best. We have often found that many interviewees like to have a copy of the protocol in advance, so they can think about the questions. We also have a standard, one-page hand out on what a situation assessment is that we've found helpful. We have found that it often is better to send those materials after a personal call, however.

When using a team approach to accomplish many interviews in a short amount of time, we conduct a few at the beginning together to ensure that our approach is consistent and then conduct most interviews with a single individual (either Gail or Will). We will create a common template for recording key aspects of the interview (obviously with some flexibility for unique elements of a conversation), and we will consult regularly with one another about what is being learned. All interview notes will be kept confidential, but with indications about which information obtained is and is not confidential.

Sierra Trujillo of the Denver office will schedule the interviews and maintain the data base of interviewees. The interviews expected to be completed by the beginning of July. As many interviews as possible will be done in person, either on one of the four trips contemplated in the Scope of Work or in conjunction with Spring Rise project meetings. Some interviews may need to be completed by telephone. Gail also can conduct any agency interviews desired in Washington DC.

Task I-6 *Analysis of Assessment Findings and Meeting to Consider Implications*

The RESOLVE/WEST team will analyze the findings from the assessment interviews and prepare a preliminary summary, and discuss the findings with the Situation Assessment Coordinating Group. Analysis of the assessment findings will highlight areas of agreement and disagreement among the stakeholders about how best to organize the process, giving particular emphasis to the questions noted above and any other questions identified by the Situation Assessment Coordinating Group. The assessment also will identify factors that will influence the likelihood of success of the MRRIC, both positively and negatively, and will make recommendations about how to proceed most effectively.

Task I-7 *Prepare Draft and Final Situation Assessment Report*

Following the meeting, we will prepare a draft report that: 1) summarizes the scope of relevant issues and concerns related to the MRRIC process; 2) clarifies and describes in neutral language the range of perspectives on those issues, maintaining confidentiality as needed; 3) identifies areas of potential agreement and shared interests; 4) evaluates the feasibility of a productive MRRIC process, including an evaluation of current conditions for success and a recommendation regarding whether or not to proceed; and 5) if appropriate, recommend design options for the MRRIC process (with the goal as noted above that these recommendations reflect the shared assessment of the participants). We will provide an initial draft to the Situation Assessment Coordinating Group and to the U.S. Institute and will revise it on the basis of comments. A copy of the assessment will be provided to all those interviewed.

I-8 *Meeting with Stakeholders to Discuss Results of Situation Assessment*

Stakeholders will be invited to participate in a meeting to provide feedback on the report and to discuss the implications of its findings and recommendations. The goals of the meeting will be to ensure public understanding of the assessment and to continue to identify issues and concerns about the process that need to be resolved and make adjustments to the process as needed to strengthen its legitimacy in the eyes of as many stakeholders as possible. The RESOLVE/WEST team will conduct the tasks as described in the Scope of Work.

Statement of Billing Policy

The RESOLVE/West Team will bill ½ hour for each hour of travel to and from scheduled meetings. Travel time and costs for Gail will only be charged as if she were based at the Denver office.

Assurance of Availability

Gail Bingham and Will Singleton are assigned the majority of the tasks for the RESOLVE/WEST team, and will make this project their top priority through September 2005. We do not anticipate any problems making ourselves available as needed. The budget assumes that Gail will spend about one third of her time and Will about half of his time on this project. Gail's only current, scheduled obligations are a RESOLVE Board meeting on May 20, the U.S. Institute conference the following week and a meeting of EPA's Children's Health Protection Advisory Committee July 12-14. Will has standing commitments on the second Friday of every month and the Tuesday ten days before that. Other responsibilities can be scheduled around this project as necessary. None of the rest of the team anticipates having any problems with availability.

Constraints and Conflicts of Interest

No one on the project team has any constraints, limitations or potential perceived conflicts of interests that may be relevant to this project.

Sample Assessment

A five page excerpt from an assessment conducted by Gail Bingham for a potential mediation concerning oil and gas development, ESA, and wilderness designation related issues on BLM lands is attached. It shows our team's ability to analyze factors that affect the likelihood for success and to suggest creative approaches. (The specific situation on Otero Mesa posed an unusual combination of factors that meant formal mediation was not feasible, although in another section of the report numerous suggestions were made for other activities to foster dialogue. This Otero Mesa example is not included as a reflection on what is possible for the Missouri River recovery and restoration process. The situation on the Missouri appears to be such that the question will not be whether but how to design an effective process.)

Sample Meeting Summary

A sample meeting summary prepared by WEST for the Governance Committee of the Platte River Endangered Species Partnership Implementing the 1997 Platte River Cooperative Agreement is attached. It shows our team's ability to understand similar issues, record them accurately, and write clearly.