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REPORT OF THE COMMON SENSE INITIATIVE COUNCIL'S STAKEHOLDER INVOLVEMENT WORK GROUP

June 3, 1998

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REPORT OF THE EPA COMMON SENSE INITIATIVE COUNCIL'S STAKEHOLDER INVOLVEMENT WORK GROUP

Introduction

At the February 1998 meeting of the CSI Council, the Stakeholder Involvement Workgroup presented the conclusion that integration was the greatest need of EPA's stakeholder involvement programs. This conclusion was based on issues and concerns expressed in discussions with workgroup members.

By "integration" the workgroup meant that:

- EPA stakeholder involvement needs to be clearly linked to decision-making, not simply an end in itself
- Careful front-end analysis is necessary to determine what kind of stakeholder involvement is needed and how to ensure that stakeholders are involved in ways that will provide the greatest value both to the agency and the stakeholders
- EPA stakeholder involvement programs need to be part of a single coherent network that crosses media offices so that lessons learned and information acquired in one program are communicated to other programs

The workgroup committed to complete the following products for the June 1998 meeting of the CSI Council.

- Reconstitute the Workgroup's membership to match its charter.
- Summarize all the various stakeholder/community involvement proposals made by the various CSI sectors
- Present a typology of the various kinds of stakeholder involvement currently in use within the agency
- Identify existing analytic tools for linking stakeholder involvement and decision making and assess their suitability for EPA projects.
- Prepare a list of the guides and manuals on stakeholder involvement that already exist within the agency, or are available through other agencies or organizations

- Work with the EPA staff planning an agency-wide conference on stakeholder involvement (August 1998) to ensure that issues of integration will be featured on the agenda

- Present a more detailed workplan for how the workgroup will develop recommendations for other integrating mechanisms.

This report provides a summary of the workgroup's conclusions and recommendations based upon the completion of these activities.

Workgroup Membership

Membership has been reviewed in light of the charge from the Council. A list of workgroup members is in Appendix A.

CSI Sector Subcommittee Proposals and Projects

The various stakeholder involvement proposals and projects made by the CSI sectors subcommittees are summarized in Appendix B. These reflect a broad range of examples of stakeholder involvement in national policy and community issues.

Typology of Stakeholder Involvement

Within EPA (and most other agencies) very different kinds of involvement processes are being called the same name, or called inappropriate names, or names are being used interchangeably that are not, in fact, interchangeable. The result can be that participants in these processes develop expectations, based on the names used to describe the process, that are at odds with the actual role they will be playing. This can lead to feelings of resentment or betrayal.

The workgroup itself found it was useful to define a number of terms in order to avoid confusion and clarify distinctions.

Here are some definitions the Workgroup found helpful:

> Public Participation and Public Involvement : These two terms are interchangeable. They are used as generic terms for all types of activities designed to include the public in decision-making process, prior to the decision being made. As discussed in the typology section below, the level of inclusion can range from an exchange of information and opinions at one end of the scale, to agreement-seeking processes at the other.
>
> Stakeholder Involvement: This term can be used interchangeably with "public participation" or "public Involvement," since the term "stakeholder" is usually defined as "any individuals or groups who see themselves as potentially

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impacted by a decision." However, the term is most often used for circumstances where a large group of people is represented by the participants in a process. For example, the term would likely be used for a panel that includes representatives of manufacturers, representatives of environmental groups, representatives of state regulators, etc. For this reason, the term is likely to be used for sector-based programs or national policy issues where a limited number of individuals represent the interests of many other individuals or organizations. The term "stakeholder involvement" is a generic term, like "public participation" and "public involvement," in that it can describe activities ranging from an exchange of information to agreement-seeking processes.

Community Involvement: Like "stakeholder involvement," the term "community involvement" can be used interchangeably with "public participation" or "public involvement." Typically the term is used to connote a public participation program focused on a particular place and the community of people immediately surrounding that place. For this reason, this is the term most often used in programs such as Superfund, where the focus is on involving people and groups near a cleanup site. Once again, "community involvement" can describe activities ranging from an exchange of information to agreement-seeking processes.

Consensus: The term "consensus: has two possible meanings, so it is essential to be clear on which meaning is being used whenever the term is used. One meaning of the word is "unanimity," that is, each party must positively support the decision. More frequently, the term is used to describe a circumstance in which a large percentage of the participants positively support the decision, and others simply consent to the decision -- even though they may not prefer it personally -- because they consider it tolerable or the best solution that can be achieved under the circumstances.

Constructive Engagement: This is a term being increasingly used by manufacturing sectors to describe a process in which a manufacturer and EPA work together with people in the immediate community to address issues related to cleanup or minimization of waste related to the manufacturing facility. It is a form of community involvement, using a name that communicates the concept to manufacturing organizations.

In addition to defining these terms, a review was done of the typologies -- the ways of categorizing different types of participation -- that are offered in existing manuals and guides. The review is summarized in Appendix C. This review revealed there is general agreement among the experts that there are three levels of involvement. These three levels are well described in a draft EPA document prepared by the Consensus and Dispute Resolution Program. A synopsis is provided below:

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Information Exchanges: At least one party provides information or advice to the other, and often times there will be an exchange of views and concerns. The participants are not expected to reach any agreement. Public meetings and public hearings are the most notable examples of information exchange processes, and can be one time or on-going events.

Recommendations: The participants reach a general agreement on recommendations to the agency, but no one is "bound" by the decision and the agency is not expected to implement all aspects of the advice. The agency will give the advice serious consideration and then flesh it out before making a decision. The outside parties are not bound to refrain from criticism or legal actions. Examples of processes that fit in this category are advisory committees and policy dialogues.

Agreements: Affected parties or stakeholders, including the agency, negotiate to reach a specific agreement, and each is expected to abide by it and implement its terms. Examples are negotiated rulemaking, negotiated or consensus permits, and the settlement of enforcement or other legal action cases.

While there is agreement in the literature that three such levels exist, there is no agreement on what to call them. Use of generic terms like consensus, or consultation, or collaboration, often raise more questions than they resolve. We concluded that the names used in the EPA document -- Information Exchanges, Recommendations, Agreements -- make sense, although as presently worded they are a little awkward. The language can be made somewhat less awkward by describing the category in terms of the role that stakeholders are being asked to play:

This diagram is intended to suggest that rather than being discrete categories, the three terms represent points along a continuum, with the level of stakeholder influence upon the decision increasing towards the right end of the scale.

To illustrate: The Superfund program has requirements for formal public notice, public comment periods, and public hearings associated with permitting decisions. These techniques are most accurately described as being in the "Exchange Information" category. In some communities, though, community advisory committees have been formed to develop recommendations regarding the cleanup

program. In this case, the program has moved to the “Develop Recommendations” category. The Common Sense Initiative Council is at the “Develop Recommendations” level, although it is oriented towards national policy and is sector-based. Any of the various negotiated rule-making processes in which EPA has engaged fit into the “Develop Agreements” category, although even there the agreements reached are not absolute and can be overruled by the Administrator, the President or Congress.

While this distinction is useful in clarifying stakeholder’s expectations, it does not capture the different roles that EPA officials (or state officials to whom programs have been delegated) may play in relationship to stakeholders. There are times when EPA (or a state official):

- Wants involvement in a decision it (the agency) will make
- Wants a cooperative, shared-responsibility relationship with other agencies or communities
- Wants to support a community or region’s own efforts to solve its own environmental problems

Again, this can be portrayed as a continuum, as shown below:

In most permit decisions, EPA (or the state) is the decision-maker. The same is true for national policy decisions. In the National Environmental Performance Partnership System (NEPPS), the goal is to promote joint-planning and priority-setting with the states. So EPA is playing a “partner” role in relationship to the states. Another example of a case where EPA plays a “partner” role is in the Brownfields Program, where EPA works with the states, local communities and stakeholders to develop cleanup programs for under-used industrial or commercial properties where expansion or redevelopment is complicated by real or perceived contamination. EPA’s Technical Outreach Services for Communities (TOSC) program is an example of a capacity-building program, providing technical assistance to communities dealing with hazardous substance contamination questions. Sustainable Development Challenge Grants provide funds to encourage people to work together in their community to improve their surroundings while maintaining a healthy environment. The Community Based Environmental Protection Program is also intended to be a capacity-building program.

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By putting the two scales -- the Stakeholder's Role and EPA's Role -- on different axes, Figure 1 is created. To illustrate the use of this typology, examples of techniques that might fit into different categories have been added. In some cases, of course, a technique can be used in more than one categories. Workshops, for example, can be used to accomplish a number of different purposes. On the other hand, public hearings are really only appropriate for information exchange in a situation where EPA (or another agency) is the decision-maker.

WORKGROUP RECOMMENDATION AND DISCUSSION

Recommendation 1:

Use of Common Vocabulary

The Workgroup requests that the Council recommend to EPA:

1) use of a common vocabulary to describe the terminology associated with stakeholder involvement. Improved understanding is needed for some terms, (e.g. public involvement; consensus; constructive engagement), in order to have common expectations about how these activities relate to decision-making.

2) use of the Typology of Stakeholder Involvement Techniques (shown in Figure 1) as a guide to build common understanding of the purpose of and techniques used in stakeholder involvement, as well as the role of those participating.

Discussion:
The typology in Figure 1 illustrates general agreement in the literature that there are three general levels of stakeholder participation, and it also makes a useful distinction about the agency's role in participation programs. The workgroup experimented with a more detailed typology that distinguished between community level and national level programs, and media or place-based and sector-based programs. However, the more complex typology greatly increased the confusion without significantly increasing the amount of insight. As a result, we moved back from the more complex model to the one shown in Fig.1.

The Workgroup also discussed the fact that some programs fit in several categories. In some cases, a program might be partnering project in one region, and a capacity-building project in another. In some case the reality of a program is in a different category than the aspirations of that program.

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Figure 1
TYPOLOGY OF STAKEHOLDER INVOLVEMENT TECHNIQUES

		ROLE OF PARTICIPANTS		
		EXCHANGE INFORMATION	DEVELOP RECOMMENDATIONS	DEVELOP AGREEMENTS
EPA'S ROLE	DECISION MAKER	• Hearings • Public comment periods • Town meetings • Open houses • Interviews • Focus groups	• Advisory group or task force • Workshops	• Negotiated rule-making • Consensus permits • Mediation • Negotiation
	PARTNER	• Conferences • Technical workshops • Roundtables	• Task force • Workshops • Community visioning process • Roundtables	• Partnering • Memorandum of Cooperation
	CAPACITY BUILDER	• Community Profiling • Interviews • Technical assistance grants	• Community consensus group • Community visioning process • Technical assistance grants	• Technical Assistance Grants

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Analytic Tools to Integrate Stakeholder Involvement and Decision Making

In February 1998, the stakeholder involvement workgroup reported to the CSI Council that: there is considerable "stakeholder burn-out" (people tired or unable to continue to participate due to the sheer volume of involvement opportunities); there are growing complaints that some stakeholder involvement programs are being conducted just because stakeholder involvement is now considered an *a priori* "good" without a clear definition of how the program contributes to actual decisions or programs of the agency; there is not always careful analysis or understanding of which type of stakeholder involvement is appropriate in a situation; and, the techniques being used do not always match the audiences the agency is trying to reach, or exclude some segments of the community.

A crucial component of an "integrated" approach is careful analysis to ensure that:

- Each stakeholder involvement program is clearly linked to an agency decision making process

- There is careful analysis to match the type of involvement to the circumstances

Careful analysis will ensure that when involvement techniques are chosen, EPA staff members will have set clear goals and know what they are hoping to accomplish with the public, which segments of the public need to be involved, when and where in the process they need to be involved, and how their comments and ideas will be incorporated in the process.

To accomplish this, EPA staff need to use an analytic tool that leads them through a systematic thought process as they design stakeholder involvement programs. A review of the existing analytic tools (see Appendix D) shows that they ask a rather similar set of questions designed to get planners to think about how the program fits into a larger agency and outside-world context before they begin to think about techniques.

One of the dilemmas in developing any analytic tool or thought process is that agreement-seeking processes, such as negotiated rule-making, typically only involve use of a single technique such as a panel or advisory group, while some stakeholder involvement programs may involve numerous techniques. For example, a major community involvement program might include:

- open houses to encourage community interest
- community workshops for immediate neighbors
- interviews with targeted stakeholders who might not otherwise be reached
- a site advisory group for organized stakeholders
- peer review panels for technical review with other agencies

- a policy level board involving several agencies
- distribution of public information documents, such as newsletters
- public hearings
- speakers bureau
- media relations program

There is no cookie-cutter, one-size-fits-all approach to public participation. On the other hand, there are certain key issues that planners must face in designing any public participation program, and by thinking through these issues, they can design a program suitable to the decision making process on which they are working. These issues are captured in the "process model" described below:

PROCESS MODEL FOR EARLY PLANNING OF STAKEHOLDER INVOLVEMENT

There are three different stages of planning, as summarized below:

PLANNING STAGE	WHAT'S BEING PLANNED
Decision Analysis	Planners clarify the decision being made, the decision making process that will be used, the constraints on the process, and decide whether and what type of involvement is appropriate. Output: Decisions about whether an involvement program is needed, and what type(s).
Public Participation Planning	Planners identify the issues, stakeholders, information exchange, and decide upon the techniques to be used at each step in the decision making process Output: A plan showing the participation techniques that will be used at each step in the decision making process, including their sequence and timing.

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Implementation Planning	Planners spell out the details of how they are going to implement specific techniques (such as a workshop), including how many workshops will be held, in which cities, the workshop format, the room arrangements, logistics assignments, etc. Output: A detailed plan of the format, logistics and assignment of responsibilities for each participation activity

Here is additional information regarding each of these levels of planning:

Decision Analysis

Many of the problems of integrating stakeholder involvement with decision-making processes occur because people skip over the decision analysis step and go straight to selecting a particular technique. The Decision Analysis level of planning involves addressing the following issues:

1) Clarify the decision being made (or " write a decision statement").

2) Clarify EPA's role in the process (see Figure 1, vertical axis)

3) Specify the steps in the planning or decision-making process, and where in the process key decisions will be made.

4) Define the schedule for each step in the decision making process.

5) Identify institutional constraints and special circumstances that impact your ability to undertake effective participation

6) Decide whether a public participation process is needed.

7) Determine the type(s) of process appropriate for this issue or decision. (see Figure 1, horizontal axis)

Public Participation Planning

By this stage there is a greater need for a customized approach to planning, although there are still certain universal questions that planners need to address such as:

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1) Who (internally and externally) needs to be involved in public participation planning for the process to be credible?

2) What are the issues that are most likely to arise during the decision making process?

3) Who are the stakeholders who are likely to care about those issues?

4) What's the probable level of interest (or "What's the probable level of controversy, or participation?" or "How much impact is likely to result from this decision?")

5) What do we need to accomplish with the public at each step in the decision making process (public participation objectives)?

6) What information do we have to get to stakeholders in order for them to participate effectively? When will it be needed and be available?

7) What do we need to learn from the stakeholders -- at each step in the decision making process -- to accomplish our public participation objectives for that step?

8) What special circumstances constrain the choice of techniques (e.g. geography, schedule)?

9) What techniques will we use at each step in the decision making process to accomplish our public participation objectives? (see figure 1, inside the boxes)

10) What is the sequence and timing of activities?

Although this sequence of steps is generally applicable, there may be a need to develop planning "modules" suitable for different types of involvement. For example, if, during decision analysis the decision is made to create an agreement-seeking panel, then the thought process could be:

1) Clarify the purpose of the advisory group or panel.

2) Identify the type of "neutral" party needed, perhaps a convenor and/or facilitator.

3) Select the "neutral"

4) Identify stakeholders who need to be included in the advisory group or panel.

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5) Develop a charter and other groundrules for the group or panel.

6) Develop draft procedures (e.g. recording of meetings, participation of general public, distribution of information, etc.)

7) Convene the group or panel

Implementation Planning

This has to do with specifying the details of using a particular technique. For example, if a decision was made to do a workshop, this stage of planning would involve selecting the location, agenda, and other logistics.

EPA regularly implements different types and techniques of stakeholder involvement. Most of the "integration" problems occur from a failure to do adequate planning at the "Decision Analysis" and "Public Participation Planning" stages.

A review of the literature showed that most of the agencies that have extensive public participation programs require staff to prepare a planning document. It is not the written document that is the critical issue, it is the fact that staff go through some form of thoughtful analysis, such as that outlined above, in order to prepare the plan. Preparing the plans also forces dialogue between different parts of the organization about what kind of participation is needed. Hopefully this results in internal resolution before the program starts, without visible disagreements between different parts of the organization during the actual program.

WORKGROUP RECOMMENDATIONS AND DISCUSSION

Recommendation 2:

Use of Analytic Tools to Integrate Stakeholder Involvement and Decision-making

In order to ensure that stakeholder participation activities are an integrated part of the decision-making process, the Workgroup requests that the Council recommend to EPA that the Agency expand the use of analytic tools for the systematic advance planning of stakeholder involvement. This includes, but is not limited to:

1) Using the Process Model for Early Planning of Stakeholder Involvement, which includes a Decision Analysis Stage, a Public Participation Planning stage, and an Implementation Planning stage. The issues and questions

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identified as part of the “Decision Analysis stage” are universal, and this type of analysis is appropriate for all stakeholder involvement programs. The “Public Participation Planning Stage” includes more universal issues and questions, plus many which are specific to the type of stakeholder involvement or EPA program requirements. The “Implementation Planning Stage” involves making detailed plans for using specific techniques, e.g. a workshop.

2) Providing training, publications and guidance that reinforces the need and value of completing this kind of analysis, and sharing this information with states.

Discussion:

The primary value of this kind of front-end analysis is to ensure that stakeholder participation activities are an integrated part of the decision making process. A second value is to ensure that the analysis addresses issues such as Environmental Justice concerns where under-represented groups are uniquely impacted by the decision, and where special efforts need to be made to ensure their effective representation in the decision making process.

One of the major topics discussed by the workgroup was whether the agency should be required to prepare public participation plans (as is required in the Department of Energy, for example). It was discussed that, just as the agency is moving somewhat away from the “command and control” model in its dealing with other agencies and stakeholders, it was appropriate to move away from that command model in relationship to its employees. However, EPA management will need to actively encourage this kind of analysis.

The workgroup also recognizes that asking people to do more front-end planning has an impact on resources. In the long run, effective planning can produce savings for the agency, but it often increases the time and workload for those directly involved in planning the program. The concern was expressed that asking people to do this planning without additional resources was akin to an “unfunded mandate.”

The workgroup also discussed who should do this planning. Some in the workgroup believed that the planning should be done by people who were skilled in conducting stakeholder involvement, and that EPA needed to hire more people with these skills. Others argued that if stakeholder involvement programs were conducted by people other than the program staff directly involved in making the decision, there was a considerable risk of the stakeholder involvement program being “disowned” by the decision-makers. The implication was that program managers and others in decision-making

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roles needed to "buy-in" to the need for stakeholder involvement programs whether they personally have the skills to work with the public, or have staff specialists work with the public. This needs to be recognized both in who gets selected for these roles and the training they receive.

There was also a discussion of the need for stakeholder involvement in Decision Analysis. Often stakeholders have a very different perception of who is affected and how much by a pending decision. While there are occasions where stakeholder involvement in Decision Analysis may be appropriate, some workgroup members expressed concerns about the practicality of including stakeholders in Decision Analysis for the hundreds of decisions EPA makes in a year.

Finally, there was a discussion of the need to create new mechanisms for participation that allowed citizens to participate in processes that cut across a multitude of individual permit decisions at the watershed or regional level. The goal would be to make it possible for stakeholders to participate just once, not hundreds of times, and also help the public understand the cumulative impact of all the multiple permit decisions. For example, it may be helpful to involve stakeholders in priority setting or visioning processes. However, some workgroup members expressed a concern with the length of time these processes take. For example, one recent visioning process took more than two years to complete.

Stakeholder Involvement Guides and Manuals

A review of existing manuals and guides revealed an extensive and rich literature on stakeholder involvement.

Some of the existing materials could clearly have value for EPA staff. For example, the Canadian Standards Association has an excellent computerized public participation planning guide that operates on Windows 95. Although it uses a slightly different analytic approach than recommended above, it is designed to raise and address the same issues.

Another useful guide is James L. Creighton's *Involving Citizens in Community Decision Making* (published by the Program for Community Problem Solving, which presents the basic principles of stakeholder involvement, an analytic approach to designing public participation programs, and a detailed description of techniques in one volume.

EPA has a variety of its own series of manuals and guides, and it may be that EPA staff are likely to pay greatest attention to documents that have the EPA imprimatur.

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EPA staff needs guides related to:

- The different types of stakeholder involvement and the thought process for choosing among them.

- How to do early planning of stakeholder involvement, with alternative analytic processes for different kinds of programs

- The use of specific techniques, including special topic guides covering techniques most frequently used or unique applications, e.g. advisory groups, sector-based approaches, capacity building

- Program-specific guides, e.g. guides specifying RCRA/CERCLA public outreach requirements

Appendix E presents an annotated bibliography of all the manuals and guides reviewed by the workgroup, and Appendix F presents our Consultant, Jim Creighton's evaluation of EPA manuals and guides.

This analysis shows that a guide presently being completed by EPA's Consensus and Dispute Resolution program will serve the need of educating staff about the different types of programs, and how to choose among them. Toolkits prepared by the Superfund program provide an overview of techniques, and there are several existing guides on the use of advisory committees. Decisions about the need for program-specific guides should be left to the program offices themselves. The CSI Computer and Electronics Sector Subcommittee, in its CE-SCAPE project, is preparing a guide on sector-based community involvement that should be useful for other sectors as well.

WORKGROUP RECOMMENDATIONS AND DISCUSSION

Recommendation 3:

Establishment of EPA Internal Coordinating Mechanisms

The Workgroup requests that the Council recommend to EPA the establishment of coordinating mechanisms to ensure EPA employees receive stakeholder involvement guidance and/or manuals in the below-listed areas. There needs to be sufficient coordination that EPA staff have access to a broad range of manuals and guides, not just those generated by their own program office.

1) The different types of stakeholder involvement and the thought process for choosing among them. Though some materials are available on this subject, there is a need to either add information to

the draft EPA document, “Better Decisions through Consultation and Collaboration Guide”, or produce a stand-alone guide.

2) Analytic tools for systematic advanced planning of stakeholder involvement programs, with alternative processes for different types of programs. Though some materials exist, e.g. the Process Model for Early Planning of Stakeholder Involvement & other models referenced in this report, there is a need to either add material to the “Better Decisions through Consultation and Collaboration Guide, or produce a stand alone guide.

3) Techniques guides, especially covering most frequently used techniques, e.g. advisory groups, or unique approaches, e.g. sector-based approaches, capacity building. Further guidance is needed on EPA’s role and applicable techniques as a *partner* in decision-making and a *capacity builder*.

4) Program-specific guides specifying public outreach requirements. There are currently several program specific guides. Under development is the CSI CE-SCAPE guide for constructive engagement at the facility/community level. There may be need for additional guidance for addressing sector-based national policy issues.

Discussion:

The workgroup is not necessarily recommending that a central office take over the preparation and distribution of guides and manuals, but is concerned that coordination take place so that all the needs are met. Suggestions for coordinating mechanisms include a website and an on-going network of key program staff. The annual EPA Community Involvement Conference will facilitate coordination and information sharing among programs.

Community Involvement Conference

EPA is planning an Agency-wide conference on community involvement in August 1998. The primary purpose of the conference is to encourage exchange of knowledge and experiences among agency staff. An invitation has been extended to the Stakeholder Involvement Workgroup for one of its members to be part of a panel in a “Learning from our Critics” presentation at the conference. In addition, the CSI Designated Federal Officer (Kathleen Bailey) and the workgroup’s Consultant (Jim

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Creighton) will be making a presentation on the process model discussed above. Further information is provided in Appendix G.

Recommendations for Future Activities of the Stakeholder Involvement Work Group

Subject to Council approval, the workgroup proposes to complete the following tasks:

Stakeholder Involvement Guidance:

Address the information gaps identified in recommendation 3.

Further Expand EPA Coordinating Mechanisms

The workgroup proposes to develop recommendations for the Council to give to EPA to further expand coordinating mechanisms to facilitate transfer of information about stakeholder involvement. The workgroup proposes to make a quick review of alternative mechanisms by which other agencies ensure coordination and transfer of information on stakeholder involvement, and then develop recommendations on mechanisms that appear to be uniquely suited for EPA.

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Appendix A
MEMBERSHIP OF THE WORKGROUP

The stakeholder involvement workgroup includes representatives from industry, environmental and environmental justice, labor, state and local government interests. Also, an independent consultant serves as a subject matter expert and an EPA/CSI Staff person participates and serves as convenor.

Members:

Velma M. Smith, Senior Policy Associate, Friends of the Earth, (CSI Council and Iron and Steel Subcommittee)

Dr. Franklin E. Mirer, Director, United Auto Workers, Health and Safety Dept., (CSI Council)

Dorreen Carey, Environmental Policy Specialist, City of Gary, (Ind.)Mayors Office, (CSI Council and Iron & Steel Subcommittee)

Leah Ann Lamb, Director, Office of Planning and Public Affairs, Utah Dept. Of Environmental Quality, (for Dianne Nielson, CSI Council)

Professor Bob Collin, (Printing Sector Subcommittee)

Kevin Bryan, Environmental Defense Fund

Burt Molina, Jr., Star Enterprises (for David Yetter, CSI Council)

Dan Bartosh, Texas Instruments, Inc., (CSI Council and Computer & Electronics Sector Subcommittee)

Eric Wilson, City of Atlanta, (Iron & Steel Sector Subcommittee for Larry Wallace, CSI Council)

Jim Creighton, Consultant, Creighton and Creighton

Kathleen Bailey, Designated Federal Officer, CSI Council

In addition, the CSI Council requested this group to proceed as a part of the Sector -Based Environmental Protection (SBEP)Workgroup in order to facilitate issue coordination and more balanced Council member involvement. The SBEP workgroup includes:

Jessica Landman, National Resouces Defense Council, (for John Adams, CSI Council)

David Marsh, Marsh Plating Corp., (CSI Council and Metal Finishing Subcommittee)

Guy Aydlett, Hampton Roads Sanitation District, (CSI Council and Metal Finishing Sector Subcommittee)

Velma Smith, FOE, as noted above.

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Appendix B
SUMMARY OF STAKEHOLDER INVOLVEMENT PROPOSALS AND PROJECTS BY CSI SECTORS SUBCOMMITTEES

Multi-stakeholder involvement is a key characteristic of CSI as a Federal Advisory Committee. In order to ensure all relevant interests are brought to bear on the changes that evolve under CSI, the stakeholders are invited to participate in on-going dialogues on how to improve traditional regulatory approaches and try new approaches within specific sectors. These stakeholders, which include environmental organizations, environmental justice groups, labor unions, government regulators, and industry work together to provide consensus advice and recommendations through six sector subcommittees to the CSI Council, then on to the Agency. In CSI, consensus is considered reached when members can accept or support a particular position, even though the position may not be their first choice.

Over the past 3 years, CSI participants have found that consensus-based decision-making, while sometimes lengthy and controversial, can produce stronger environmental protection strategies when developed with the very parties responsible for their implementation. This reinforces what the Agency has known since embarking on the Regulatory Negotiations program in 1984. Traditional regulatory processes have often led to gridlock, with environmental and economic ideals pitted against one another. A consensus-based approach can create synergy among participants - it can affect the way people listen, encourage them to weigh options, and stimulate their creativity in finding solutions to tough problems. It also encourages full and open discussions prior to EPA action.

The sector subcommittees are conducting pilot projects which test new ways of doing business. While all the 40+ projects have included multi-stakeholders, some projects have a particularly strong focus on stakeholder involvement, and these have been highlighted below. These projects have collectively used many types/techniques of involving stakeholder, and created information tools to better inform stakeholders.

<u>Computer and Electronics Sector Subcommittee:</u>

CE-SCAPE - The overall goal of this project is to improve the understanding and technical expertise of constructive engagement (CE), which is the partnership of a facility's management and workers, government and a community to plan, monitor, and evaluate a facility's environmental activities.

The subcommittee is developing a resource guide that will be available in early FY '99 to help people who are considering entering into a community engagement project to make informed decisions. The guide is intended for use by all stakeholders, and it is meant to help them overcome obstacles that, in the past have

made it difficult to achieve success in community engagement. The guide will be broadly applicable to many industry sectors and types of facilities. It will not only tell users where to find resources, it will also give them practical advice, and present case studies with a discussion of what went wrong and what went right. The case studies will be selected to illustrate specific points that are critical to successful engagement.

Iron and Steel Sector Subcommittee:

Guiding Principles for Brownfields Redevelopment- The purpose of this project is to develop a community-based process that can be used to redevelop former iron and steel properties. The outputs of this project include a set of guiding principles and a model statute for creating a community redevelopment authority. The model statute also includes a "toolbox" of suggestions to help communities when developing an authority, addressing a Brownfields project, or testing the guiding principles. The project also includes the testing and evaluation of the guiding principles and the model redevelopment authority at two sites- Northwest Indiana and Birmingham, Alabama.

Permit Issues - The subcommittee identified and evaluated a number of permitting issues related to the industry. This effort involved a multi-stakeholder workgroups considerations of issues raised by environmental, industry, and regulatory stakeholders, and resulted in consensus recommendations to the CSI Council and EPA on twelve issues targeted toward improving the permitting process consistent with the "cleaner, cheaper, smarter" CSI goals.

This package of recommendations would enhance public participation in the permit review process by increasing public access to permit-related information; make this information more comprehensible and accessible; and make the public more aware of and inviting their participation in the process. The package of recommendations would also facilitate better communication and understanding of permit requirements and the permit process by all interested parties; make the process less adversarial; increase the timeliness of permit issuance; and provide for more meaningful and reliable testing and monitoring. As a package these recommendations would lead to a better and more defensible permit in less time.

The recommendations have been incorporated into EPA's Permit Reform Action Plan, Section 5, which will be implemented through a cross-office effort. The twelve specific recommendation are concerning: 1) Early participation in the permit process; 2) Improved notification process; 3) Public access to permitting information; 4) Community Environmentals (CEPs); 5) Poor response to public comments; 6) Location of public hearings; 7) Technical assistance to the public; 8) Effective NPDES sampling programs; 9) Development of computerized permitting for the Iron and Steel Sector; 10) Long time to finalize decision on permitting status; 11) Alternative electric arc furnace monitoring; and 12) Acceptability of test data.

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Regulatory Barriers Pilot - The Iron and Steel Subcommittee has also recommended to the CSI Council and EPA that EPA solicit formal stakeholder input as early as possible regarding how different stakeholders would approach a particular regulatory or non-regulatory concern. As a result, EPA is modifying the "analytical blueprint" for significant Agency rulemakings to include a section on stakeholder involvement. Analytical blueprints serve as important agency planning tools in regulatory development.

Automobile Manufacturing Sector Subcommittee:

Alternative Sector Regulatory System, Community Technical Assistance Project - The subcommittee's work within this multi-stakeholder project team focused on the relationship between alternative systems of environmental regulation and the changing role of the community in such matters. The team created several products and tools:

- *Principles for an alternative sector regulatory system includes "positive, on-going and substantive involvement by a balanced and diverse range of stakeholders".* The team believes that by allowing interested stakeholders to participate throughout the regulatory process, they may be less likely to challenge associated outcomes.

- *U.S. Auto Assembly Plants and Their Communities: Environmental, Economic and Demographic Profile* - This project was initiated with the belief that a more informed community will help improve the design and implementation of alternatives to today's regulatory system. The subcommittee recommended to the CSI Council and EPA that EPA should continue efforts to address the accessibility and usefulness of data, and the basic quality of data. It was further recommended that industry, environmental groups and other stakeholders be involved in both efforts. In May í98 the Profile will be posted on the Office of Air and Radiation web site. The document presents a sector-wide profile of the industry as well as community and facility-level profiles.

- *Summary of community and auto assembly plant environmental and economic issues* - This innovative project created an on-line search tool which summarizes community and plant environmental and economic issues through an electronic literature search of news articles. The project is an experiment with an innovative methodology for identifying, collecting, and using available information to support participation by various stakeholders in an industry sector approach.

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Printing Sector Subcommittee:

Printers' Simplified Total Environmental Partnership (PrintSTEP)- The goal of this system is to help the printing industry and the public achieve cleaner, cheaper and smarter environmental protection through the creation of a simpler regulatory framework or permit. The project design includes enhanced opportunities for public involvement. There will be early and actual notice to the surrounding community and registered interested parties, and a holistic consideration by the public of facility emissions and wastes generated. Public meetings will be held, if requested, to address community concerns related to a permit. In addition to a Guide to States, and a Printers' Plain Language Workbook, a Community Handbook contains information outlining the PrintSTEP public involvement provisions and explaining how the community, industry, and regulators can work together to meet the goals of the PrintSTEP pilot.

New York City Education Project- This project is aimed at incorporating pollution prevention (P2) into everyday work practices of small printers. The methodology of the project includes informing local printers about P2 measures and building community understanding of P2 techniques in local printing businesses. The project is identifying the most effective means of education and outreach. It builds upon existing relationships with trade groups, community groups, and state and local government. Education and outreach are critical elements of the workgroup's efforts. A Technical Assistance Directory has been completed.

Petroleum Sector Subcommittee:

Refinery Air Information Reporting System (RAIRS)- This project examined reporting requirements for air emissions at a pilot petroleum refinery, the Marathon Oil Refinery in Texas City, Texas. The project addressed the needs of the community for increased understanding of and access to reported environmental information. These efforts should ultimately lead to enhanced utility of air emission reports for all stakeholders. The project plan included 2 meetings with a pre-existing Community Advisory Panel (CAP) which serves all the petrochemical industry in Texas City. These meeting were also advertised in the local newspaper to appeal to a broader audience. The meetings were used to share information, i.e. report pilot project findings and collect input from the CAP. Prior to these meetings, the CAP was not aware of all the industry reporting requirements, and was interested in having more, and more easily accessible information. This summer, the subcommittee intends to go back to the CAP to share the revised reporting system.

Metal Finishing Sector Subcommittee :

Strategic Goals Program - The first of its kind, this progressive program includes commitments by the industry to go beyond compliance with baseline environmental standards, substantially reducing pollution from their operations. The subcommittee has included representatives from industry (individual firms and national trade associations), state and local government, environmental, labor and public interest groups. Every stakeholder group involved in the program's development is committing to a comprehensive Action Plan detailing their role in reaching the performance goals. For example, industry will encourage participation and environmental and public interest groups will publicly recognize participating firms for their environmental performance. A multi-stakeholder oversight committee will monitor the overall progress of the program and advise the industry and EPA on further refinement and policy matters.

This Strategic Goals Program developed from a set of fifteen stakeholder-defined projects that provided a foundation for the program. The work of the Subcommittee was originally defined by the Sustainable Industry Program analytical process, which itself is a stakeholder driven effort.

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Appendix C

TYPOLOGY OF STAKEHOLDER INVOLVEMENT

SUMMARY OF EXISTING TYPOLOGIES:

The workgroup began by looking at some of the typologies that are offered in the existing manuals and guides.

- **Better Decisions through Consultation and Collaboration - EPA**[1]

  This is a guide that is presently being prepared by the Consensus and Dispute Resolution Program. The authors are Phillip Harter, consultant, Mediation Consortium, Suzanne Orenstein, RESOLVE, and Deborah Dalton, the Program's Deputy Director.

  This guide describes three levels of involvement:

  Information Exchanges: At least one side will be providing information or advice to the other, and oftentimes there will be an exchange of views and concerns. The participants are not expected to reach any agreement. Public meetings and public hearings are the most notable examples of information exchange processes.

  Recommendations: The participants reach a general agreement on recommendations to the agency, but no one is "bound" by the decision and the agency is not expect to implement all aspects of the advice. The agency will give the advice serious consideration and then flesh it out before making a decision. The outside parties are not bound to refrain from criticism or legal actions. Examples of processes that fit in this category are advisory committees and policy dialogues.

  Agreements: Affected parties or stakeholders, including the agency, negotiate to reach a specific agreement, and each is expected to abide by it and implement its terms. Examples are negotiated rulemaking, negotiated or consensus permits, and the settlement of enforcement or other legal action cases.

  Much of the remainder of this guide is an amplification of this typology, discussing the agency resources that may be required; types of parties who should participate; whether or not to use a Neutral, and what type; groundrules under which the parties operate; organizational issues; and how the outcome is used.

[1] Draft EPA Manual on Consultative Processes: Better Decisions through Consultation and Collaboration, U.S. Environmental Protection Agency, March 25, 1988.

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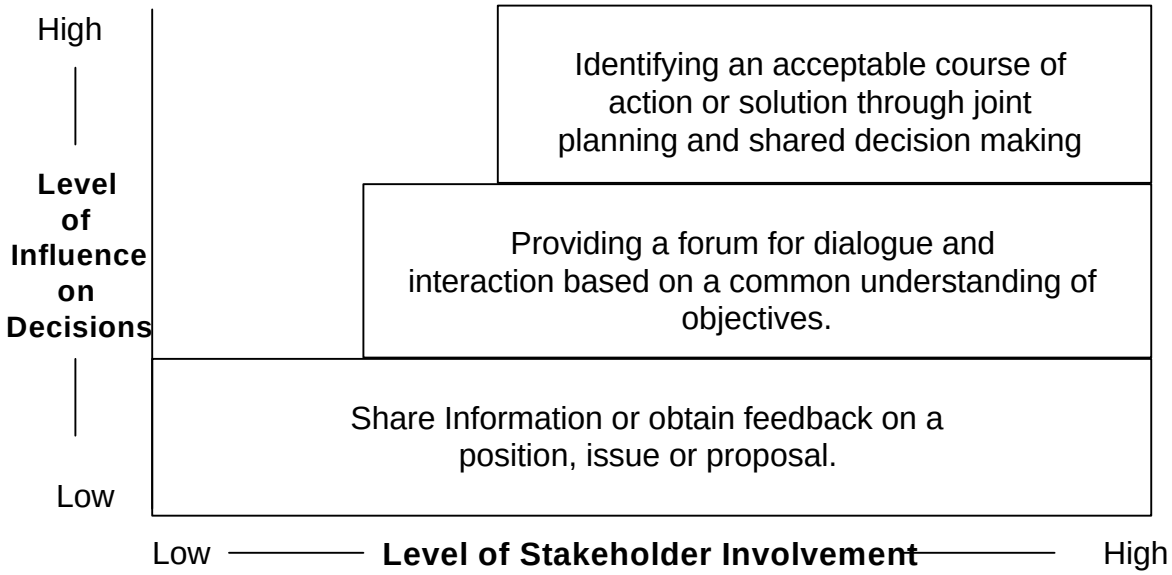
- **Canadian Standards Association - Guide to Public Involvement**

  This guide was developed by the Canadian Standards Association (CSA). [2] No institution quite like it exists in the USA. One of its functions is testing, much like the Underwriters' Laboratory in the USA. But another function is to develop voluntary standards, on a consensus basis, where no federal standard exists or is appropriate.

  The guide was written by a 16-member technical committee representing those Canadian Federal Government agencies and public involvement practitioners, supported by CSA staff.

  This guide also describes three levels of involvement, as shown below:

Figure 2
CANADIAN STANDARDS ASSOCIATION TYPOLOGY



  Clearly this definition has much in common with the one used in the EPA guide.

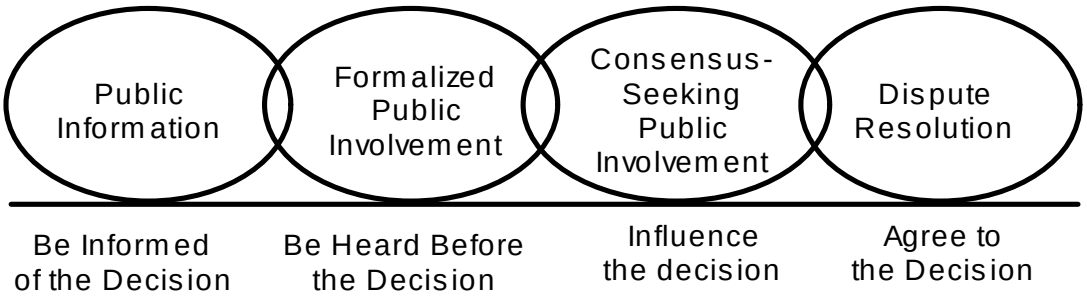
- **James L. Creighton - Various Guides & Manuals**

  Creighton is a public participation consultant who has prepared numerous guides and manuals for federal agencies over the past twenty-five years. His

[2] Canadian Standards Association, ***A Guide to Public Involvement*** and ***A Guide to Public Involvement: Interactive Planner Software: User Manual***, Canadian Standards Association, Etobicoke, Ontario, Canada, 1996.

typology,[3] shown below, is very similar to that in the EPA Guide and the CSA Guide.

Figure 3
CREIGHTON'S TYPOLOGY



He shows three categories that are virtually identical to those in the previous guides, but adds a fourth category -- public information -- at the left of the continuum. His reason for including this is to make very clear that public information alone is NOT stakeholder involvement. He does argue, however, that the other three types of involvement do require a public information component. People can't participate effectively unless they are provided adequate information upon which to base their participation. But he stresses that such information cannot be public relations -- designed to always show the agency in the best possible light -- but must be objective information, prepared as if each person receiving the information was a potential decision maker.

- **Use of Consultation and Consensus-Building Processes for Implementing the Clean Air Act: US Office of Air and Radiation and The Keystone Center**[4]

  Figure 7 (next page) presents a typology developed by the Keystone Center. The Keystone figure recognizes two major categories -- Information Exchange and Consensus-Oriented Dialogue and Negotiation -- although both contain numerous gradations on a continuum. This diagram is useful in that it points out that the minute that roundtable's and policy dialogues move

[3] Creighton, James L., Participant's' Manual: Public Participation for Managers Training Course, U.S. Department of Energy, Office of Intergovernmental and Public Accountability, Washington D.C., 1994.

[4] Keystone Center, *Discussion on the Use of Consultation and Consensus-Building Processes for Implementing the Clean Air Act*, a report prepared for the Environmental Protection Agency, reprinted in Negotiated Rulemaking Sourcebook (1995 edition), Administrative Conference of the United States, Washington D.C., 1995 (Available U.S. Government Printing Office, ISBN 0-16-048222-4).

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into an effort to develop consensus, they pass over into the realm

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Keystone
Figure 4

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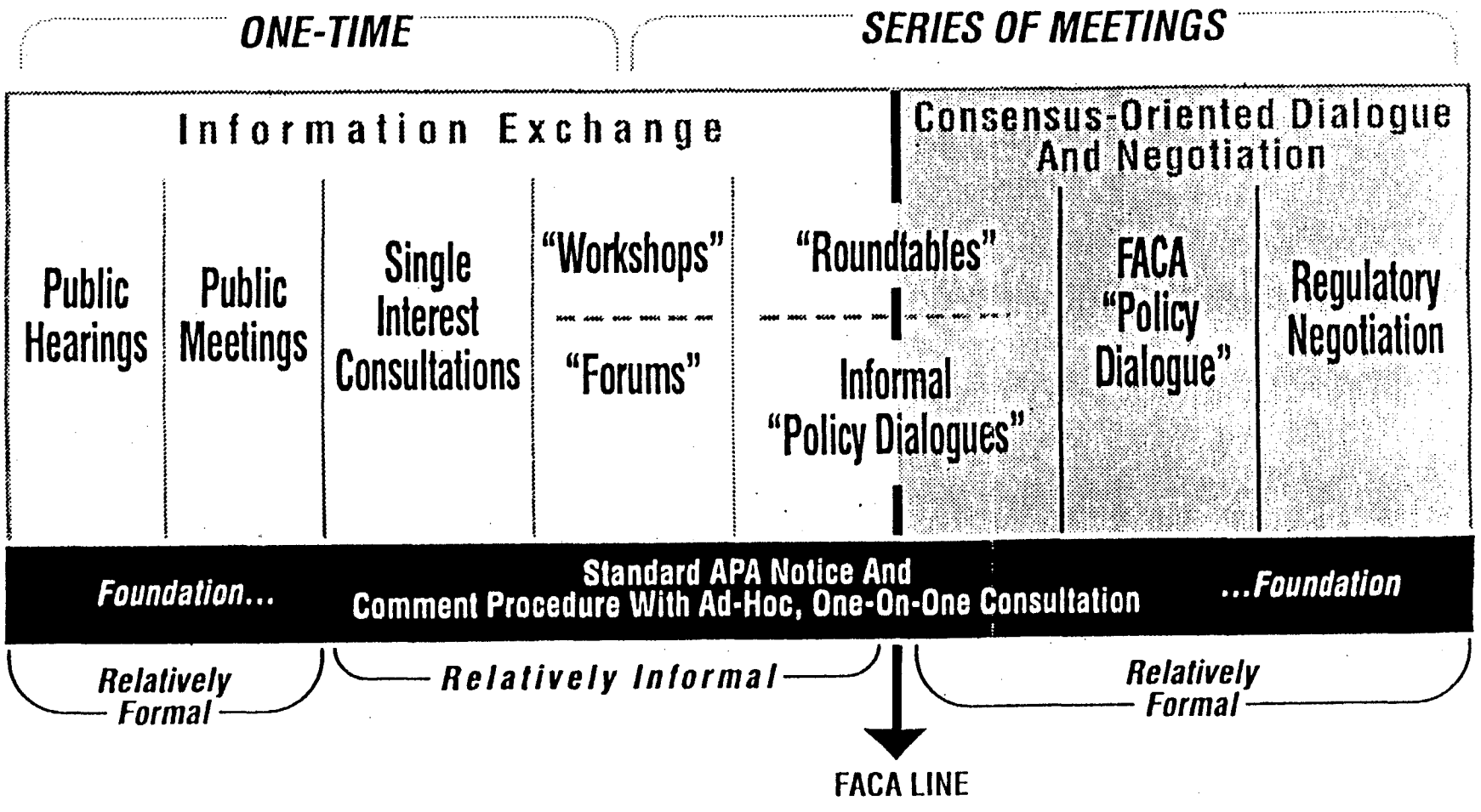
Figure 7
KEYSTONE TYPOLOGY

Spectrum Of Consultation And Consensus-Building Approaches



where they come under the provisions of the Federal Advisory Committee Act.

- **Best Practices for Government Agencies - Society of Professionals in Dispute Resolution**[5]

  A committee of the Society of Professional in Dispute Resolution recommends the following typology:

PURPOSE	OUTCOMES
1. Information exchange	Improved communication and understanding; lists of concerns and/or options; better definitions of problems or issues.
2. Feedback/consultation	Opinions or suggestions for action are obtained; plans or drafts are refined
3. Agreement-seeking or decision-making	Agreements on actions or policies are reached; consensus is developed

While these examples show considerable consistency in approach, this is not the only way that techniques can by typed. For example, in another document, [6] Creighton and Jerome Delli Priscoli (Program Director of the U.S. Army Corps of Engineers Alternative Dispute Resolution) present another typology of dispute resolution techniques that is primarily designed to clarify the use of third-party neutrals, and the type of assistance provided by those third-parties (Figure 5). However, this typology is not particular useful for purposes of this report, although it could be useful in a guide on agreement-building techniques.

[5] SPIDR Environment/Public Disputes Sector Critical Issues Committee, Best Practices for Government Agencies: Guidelines for Using Collaborative Agreement-Seeking Processes, Washington D.C.: Society of Professionals in Dispute Resolution, 1997.

[6] Creighton, James L. and Jerome Delli Priscoli, Overview of Alternative Dispute Resolution, U.S. Army Corps of Engineers Institute for Water Resources, Fort Belvoir, VA, IWR Pamphlet 96-ADR-P-5.

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Figure 5
A TYPOLOGY OF DISPUTE RESOLUTION TECHNIQUES

COOPERATIVE DECISION MAKING	THIRD-PARTY ASSISTANCE WITH NEGOTIATIONS OR COLLABORATIVE PROBLEM SOLVING			THIRD-PARTY DECISION MAKING		DISPUTE PREVENTION
Parties are Unassisted	Relationship Building Assistance	Procedural Assistance	Substantive Assistance	Advisory Non-Binding Assistance	Binding Assistance	Parties are Assisted
• Conciliation • Information Exchange Meetings • Cooperative/ Collaborative Problem-Solving • Negotiations	• Counseling/ Therapy • Conciliation • Team Building • Informal Social Activities	• Coaching/ Process Consultation • Training • Facilitation • Mediation	• Mini-Trial • Technical Advisory Board/ Disputes Panels • Advisory Mediation • Fact Finding • Settlement Conference	• Non-Binding Arbitration • Summary Jury Trial	• Binding Arbitration • Med-Arb • Mediation-then-Arbitration • Disputes Panels (Binding) • Private Courts/ Judging	• Partnering

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Appendix D
ANALYTIC TOOLS FOR LINKING STAKEHOLDER INVOLVEMENT TO DECISION MAKING

Our review of the existing guides and manuals available in the stakeholder involvement field (Section E) shows four sources of information regarding analytic tools that have potential value for EPA. These include:

- **Better Decision Through Consultation and Collaboration - EPA**

  This is the guide currently being prepared under the auspices of EPA's Consensus and Dispute Resolution Program. The authors are Phillip Harter, Consultant, Mediation Consortium, Suzanne Orenstein, Consultant, RESOLVE, and Deborah Dalton, the Program's Deputy Director. The document is currently in draft form.

  The strength of this document is that it is designed to force staff to make an informed choice about what *type* of consultative process is appropriate. The manual distinguishes between three types of involvement: (a) Information Exchange; (b) Recommendations; and (c) Agreements. Different techniques are associated with each level. For example, public hearings or public meetings are examples of techniques appropriate for information exchange. Recommendations could be developed in an advisory group or technical workshop. Agreements might be reached in negotiated rulemaking or consensus permits.

  Much of this guide distinguishes between these three types of involvement. It spells out the advantages and limitations of each approach, and circumstances in which use of each approach is appropriate.

  One chapter in the guides attempts to lay out a basic structure for designing programs, as shown below:

  - What is the purpose of the committee
  - Who particip ates
  - Will there be workgroups
  - Attendance at meetings
  - What is the definition of agreement
  - Meetings
  - What will the committee produce
  - Who agrees to do what with respect to the committee's workproduct
  - How will the process function

  These steps assume some form of agreement-seeking committee is being established.

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- **A Guide to Public Involvement - Canadian Standards Association**

  This guide[7] was written by a 16-member technical committee representing those Canadian Federal Government agencies and public involvement practitioners, supported by CSA staff.

  One of the unique features of the guide is that it is accompanied by an interactive software package that permits people to use the analytic process described in the report -- by "filling in the blanks" -- to generate public involvement plans for specific projects.

  The entire guide can be classified as an analytic tool in that it consists of a series of questions to be answered by planners in the course of developing a public participation plan. The overall framework is based on four questions (actually phases in the program): (1) Do you need to involve the public?; (2) Have you laid the groundwork for a well-constructed process?; (3) Do you have all the elements in place to make the process work?; and (4) Did the process work? There is a checklist of additional questions associated with each phase. These checklists are shown in Figure 5 The CSA guide provides an additional discussion of each of these questions.

  The questions asked in the CSA guide are genuinely intended as a checklist, something to remind people to consider important issues. Any effort to answer all the questions would prove quite exhausting.

[7] Canadian Standards Association, ***A Guide to Public Involvement*** and ***A Guide to Public Involvement: Interactive Planner Software: User Manual***, Canadian Standards Association, Etobicoke, Ontario, Canada, 1996.

Figure 6

CANADIAN STANDARDS ASSOCIATION CHECKLIST QUESTIONS

A. Do you need to involve the public?

- Can you describe the situation that needs to be addressed?
- Have you identified the potential benefits of involving the public>
- Can the public still make a difference?
- Do you understand the external aspects of the situation?
  - -- Is the decision likely to be seen as significant?
  - -- Is the project likely to be contentious?
  - -- Is there evidence of public or media interest?
  - -- Is there related emerging legislation, policy, or litigation that could affect your project?
- Do you understand stakeholder interests and positions?
  - -- Do you know who will be affected by this project?
  - -- Do you know who speaks for and who speaks from these groups?
  - -- Do you know which members of the public receive media attention?
  - -- Do you know what the relevant interests and positions are?
  - -- Do any of these individuals or groups have the power to disrupt or promote the project?
- Do you understand the implications of not involving the public?

B. Have you laid the groundwork for a well-constructed process?

- Do you understand the nature and scope of the pending decisions?
- Do you have a statement of purpose and goals for the public involvement process?
- Do you know when decisions are required?
- Do you know who should be involved and why?
  - -- Do you know who will likely feel an impact from the decision or proposal?

-continued

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Figure 6 - Continued

-- Do you know which sectors, interests, and/or regions potential stakeholders represent?

- Do you know what sectors potential stakeholders represent?
- Do you know what interests potential stakeholders represent?
- Do you know in which geographic and political regions you find potential stakeholders?

-- Do specific goals or phases of the process cater to different publics?

-- Are the interest groups on your list well-organized?

-- Do you know how credible the group and their representatives are?

-- Do you know what critical relationships are necessary for the process to succeed?

-- Are stakeholders subject to scheduling or resource constraints?

- Are you familiar with the range of public involvement mechanisms
- Do you have an indication of the financial and human resources required to support a public involvement process?
  - -- Do you have an indication of the costs involved?
  - -- Do you have an indication of the potential workload?
  - -- Are the resources available?
- Are your assumptions valid?
  - -- Has management reviewed your planning assumptions and proposed agenda?
  - -- Do you need to consult potential stakeholders about the nature and scope of the process?
  - -- Do you need to consult potential stakeholders about the nature and scope of the process?
    - Do you know how to make initial contacts?
    - Do you know what questions to ask during initial contacts?

- Continued

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Figure 6 - Continued

C. Do you have all the elements in place to make the process work?

- Is the purpose of your public involvement process clear?
  - -- Have you defined the goals of your public involvement process?
  - -- Have you decided what matters are outside the scope of your process?
  - -- Can you define what the end product will look like?
  - -- Does everyone who will be involved or affected by the process understand its purpose and the issues at stake?
- Are the timelines for the process clear?
  - -- Does the schedule allows stakeholders to manage decisions, information, and feedback with their groups?
  - -- Is flexibility built into the schedule?
  - -- Is time needed or available for the process to mature and work?
  - -- Do you know how to deal with emergency situations?
- Are the right people involved?
  - -- Will all people with a relevant interest be given an opportunity to participate?
    - Have you classified stakeholder according to their respective levels of interest?
    - Have you considered your stakeholders in light of all relevant factors?
    - Have you decided how many stakeholders to involve?
    - Are interests balanced?
    - Do stakeholder groups have a process for naming a representative?
    - Are you prepared to accommodate late arrivals?
  - -- Will those critical to the success of the process have the ability to contribute?
    - Are you prepared to provide financial support to participants?
    - Can stakeholders be given access to technical support or expertise?

- Continued

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Figure 6 - Continued

- Will stakeholders require process training?

- Are your using the appropriate mechanism(s) for involving the public?
  - -- Have you determined the most appropriate mechanism(s) for involving the public?
  - -- Should this process be linked to other existing or upcoming processes within the organization or outside?
  - -- Do you need a neutral third party?
    - Do you know what particular skills are required to support the stakeholder process?
    - Do you know what role a third party could play?
  - -- Have the logistics of the project been carefully planned?
    - Have people been notified of the specific activities associated with the process?
    - Have you considered the pros and cons of the location and time of specific activities?
    - Have you considered the technical requirements associated with specific activities?
    - Are you prepared to address the special needs and requirements of stakeholders?
- Do you have the funds and human resources you need?
  - -- Do you have an approved budget for the public involvement process?
  - -- Is your organization represented adequately in the process?
    - -- Do your representatives have the necessary skills and training to participate fully?
    - -- Have you considered involving senior management at key process points?

- Continued

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Figure 6 - Continued

- Have you set groundrules for the process?
  - -- Do you know how decisions will be made in the process?
    - Will senior managers make decisions on their own, in consultation with stakeholders, or jointly with stakeholders?
    - If decisions are made jointly, will they be based on consensus, bargaining, or a majority vote?
    - Do you know what decisions are made outside the process?
  - -- Are all participants clear about their respective roles and responsibilities?
    - Do the stakeholders understand their roles and responsibilities?
    - Are the roles and responsibilities of your representatives well understood by all participants?
    - Can stakeholders no longer interested drop out without jeopardizing the process?
    - Are representatives accountable to their respective groups?
    - Are participants committed to making the process work?
  - -- Do you know what information needs to be shared, and how to share it?
    - Is the information credible?
    - Do you know how to disseminate the infor mation?
    - Is the information in a format and language that stakeholders can grasp?
    - Does the schedule allow adequate time for stakeholders to absorb the information?
    - Will confidentiality be protected?
    - Will you be able to collect and feed back additional information throughout the process?
  - -- Is there a need to accommodate special relationships?
  - -- Is there a need to manage communications and media relations?

- Continued

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Figure 6 - Continued

- Do you have a plan to inform the public at large about the process and its progress?
- Do you have ground rules for releasing information to groups and individuals not directly involved in this process?
- Can you anticipate what issues are likely to be raised by the media?
- Do you have groundrules for releasing information to groups and individuals not directly involved in the process?
- Can you anticipate what issues are likely to be raised by the media?
- Is the process consistent with the organization's communications policy?

• Are you evaluating as you go?
  -- Are those involved fulfilling their responsibilities?
  -- Are you evaluating how well the process is working?
  -- Are you monitoring the budget?
  -- Are you tracking progress in meeting desired results?

D. Did the process work?

• Do you know what to evaluate, and how?
  -- Do you know who wants the evaluation?
  -- Do you know what questions need to be asked?
  -- Do you have indicators of performance and effectiveness?
  -- Are you collecting information effectively?
  -- Is your analytical method appropriate?
  -- Is the evaluation timely?
  -- Is the evaluation being conducted by the right people?
  -- Have you communicated the results of your evaluation?

• Are there opportunities for further progress?
  -- Do you have a contingency plan for goals not met?
  -- Can other ends be pursued through this process?

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Figure 6 - Continued

- Are you applying the lessons learned?
  - -- Do you know what your organization needs to involve the public more effectively?
  - -- Does your organization have the ability to share knowledge?
- Are you communicating and implementing project decisions?
  - -- Have your reported the results publicly?
  - -- Are the results being implemented?
  - -- Do stakeholders have a role to play in implementing the project decisions?

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- **James L. Creighton - Various Guides and Manual**

  Creighton is a public participation consultant who has been producing public involvement manuals and guides for government agencies for more than twenty years. He is a strong advocate of integrating public participation into the decision making process.

  Creighton makes three arguments for why such integration is necessary: (1) the payoff for stakeholders to participate is to believe they had some actual impact -- they've made a contribution -- in agency decisions and programs, and without some demonstrable impact they will lose interest in participating; (2) if agencies don't come to believe that all the effort it takes to involve the public produces something of tangible value for the agency they will soon drift back into "meet the requirements" stakeholder involvement; and (3) public participation programs are far more likely to extend schedules, or interrupt the process, when they are not a planned, integral part of the decision making process.

  In the various guides he has produced, Creighton has consistently prescribed a thought process planners should use when developing a public participation program. However, this thought process has been evolving over time.

  In a 1992 guide, *Involving Citizens in Community Decision Making*[8] Creighton proposed the following thought process:

  1. Agree on the major steps in the decision-making process.

  2. Identify the public participation objectives for each step in the decision-making process.

  3. Identify the "information exchange" needed to complete each step in the decision-making process. [The information exchange includes the information you need to provide <u>to</u> the public in order for people to participate effectively, and the information you need to learn <u>from</u> the public for decision-making purposes.]

  4. Identify the groups or interests that need to be informed/involved at each step in the decision-making process.

  5. Identify any special circumstances surrounding the issue that could affect selection of public participation techniques.

[8] Creighton, James L., Involving Citizens in Community Decision Making, Washington D.C.: Program for Community Problem Solving, 1992.

6. Identify the appropriate techniques—and their sequence— to accomplish the required information exchange.

Creighton used a similar thought process in the development of a public participation planning software program he developed (with AI Consultants, Inc.) for the Bonneville Power Administration. Like the CSA software package, planners could answer a series of questions, then print out a completed public participation plan. Regrettably, this software package was developed on the Hypercard for Macintosh platform. It does not run on DOS or Windows, and fewer and fewer Macintoshes still have the Hypercard software.

However in recent training courses developed for the U.S. Department of Energy, Creighton has expanded the thought process somewhat. He now talks about three distinct planning stages: Decision Analysis, Developing a Public Participation Plan, and Implementation Planning.

> Decision Analysis is a stage at which planners clarify the nature of the decision itself, identify the decision making process, and decide whether and for what purposes public participation is needed.
>
> Public Participation Planning is the stage at which planners decide the specific public involvement techniques they will be using.
>
> Implementation Planning is when planners specify the details of using a particular technique. For example, if during Public Participation Planning a decision was made to use a workshop, Implementation Planning would include such issues as the design and format of the workshop, selection of the locations at which the workshops will be held, assignment of responsibilities for logistic details, etc.

Decision Analysis

Essentially Creighton has taken the first step in his earlier thought process -- Agree on the major steps in the decision-making process -- and expanded greatly on the level of analysis he believes is necessary to under stand the agency's decision making process. Creighton acknowledges that *Decision Analysis* isn't really about public participation but about agency decision making. But he argues that if this is still of concern to public participation planners because if this analysis is not done well it can have dramatic impact on the effectiveness of the public participation program. Some of the experiences he cites to justify this kind of analysis are:

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-- Finding out in the middle of a public participation process that different parts of an agency had entirely different understandings of what the decision was that was being made

-- Asking for public involvement on alternatives when the decision maker was already committed to a single acceptable outcome

-- Defining the problem so narrowly that it excluded most of the alternatives the public wanted to consider

-- Conducting public involvement activities so that project managers could prove them were supportive of public involvement, not because the public was interested in the issue

-- Conducting well-planned workshops, but a year after the re al decisions had been made

The steps he believes should be included in Decision Analysis include:

Decision Analysis Steps:

1) Clarify the decision being made

   -- Write a Decision Statement

   -- What are the sideboards for the decision being made?

   -- Is the decision framed in a way the public can understand?

   -- Who is the decision-maker?

2) Specify the steps in the planning or decision-making process, and where in the process key decisions will be made:

3) Define the schedule for each step

4) Identify institutional constraints and special circumstances that impact your ability to undertake effective stakeholder participation

5) Decide whether public participation is needed.

6) Determine the goal of any public participation process

   -- Do you just need for the public to be informed

   -- Do you just need to satisfy procedural requirements

   -- Do you need informed consent or consensus

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-- Do you need agreement

Developing a Public Participation Plan

The steps Creighton identifies at this stage are shown below and in Figure 7:

1) Identify the planning team.
2) Identify issues and stakeholders.
3) Assess the level of controversy and develop an issue management plan.
4) Identify the public participation objectives for each step in the decision making process.
5) Identify the information exchanges that need to take place at each step in the decision-making process.

Figure 7
DEVELOPING A PUBLIC PARTICIPATION PLAN

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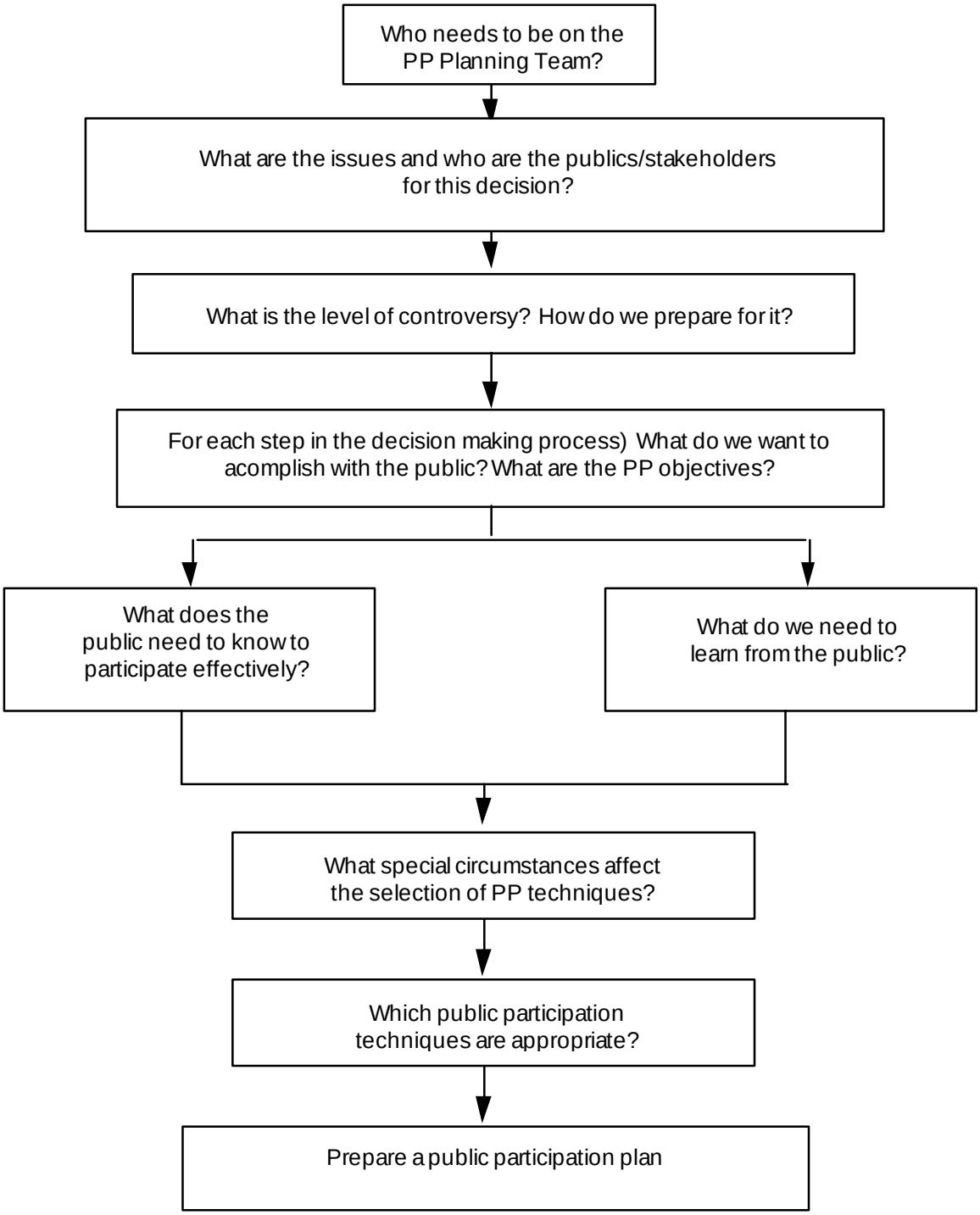

6) Identify special circumstances that could affect the selection of public participation techniques.

7) Select specific public participation techniques.

8) Prepare a public participation plan.

This is an expansion of Creighton's earlier thought process, with the major addition being the inclusion of an "issues management" element. What Creighton means by "issues management" is that it is often possible to anticipate that certain issues will emerge during the course of a decision making process. In order to address these issues in a proactive manner, it may be necessary to take actions at the front end of the process -- such as taking measurements, conducting research, or seeking a clarification of agency policy -- that will provide an informed basis for discussion of the issue.

Creighton has also created a number of work sheets to help planners answer these questions. A sampling of worksheets is provided on the following pages.

- **Public Involvement Strategies: A Manager's Handbook – American Waterworks Association (AWWA)[9]**

The AWWA has published a guide that was prepared by the consulting firm CH2M Hill working with an advisory committee of AWWA members. This guide proposes a ten-step process:

Step One: Frame the Project
Step Two: Identify Constraints
Step Three: Identify and Describe Decision Steps and Project Milestones
Step Four: Identify and Understand Potentially Affected Stakeholders
Step Five: Determine Vulnerability and Must-Resolve Issues
Step Six: Determine the Appropriate Level of Public Involvement
Step Seven: Select Processes and Techniques
Step Eight: Development a Public Involvement Work Plan
Step Nine: Implement and Monitor the Work Plan
Step Ten: Manage Change

As can be seen, most of these steps are similar to the steps in the analysis method proposed by Creighton, or are addressed in questions asked in the CSA checklists.

[9] CH2M Hill, Public Involvement Strategies: A Manager's Handbook, Denver, CO: American Water Works Association, 1995.

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Worksheet 1
IDENTIFYING PEOPLE WHO NEED TO BE INCLUDED IN PUBLIC PARTICIPATION PLANNING

People/organizational units that will be impacted by the decision or by open discussion of the topic?	
People/organizational units who will be called on to assist with the public participation effort?	
People with special expertise that will be needed, e.g. writers, graphics?	
People whose participation is needed for credibility?	

Source: Creighton, James L., Managing Public Participation, training course developed for the U.S. Department of Energy Office of Intergovernmental and Public Accountability, April 1997.

Worksheet 2
MATCHING ISSUES AND STAKEHOLDERS

Issues	Internal Stakeholders	External Stakeholders

Source: Creighton, James L., Managing Public Participation, training course developed for the U.S. Department of Energy Office of Intergovernmental and Public Accountability, April 1997.

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Worksheet 3:
DEVELOPING AN ISSUE MANAGEMENT PLAN

ISSUE:	RESPONSIBILITY	COMPLETION
Studies that must be completed before this issue can be resolved:		
Policy decisions that must be made before this issue can be resolved		
Informational materials that need to be developed to address this issue		
Other actions needed		

Source: Creighton, James L., Managing Public Participation, training course developed for the U.S. Department of Energy Office of Intergovernmental and Public Accountability, April 1997.

Worksheet 4
ASSESSING THE LEVEL OF CONTROVERSY

ISSUE	Prior Contro-versy on Same Issue		Tie-in to Another Major Issue/ Power Struggle		Significance to Major Stakeholders			Probable Level of Controversy		
	Yes	No	Yes	No	Low	Med.	Hig h	Low	Med.	High
Probable Level of Controversy:										

Source: Creighton, James L., Managing Public Participation, training course developed for the U.S. Department of Energy Office of Intergovernmental and Public Accountability, April 1997.

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Worksheet 5
DEFINING PUBLIC PARTICIPATION OBJECTIVES

Step in the Decision Making Process:	Public Participation Objective(s)
1) Define problem	
2) Establish evaluation criteria	
3) Identify alternatives	
4) Evaluate alternatives	
5) Choose a plan of action	

Source: Creighton, James L., Managing Public Participation, training course developed for the U.S. Department of Energy Office of Intergovernmental and Public Accountability, April 1997.

Worksheet 6
ASSESSING LEVEL OF PARTICIPATION REQUIRED

External Stakeholders (from Page ___)	*Observers (Be In-formed)*	*Commen-tors (Be Heard)*	*Technical Reviewers (Influence the Process)*	*Active Participant (Influence the Decision)*	*Co-Decision Maker (Agree to the decision)*
Internal Stakeholders (from Page _)					

Source: Creighton, James L., Managing Public Participation, training course developed for the U.S. Department of Energy Office of Intergovernmental and Public Accountability, April 1997.

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Worksheet 7
IDENTIFYING THE INFORMATION EXCHANGE

Step in the Decision Making Process:	Information TO the Public	Information FROM the public
1) Define problem		
2) Establish evaluation criteria		
3) Identify alternatives		
4) Evaluate alternatives		
5) Choose a course of action		

Source: Creighton, James L., Managing Public Participation, training course developed for the U.S. Department of Energy Office of Intergovernmental and Public Accountability, April 1997.

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Worksheet 8
IDENTIFYING SPECIAL CIRCUMSTANCES

SPECIAL CIRCUMSTANCES	YES	NO	IMPACT ON PROGRAM
Cultural/ethnic sensitivities (e.g. most impacted people are from a single cultural/ethnic minority).			
National interest (e.g. most interested stakeholders are in Washington D.C., not near the site)			
Distance (interested stakeholders are scattered over a large area geographically)			
Issue connected politically to other issues - difficult to keep this issue distinct			
Level of interest - outrage versus apathy			
Political sensitivities - key political figures have positions or reputations to defend related to this issues			

Source: Creighton, James L., Managing Public Participation, training course developed for the U.S. Department of Energy Office of Intergovernmental and Public Accountability, April 1997.

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Worksheet 9
PUBLIC PARTICIPATION PLAN

Step in the Decision Making Process:	Public Participation Activities	Respon-sibility	Completion
1) Define problem			
2) Establish evaluation criteria			
3) Identify alternatives			
4) Evaluate alternatives			
5) Choose a course of action			

Source: Creighton, James L., Managing Public Participation, training course developed for the U.S. Department of Energy Office of Intergovernmental and Public Accountability, April 1997.

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- **U.S. DOE Environmental Management Division –**

  Public Involvement Plans

  The Environmental Management Division of the U.S. Department of Energy (DOE), the part of DOE involved in cleanup of the nation's nuclear weapons complex, has issued guidance requiring the preparation of public participation plans. There are actually three levels of public participation plans prepared under this guidance: EM Headquarters prepares an over all plan; each site (e.g. Hanford, Savannah River, Oak Ridge) prepares a plan, and each program or project manager prepares a plan.

  The purpose of both the HQ and Site-wide plans is to largely to ensure that all the individual plans are well-integrated. In addition, site-wide plans may describe the use of techniques, such as a site-specific advisory board, that may serve a number of programs. Site-wide plan might also include training programs or preparation of information documents that serve the entire site.

  DOE-EM Program Managers are responsible for the development and implementation of public participation plans for the technical programs/projects that they manage. They have the lead responsibility for clearly defining the decision-making process for those programs/projects as the initial input to the public participation planning process. ...Public participation plans are developed and approved through the responsible program office. However, experienced public participation staff are available to assist EM program managers and technical staff with the development of public participation plans. In addition, plan development and
  implementation should be coordinated with the designated Operations/Area Office or Headquarters Public Participation Coordinators.

  DOE-EM has developed criteria for evaluation of plans [10] which are shown below:

[10] Source: Appendix E, EM Public Participation Guidance, U.S. Department of Energy. 1995.

PUBLIC PARTICIPATION PLAN EVALUATION CRITERIA

Table 1: Evaluation of Goals and Objectives

Goals/Objectives of Plan	yes	no
Solicits public's help and involvement		
Increases public's understanding of issues (education)		
Resolution of conflict; consensus building		
Range of public participation opportunities		
Timely feedback on decisions made		
Fulfill legal and regulatory requirements		
Public information - to enable public to effectively participate		
Incorporation of public concerns and input into decision-making process		

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Table 2: Evaluation of Plan Content

Item	yes	no
Plan purpose and contents - introductory overview		
Vision, goals, and objectives		
Assumptions made in planning process - explicitly stated		
Community profile - identifying the “public”		
Chronology of community involvement - could be an appendix to the plan		
Description of key community concerns		
Public participation program description: framework and design, forums and processes, workshops, comment periods, how feedback will be provided, identify internal and external communication flows, and self evaluation mechanisms Comments:		
Organization and resources: specific roles and responsibilities, planning and coordination framework; resources and training needed to ensure effective implementation		

Table 3: Evaluation of Appendices

Item	yes	no
Schedule of planned public participation activities		
Site & facilities description (e.g. maps, demographics, geography		
List of participants		
Key locations (of scheduled public meetings)		

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Appendix E
ANNOTATED LIST OF STAKEHOLDER INVOLVEMENT GUIDES AND MANUALS

Our review of stakeholder involvement (or public participation) manuals and guides looked at EPA guides both existing and currently under development, guides developed by other federal agencies, and guides prepared by other organizations.

EPA PUBLICATIONS

Consensus and Dispute Resolution Program (Phillip Harter, Suzanne Orenstein and Deborah Dalton), ***Better Decisions through Consultation and Collaboration***, U.S. Environmental Protection Agency, draft publication pending.

> *This guide distinguishes between three levels of involvement -- Information Exchange, Recommendations, and Agreements -- and describes the characteristics of each. It also discusses the major steps in putting together programs in each of the three types of involvement.*

Office of Emergency and Remedial Response, ***Community Relations in Superfund: A Handbook***, U.S. Environmental Protection Agency, 1992.

> *This is currently the most complete EPA manual, but it will soon be replaced by several Community Involvement Toolkits (see below) now nearing completion. Most of the body of the manual is a statement of the community relations and intergovernmental coordination requirements for different kinds of remedial actions taken under the provisions of CERCLA. Appendices include a description of 29 community relations techniques, a suggested format for the plan, a sample responsiveness summary, sample community relations plan, glossary and acronyms, references, and EPA community relations directives.*

Office of Emergency and Remedial Response, ***Superfund Community Involvement Handbook and Toolkit (Draft),*** US Environmental Protection Agency, publication pending.

> *The Superfund Community Involvement and Outreach Center has prepared a new guide replacing the 1992 guide above. Part I is called the "Community Involvement Handbook," and contains all the community involvement requirements related to Superfund. Part II is a Community Involvement Toolkit, and contains detailed descriptions of over 30 tools (techniques) for community involvement. Part III identifies support services*

and reference materials. Part IV lists EPA documents available for distribution to the public. Parts II-IV have value for all EPA staff, not just Superfund staff.

Office of Emergency and Remedial Response, ***Community Advisory Group Toolkit (For EPA Staff) (Draft),*** US Environmental Protection Agency, publication pending.

This is a companion to the Superfund Community Involvement Handbook and toolkit. Much of the information is Superfund oriented, but many of the basic principles apply to any EPA advisory group. There are two versions of this toolkit, one for EPA staff, and one for the public.

Office of Emergency and Remedial Response, ***Community Advisory Groups: Partners in Decisions at Hazardous Waste Sites***, U.S. Environmental Protection Agency, 1996, EPA 540-R-96-043.

This is a collection of five case studies of the use of advisory groups as a community involvement technique for hazardous waste cleanup. It includes a number of illustrative attachments from the cases. The introduction contains a brief summary of "lessons learned."

Office of Policy, Planning, and Evaluation, ***Community-Based Environmental Protection: A Resource Book for Protecting Ecosystems and Communities***, U.S. Environmental Protection Agency, 1997, EPA-230-B-96-003.

This is primarily a guide to Community-Based Environmental Protection (CBEP), but since stakeholder involvement is an essential part of the approach, it also contains considerable advice on working with stakeholders. The guide contains numerous case examples.

Office of Policy, Planning, and Evaluation, ***People, Places, and Partnerships: A Progress Report on Community-Based Environmental Protection***, U.S. Environmental Protection Agency, 1997, EPA-100-R-97-003.

This is another guide to CBEP, containing numerous case studies and "lessons learned." Again, because stakeholder involvement is critical to CBEP, it contains material on stakeholder involvement.

Public Participation and Accountability Subcommittee of the National Environmental Justice Advisory Council, ***The Model Plan for Public Participation***, Office of Environmental Justice, U.S. Environmental Protection Agency, Washington D.C., 10 pages, 1996, EPA 300-K-96-003.

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This short guide contains a statement of guiding principles and critical elements for an effective public participation program. It also presents a statement of core values for the practice of public participation developed by the International Association for Public Participation, and an environmental justice public participation checklist for government agencies.

Regan, Michael J., James L. Creighton, William H. Desvouges **, *Sites for Our Solid Waste: A Guidebook for Effective Public Involvement,*** Office of Solid Waste, U.S. Environmental Protection Agency, 1990, 110 pgs., EPA/530-SW-90-019.

This guide was designed to help local public officials site solid waste facilities. The message of the guide is that public involvement is an opportunity to build consensus, not an additional headache for local officials. The guide includes chapters on the siting process, identifying "the public," techniques for involving the public, risk communication, mitigating impacts, and evaluating the siting strategy.

Office of Pollution Prevention and Toxics, **Design for the Environment: Building Partnerships for Environmental Protection,** U.S. Environmental Protection Agency, 1995, EPA-600-K-93-002.

This manual was produced by the EPA Design for the Environment (DFE) Program and describes the major components of stakeholder involvement in public-private partnership projects. Components discussed include recruiting and identifying stakeholders, soliciting input from stakeholder sectors, developing an organizational structure for project teams and advisory committees, communicating with the public and other interested parties, and measuring overall project performance. Appendices include real-world examples of stakeholder involvement taken from DFE Projects with the printing and dry-cleaning industry sectors.

Federal Facilities Environmental Restoration Dialogue Committee, ***Interim Report of the Federal Facilities Restoration Dialogue Committee***, Office of Federal Facilities Enforcement, U.S. Environmental Protection Agency, 1993.

The Federal Facilities Environmental Restoration Dialogue Committee consisted of forty representatives of federal agencies, tribal and state governments and associations, and local and national environmental, community, and labor organizations. The committee was established by EPA to develop consensus policy recommendations aimed at improving the FFER decision making process to ensure that clean-up decisions reflect the priorities and concerns of stakeholders. The report, often

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referred to as "the Keystone Report," recommends mechanisms for stakeholder involvement, especially the establishment of site-specific advisory boards. It also discusses mechanisms for funding allocation among the states.

Final Report of the Federal Facilities Environmental Restoration Dialogue Committee, **Consensus Principles and Recommendations for Improving Federal Facilities Cleanup**U.S. Environmental Protection Agency, 1996.

This manual provides recommendations aimed at improving the process of making decisions and setting priorities for cleanup efforts at federal facilities. The manual includes a discussion on identifying public stakeholders and appropriate methods to provide information to public stakeholders.

Office of Air and Radiation, **Discussion of the Use of Consultation and Consensus-Building Processes for Implementing the Clean Air Act of 1990** U.S. Environmental Protection Agency, 1992.

This 18-page paper discusses several alternative approaches for consulting with external interests in conjunction with rulemaking efforts.

Office of Air and Radiation, **The Clean Air Act of 1990: A Primer on Consensus- Building**U.S. Environmental Protection Agency, 1992.

Provides a summary of the collaborative approaches used to carry out the Clean Air Act. This primer was developed to assist a wide range of stakeholders involved in collaborative decision- making processes. Three case studies are used to illustrate recent examples of effective consensus-building projects.

PUBLICATIONS BY OTHER FEDERAL AGENCIES

Administrative Conference of the United States, ***Building Consensus in Agency Rulemaking: Implementing the Negotiated Rulemaking Act***, ACUS, Washington D.C., 1995, 75 pgs.

Provides an overview of the use of Negotiated Rulemaking, including the legal background, key issues, and a listing of major cases where the technique was used.

Allingham, Mary Ekis and Denise Deland Fiber, ***Commander's Guide to Public Involvement in the Army's Installation Restoration Program***, U.S. Army Toxic & Hazardous Materials Agency, Aberdeen Proving Ground, MD, 1990.

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This guide was written for commanders of Army bases to help them plan and implement public participation as part of their Installation Restoration Program. Much of the guide deals with how to handle the media and conduct public meetings.

Cline, Patricia A., ***Community Involvement Activities at Airports***, Office of Environment and Energy, Federal Aviation Administration, U.S. Department of Transportation, 1996, FAA-EE-96-05.

This 27-page report summarizes the results of a study of the use of community involvement techniques at major U.S. airports. It summarizes the both the frequency of the use of various techniques, and perceived effectiveness. Appendices include a list of the study participants, where various techniques were used, and a short synopsis of each technique.

Creighton, James L., ***Public Involvement Manual: Involving the Public in Water and Power Resources Decisions***, Water and Power Resources Service (U.S. Bureau of Reclamation), U.S. Department of Interior, 1980, 333 pgs.

This was probably the first truly complete public involvement manual (although there were earlier compendiums of techniques for use in transportation planning, and Creighton himself completed brief guides for the Federal Highway Administration and Federal Aviation Administration during the early 1970s). This guide was prepared as part of an agency-wide initiative to ensure public participation in agency decision making.

Creighton, James L. ***BPA Public Involvement Guide***, Bonneville Power Administration, U.S. Department of Energy, Portland, Oregon, 205 pgs., 1985.

This document was prepared as part of BPA's highly successful initiative with agency-wide public involvement. The manual includes some of the same material as in the Bureau of Reclamation manual, updated with additional materials, and presented with attractive graphics and chapter highlights at the beginning of each chapter. This manual is still in use within the Department of Energy.

Creighton, James L. and AI Consultants, Inc., ***BPA Public Involvement Planner***, Macintosh Hypercard format interactive program planner.

This is a software planning tool. Users are led through a thought process that results in a completed public participation plan. The program is simpler and easier to use than the Canadian Standards Association software package -- but can't do as many things. Unfortunately the software is written for the Macintosh Hypercard platform, which is no longer available on most computers.

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Creighton, James L., ***Partnering Guide for the Corps Civil Works Mission, Institute for Water Resources***, Institute for Water Resources, Fort Belvoir, VA (in press, 1998).

> *Another "how-to" guide on partnering, aimed at Corps staff working with local community "customers" of Corps services.*

Creighton, James L., C. Mark Dunning, and Jerome Delli Priscoli (editors), ***Public Involvement and Dispute Resolution: A Reader on the Second Decade of Experience at the Institute for Water Resources***, U.S. Army Corps of Engineers Institute for Water Resources, Fort Belvoir, VA, 313 pgs., (in press, 1998).

Creighton, James L., Jerry Delli Priscoli, and C. Mark Dunning (editors), ***Public Involvement Techniques: A Reader of Ten Years Experience at the Institute of Water Resources***, IWR Report 82-R1, U.S. Army Corps of Engineers Institute for Water Resources, Fort Belvoir, Virginia, 470 pgs., 1983.

> *These are companion volumes documenting more than two decades of experience with the use of public involvement and alternative dispute resolution techniques by the U.S. Army Corps of Engineers. The initial volume was put together to make public a number of materials that were originally developed as part of training courses or reports prepared under the direction of the Institute for Water Resources, the Corps' policy think tank in Fort Belvoir, VA. The primary focus of the first document is on public involvement. This document received extensive distribution worldwide, leading the Institute to prepare a second volume chronicling the Corps' establishment of an alternative dispute resolution and documenting the maturation of the use of public involvement in the Corps. The editors are James L. Creighton, a contractor who has worked with the Corps since the early 1970s on public involvement and ADR issues, and Jerome Delli Priscoli and C. Mark Dunning, two senior officials with the Institute who have managed the Institute's public involvement and ADR projects. Some of the materials relate specifically to Corps activities, but there are numerous descriptions of techniques and case studies that are of interest for the general reader, particularly staff of other federal agencies.*

Howard/Stein-Hudson, ***Innovations in Public Involvement for Transportation Planning***, Federal Highway Administration/federal Transit Administration, U.S. Department of Transportation, Washington DC., 43 pgs. (downloaded text-only format),1996.

This is a guide on public participation techniques prepared for the Federal Highway Administration and Federal Transit Authority of the U.S. Department of Transportation. It describes 14 techniques currently used by transportation agencies to comply with the participation requirements of the Intermodal Surface Transportation and Efficiency Act (ISTEA). One of the primary virtues of this guide is its short descriptions of how each technique was used by various transportation agencies throughout the U.S. Each technique description concludes with a list of agencies that have used the technique, and a contact phone number. All the examples relate to transportation.

Office of Environmental Guidance, RCRA/CERCLA Division ***, Public Participation in Environmental Restoration Activities***, U.S. Department of Energy, 1991.

This is the guidance sent throughout the Department of Energy on public participation in all environmental restoration activities (RCRA & CERCLA). Most of the manual specifies participation requirements in various kinds of cleanup activities. Appendix A contains a description of various public participation techniques.

Peterson, Todd and Gretchen McCabe, ***Stakeholder Participation in Evaluating Innovative Technologies: VOC-Arid Integrated Demonstration, Groundwater Remediation System (TTP Number: RL 311101),***Battelle Pacific Northwest Laboratory, 1994, PNL-9742, BSRC-900/94/013.

One of the challenges facing democratic society is how to include the public in decisions about the introduction of new technologies. Typically such decisions are made by either technical elites or the marketplace. This report describes an effort to involve stakeholders in the evaluation of new technologies to remove carbon tetrachloride, heavy metals and radionuclides from soil and groundwater. The study methodology included focus groups and workshops with regulators, public interest group representatives, and technical specialists.

Pritzker, David M. and Deborah S. Dalton, ***Negotiated Rulemaking Sourcebook***, Administrative Conference of the United States, 923 pgs., 1990.

A lengthy compendium -- more than 900 pages -- of materials on the negotiated rulemaking technique. The materials are linked by a series of short chapter followed by appendices of legal source materials, examples of public notices, case examples, and articles. Includes lengthy articles by Phillip Harter and Henry H. Perritt, Jr. that served as the basis for EPA, DOTand OSHA use of the technique.

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Tri-Service Committee (Principal Authors: James L. Creighton and Jerome Delli Priscoli), ***Partnering Guide for Environmental Missions of the Air Force, Army, Navy***, U.S. Department of Defense, 1996. [Available from the U.S. Army Corps of Engineers Institute for Water Resources, Fort Belvoir, VA.].

A how-to guide on the use of "partnering" on environmental cleanup projects. EPA staff were involved in reviewing the guide during preparation. Partnering is a technique in which regulatory agencies and parties involved in implementing the cleanup go through front-end team-building and then co-manage the clean-up process.

U.S. Bureau of Reclamation, ***Decision Process Guidebook***, available at http://www.usbr.gov/Decision-Process/.

This is a web-based guidebook looking at government agency decision making broadly, but with specific material on public involvement. The guide is on "layers," meaning that there are pages that provide quick summary overviews, but with html links to more information on virtually all the topics presented. The reader can go to progressively deeper and more detailed layers of information, based on level of interest.

U.S. Army Institute for Water Resources*,* ***Alternative Dispute Resolution Series***, Institute for Water Resources, Fort Belvoir, VA,

This is a series of pamphlets, case studies, and working papers on the use of dispute resolution techniques, prepared by a number of leading figures in the field of alternative disputes resolution. The pamphlet series is particularly valuable, with each pamphlet describing a major ADR technique.

Pamphlets:

Lester Edelman, Frank Carr, and James L. Creighton, *The Mini-Trial,* IWR Pamphlet-89-ADR-P-1.

Carr, Frank, James L. Creighton and Charles Lancaster *, Non-Binding Arbitration*, IWR Pamphlet 90-ADR-P-2

Moore, Christopher W., *Mediation*, IWR Pamphlet 91-ADR-P-3.

Lester Edelman, Frank Carr, and Charles L. Lancaster, *Partnering*, IWR Pamphlet 91-ADR-P-4.

Creighton, James L. and Jerome Delli Priscoli, *Overview of Alternative Dispute Resolution*, IWR Pamphlet 96-ADR-P-5.

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Podziba, Susan L.*, Deciding Whether or Not to Partner Small Projects*, IWR Pamphlet 95-ADR-P-6.

CASE STUDIES

Susskind, Lawrence E., Susan L. Podziba and Eileen Babbitt **,** *Tenn-Tom Construction, Inc.*, IWR Case Study 89-ADR-CS-1.

Susskind, Lawrence E., Susan L. Podziba and Eileen Babbitt, *Granite Construction Co.,* IWR Case Study 89-ADR-CS-2.

Susskind, Lawrence E., Susan L. Podziba and Eileen Babbitt *, Olsen Mechanical and Heavy Rigging, Inc.* IWR Case Study 89-ADR-CS-3.

Susskind, Lawrence E., Susan L. Podziba and Eileen Babbitt *, Bechtel National, Inc.*, IWR Case Study 89-ADR-CS-4.

Susskind, Lawrence E., Susan L. Podziba and Eileen Babbitt **,** *Goodyear Tire and Rubber Co.*, IWR Case Study 89-ADR-CS-5.

Moore, Christopher W., *Corps of Engineers Uses Mediation to Settle Hydropower Dispute***,** IWR Case Study 91-ADR-CS-6.

Susskind, Lawrence E., Susan L. Podziba and Eileen Babbitt, *Brutoco Engineering and Construction, Inc.,* IWR Case Study 91-ADR-CS-7.

Susskind, Lawrence E., Eileen Babbitt, and David Hoffer *, Bassett Creek Water Management Commission,* IWR Case Study 91-ADR-CS-8.

Susskind, Lawrence E., Susan L. Podziba and Eileen Babbitt, *General Roofing Company*, IWR Case Study 91-ADR-CS-9

Podziba, Susan L., *Small Project Partnering: The Drayton Hall Streambank Protection Project*, IWR Case Study 94-ADR-CS-10.

Lancaster, Charles L., *The J6 Partnering Case Study (J6 Large Rocket Test Facility),* IWR Case Study 94-ADR-CS-11.

Susskind, Lawrence E. and John G. Wofford *, Fort Drum Disputes Review Panel*, IWR Case Study 94-ADR-CS-12.

Lefkoff, Merle S., *Use of a Facilitated Task Force to Develop a General Permit in Colorado*, IWR Case Study 95-ADR-CS-13.

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Creighton & Creighton, Inc., *A Case Study in Dispute Resolution System Design: The Corps of Engineers Early Resolution Program (CEERP) for Allegations of Discrimination*, IWR Case Study 97-ADR-CS-14.

RESEARCH REPORTS

Susskind, Lawrence E., *Using ADR in the U.S. Army Corps of Engineers: A Framework for Decision-Making*, IWR 89-ADR-R-1.

WORKING PAPERS

Lancaster, Charles L., *ADR Roundtable: U.S. Army Corps of Engineers (South Atlantic Division., Corporate Contractors, Law Firms*, IWR Working Paper 90-ADR-WP-1.

Delli Priscoli, Jerome, *Public Involvement; Conflict Management; and Dispute Resolution in Water Resources and Environmental Decision Making*, IWR Report 90-ADR-WP-2.

Potapchuk, William, *Getting to the Table*, IWR Report 90-ADR-WP-3.

Delli Priscoli, Jerome, *Environmental Ends and Environmental Means: Becoming Environmental Engineers for the Nation and the World*, 90-ADR-WP-4.

Partnership Councils: Building Successful Labor-Management Relationships, IWR Working Paper 94-ADR-WP-5.

Delli Priscoli, Jerome, *Conflict Resolution, Collaboration and Management in International Water Resource Issues*, IWR Report 96-ADR-WP-6.

Delli Priscoli, Jerome, *Public Participation in Designing Our Environmental Future,* IWR Report 96-ADR-WP-7.

The Consensus Building Institute, *Partnering, Consensus Building, and Alternative Dispute Resolution: Current Uses and Opportunities in the U.S. Army Corps of Engineers*, IWR Working Paper 96-ADR-WP-8.

Langton, Stuart, ***An Organizational Assessment of the U.S. Army Corps of Engineers in Regard to Public Involvement Practices and Challenges***, IWR Report 96-ADR-WP-9.

An assessment of the status of Corps of Engineers' public involvement practices some twenty years after they were first initiated.

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President's Council on Sustainable Development, **Lessons Learned from Collaborative Approaches**, President's Council on Sustainable Development, Washington, D.C. 1997.

This paper highlights the findings and recommendations of the President's Council on Sustainable Development(PCDC) New National Opportunities Task Force Working Group. The discussion provides a listing of the key characteristics of collaborative processes, recommended next steps and a summary of the projects evaluated.

Roberts, Richard, James L. Creighton, Bruce Fraser, et al , ***Manual on Public Involvement in Environmental Assessment: Planning and Implementing Public Involvement Programs***. Federal Environmental Assessment and Review Office, Canadian Federal Government, 1988.

This guide was prepared for the Federal Environmental Assessment and Review Office (FEARO), the Canadian Government agency responsible for reviewing the adequacy of all environmental impacts statements produced by the federal government. A team of U.S. and Canadian public participation practitioners were consulted during the development of the guide, as was a panel of Canadian federal agency representatives. Richard Roberts, of Praxis, led the team. Creighton and Fraser permitted portions of prior manuals to be included and also wrote side-bars labeled "The Practitioners Speak" sharing personal experiences and observations drawn from their many years of practice. The manual is complete, attractively presented, with pleasing graphics. The case studies are, of course, all Canadian.

U.S. Department of Energy, ***Public Participation Desk Reference: Policy, Guidance and Headquarters Implementation Plan***, Environmental Management, U.S. Department of Energy, 1995.

This reference tool contains the public participation policy, Guidance, and Headquarters Implementation Plan for DOE's Environmental Management Program (the part of DOE involved in cleanup at all the DOE sites). Much of it is primarily of interest to DOE employees, although it has value as a reference on how one agency has organized to ensure public participation in program-wide decision making.

Willkie, William J., Madgwick, F. Roy, et al, ***Community Involvement Manual***, Office of Environment and Energy, Federal Aviation Administration, U.S. Department of Transportation, Washington D.C., 1990, FAA-EE-90-03.

This is a re-write and expansion of a short guide written for the FAA by Creighton in the mid-1970s. Early chapters present a brief synopsis of community involvement principles. The bulk of the document consists of a description of techniques.

GUIDES/MANUALS PUBLISHED BY NON-FEDERAL ENTITIES

Association of Engineering Firms Practicing in the Geosciences , ***Alternative Dispute Resolution for the Construction Industry***, Silver Spring, MD: Association of Engineering Firms Practicing in the Geosciences, 1988.

This manual was written by a committee of the Association of Engineering Firms Practicing in the Geosciences that included geotechnical consultants, providers of mediation services, attorneys and representatives of insurers. The heart of the manual is a list of ADR options including such techniques as various types of arbitration, mediation, mini-trials, summary jury trial, and rent-a-judge. The appendices include examples of contracts and agreements to use these techniques.

Bhatnagar, Bhuvan, James Kearns and Debra Sequeira **, *World Bank Participation Sourcebook***, Environment Department, Social Policy and Resettlement Division, World Bank, Washington D.C., 1995, 247 pgs.

Increasingly, the international economic development community is seeing participatory planning as an essential precondition for effective economic development programs. The World Bank Sourcebook is an effort to share experiences with participatory planning, and encourage increased use of participatory techniques. After a brief introduction of the concept of participatory planning, there are a number of case studies of the use of the technique, written by World Bank staff who actually tried the technique. These case studies occurred in countries such as Albania, Benin, Brazil, Columbia, Egypt, India, Morocco, Mozambique, Nigeria, Pakistan, and the Philippines. The manual then discusses a number of issues raised by the case studies, and presents a summary of participatory techniques. One of the virtues of the Sourcebook is that the cases are written in the first person, so that you learn the study managers reactions and impressions as they used the techniques.

Bleiker, Hans and Annemarie Bleiker, ***Citizen Participation Handbook for Public Officials and Other Professionals Serving the Public***, Institute for Participatory Management and Planning, Monterey, CA, 1994 (eighth edition).

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The Bleikers have been conducting public participation training since the early 1970s. At the heart of the Bleikers' approach is the belief that it is not necessary to get enthusiastic support from all parties so long as opponents will give "informed consent." By informed consent they mean "the grudging willingness of opponents to (grudgingly) 'go along' with a course of action that they -- actually -- are opposed to." They argue that you can develop informed consent if you do what is necessary to accomplish 15 public involvement objectives such as "maintain the legitimacy of your agency and your project" and "get to see the project through their eyes." The manual includes worksheet to help readers evaluate what they need to do to meet those 15 objectives. The manual also contains a description of citizen participation techniques (the techniques are essentially the same as in other participation guides), and several case studies.

Canadian Standards Association, ***A Guide to Public Involvement*** and ***A Guide to Public Involvement: Interactive Planner Software: User Manual***, Canadian Standards Association, Etobicoke, Ontario, Canada, 1996.

This manual was developed for the Canadian Standards Association by a technical committee representing the agencies and companies playing the leading role in public involvement in Canada. The Canadian Standards Association plays a role unlike any organization in the U.S. One of its functions is similar to that of the Underwriters Laboratory in the U.S., testing the safety of various products. But it also provides a forums in which organizations can work together to develop agreed-upon standards that do not have the force of law, but are widely accepted.

This guide is an analytic tool for thinking through the design of a public involvement program. It leads the reader through from the initial decision about whether public involvement is needed clear through to establishing a budget and evaluating the program.

The guide is a stand-alone document, but CSA has also prepared a software package that leads people through the same thought process. By answering the questions on the screen, the viewer actually prepares a customized public involvement plan which can be printed out. The software is designed for the Microsoft Windows operating environment, and is accompanied by a separate guide explaining the use of the software.

CH2M Hill, ***Public Involvement Strategies: A Manager's Handbook***, Denver, CO.: AWWA (American Water Works Association) Research Foundation, 1995.

This guide is succinct and attractively presented. The main body of the book describes 10 major steps for designing and sustaining a public involvement program. Appendices provide a brief synopsis of techniques and address issues such as "What Can Go Wrong and How to Fix it," Mistakes to Watch Out For," and Approaches for Handling Some Tough Tasks."

Connor, Desmond M., ***Constructive Citizen Participation: A Resource Book***, Development Press, Victoria, BC, Canada, 200 pg., 1997.

Des Connor is the dean of Canada's public involvement consultants, working in the field for more than 25 years. During much of that time he has published a newsletter called Constructive Citizen Participation.This resource book contains a number of articles and case studies written by Connor and others that first appeared in this newsletter. the articles provide an overview of public participation, material on techniques, numerous case studies, a bibliography, and additional materials on social impact assessment.

Connor, Desmond M., ***How to Prevent and Resolve Public Controversy*** (book and video), Development Press, Victoria, BC, Canada, 1997, 38 pg.

This manual takes much of the material in the resource book above, updates it in summary form, and presents it in a readable and attractive manner. It is accompanied by a training video, so that the manual can be used as a discussion guide for training. While more attractive and easier to read than the resource book, it's price - $395 - may pose a barrier to wide distribution.

Creighton, James L**.,** ***Involving Citizens in Community Decision Making: A Guidebook,*** Washington D.C.: Program for Community Problem Solving, 1992, (second printing, 1996), 227 pgs.

This is the latest in a series of public participation manuals prepared by Creighton, including manuals for the U.S. Bureau of Reclamation, Bonneville Power Administration and Edison Electric Institute (referenced below). An earlier edition of this manual was written for the City of Glendale, CA, and most of the examples are written at the community level. It provides a complete overview of public involvement from a rationale for public participation, a thought process for designing public participation program, and a discussion of public participation techniques. It also contains materials on working with the media and risk communication. This guide is particularly useful in that it provides a sufficiently detailed description of techniques so that people who do not

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know much about the technique could learn how to use it. This is probably the most complete public involvement guide available.

Creighton, James L., ***Public Participation Manual*** (Second Edition), EEI Public Participation Task Force, Edison Electric Institute, Washington D.C., 128 pgs., 1996.

This is a shorter, punchier version of much of the same material in Creighton's Involving Citizens or BPA Public Participation Guide. It is attractively presented, with friendly graphics. The examples, however, are all appropriate to the electric utility industry.

Crocker, Jarle, Marcelle DuPraw et al, ***Negotiation Approaches to Environmental Decision Making in Communities***, Program for Community Problem Solving/ National Institute for Dispute Resolution/Coalition to Improve Management in State and Local Government, Washington D.C. 1996.

Hance, Billie Jo, Caron Chess and Peter M. Sandman, ***Improving Dialogue with Communities: A Risk Communication Manual for Government***, Environmental Communication Research program, Rutgers University, New Brunswick, NJ, 83 pgs., 1988.

This is a risk communication guide based on interviews with numerous people involvement in either risk communication or public involvement. It contains much useful information about how to communicate with the public in situations where there is considerable potential for public outrage. The risk communication principles presented are entirely consistent with effective public participation practice.

Kaye, Gillian and Tom Wolff (editors), ***From the Ground Up: A Workbook on Coalition Building and Community Development***, AHEC/Community Partners, Amherst, MA.

Kretzmann, John P. and John L. McKnight***, Building Communities from the Inside Out***, Chicago, IL.: ACTA Publications, 376 pgs., 1993.

This is the bible of the "asset-based community development" approach. Kretzmann and McKnight argue that most approaches to community development start by defining the deficiencies in communities. This actually increases victimization, emphasizing the weakness and lack of power of the community to solve its own problems. They argue that the focus should be to build on the assets of the community, particularly the informal network of local associations and organizations.

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Oregon Vision Project of the American Planning Association, ***A Guide to Community Visioning***, American Planning Association, Chicago, IL,

SPIDR Environment/Public Disputes Sector Critical Issues Committee, ***Best Practices for Government Agencies: Guidelines for Using Collaborative Agreement-Seeking Processes***, Society of Professionals in Dispute Resolution, Washington D.C., 1997.

> *The Society of Professionals in Dispute Resolution is an organization of professional mediators and dispute resolution specialists working in fields as diverse as family mediation to public disputes resolution. [SPIDR members occupy the "Develop Agreements" end of the public participation spectrum. The International Association for Public Participation occupies the "Exchange Information" end of the spectrum. They overlap on the "Develop Recommendations" portion of the spectrum.] A SPIDR committee, the Environment/Public Disputes Sector Critical Issues Committee, developed this set of 'best practice" guidelines for use of agreement-seeking approaches to resolve public disputes. The guidelines are intended to address concerns about agency sponsorship of collaborative processes, proper use of mediators and facilitators, and ensuring the effectiveness of the processes.*

Western Center for Environmental Decision-Making **, *Public Involvement in Comparative Risk Projects: A Sourcebook for Project Managers***, Boulder, CO: Western Center for Environmental Decision-Making, 1997.

> *Projects designed to assess comparative risk are particularly challenging because the public's perception of risk is often very different than that of technical specialists. As a result, public participation is essential. The core of this guide is a set of case studies showing how the public was involved in comparative risk projects in 10 cases, in states throughout the U.S. Some were statewide projects, while others were in smaller regions or cities. The individuals providing the case study material also suggest "lessons learned" based on their experiences. Richard A. Minard, Jr., of the National Academy of Public Administration, provides a detailed introduction (45 pages) summarizing general principles; goals for projects; public involvement in designing the project, analytic design and program analysis, ranking risks and priorities, and risk management.*

Environmental Defense Fund, **Environmental Sustainability Kit**, Environmental Defense Fund, Washington D.C., 1996.

> *This manual was prepared by the Pollution Prevention Alliance at EDF and provides "how-to" guidance for stakeholder processes to promote sustainable communities and pollution prevention. Topics covered include*

the advantages and disadvantages of a multi-stakeholder approach, when to recruit stakeholders, and developing ground rules for consensus building processes.

Community Nutrition Institute, **Interim Report of the ISO 14000 Standards Development Process: NGO Participation Initiative**, Community Nutrition Institute, 1997,

This report provides an overview of the early planning activities of a stakeholder participation project. This project focuses primarily on increasing participation and awareness of NGO's and local community groups in development of the ISO 14000 standards on environmental management systems.

Bibliographies

Birkhoff, Juliana, Christopher Mitchell et al **, *Annotated Bibliography of Conflict Analysis and Resolution*,** Institute for Conflict Analysis and Resolution, George Mason University, Fairfax, VA.

Gray, Carolyn M., and Stuart Langton, ***A Public Participation Bibliography***, International Association of Public Participation Practitioners, 1995.

Books

Carpenter, Susan L., ***Managing Public Disputes***, Jossey-Bass, San Francisco, CA, 1991.

Creighton, James L. ***The Public Involvement Manual***. Cambridge, MA: Abt Books/University Press, 1981.

Gray, Barbara, ***Collaborating: Finding Common Ground for Multiparty Problems***, Jossey-Bass Publishers, Inc., San Francisco, CA, 1989.

Herrman, Margaret S. (editor), ***Resolving Conflict: Strategies for Local Government***, International City/County Management Association, Washington D.C., 1994.

Moore, Christopher W., ***The Mediation Process: Practical Strategies for Resolving Conflict***, Jossey-Bass, San Francisco, CA, 1982.

Susskind, Lawrence E. and Patrick Field, ***Dealing with an Angry Public: The Mutual Gains Approach to Resolving Disputes***, Free Press, 1996.

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Susskind, Lawrence E. and Jeffrey Cruikshank, ***Breaking the Impasse: Consensual Approaches to Resolving Public Disputes***, Basic Books, Inc., New York, NY, 1987.

Thomas, John Clayton, ***Public Participation in Public Decisions: New Skills and Strategies for Public Managers***, Jossey-Bass, San Francisco, CA, 1995.

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Appendix F
CONSULTANT'S EVALUATION OF EPA MANUALS & GUIDES

This section presents Jim Creighton, the Workgroup Consultant's analysis of EPA current manuals and guides and identifies unmet needs.
The consultant identified EPA needs for manuals and guides in four areas:

- A summary of the different types of stakeholder involvement and the thought process for choosing among them.
- A guide to early planning of stakeholder involvement, with alternative analytic processes for different kinds of programs
- Guides describing the use of specific techniques, including special topic guides covering techniques most frequently used or unique applications, e.g. advisory groups, sector-based approaches, capacity building
- Program-specific guides, e.g. guides specifying RCRA/CERCLA publ ic outreach requirements

Table 4 presents the consultant's analysis of existing EPA guides and identifies areas where additional guides may be needed:

Table 4
COMPARISON OF TYPES OF GUIDANCE NEEDED AND EXISTING MANUALS OR GUIDES

TYPE OF GUIDANCE	CURRENT STATUS	RECOMMENDATIONS
TYPES OF STAKEHOLDER INVOLVEMENT AND HOW TO CHOOSE BETWEEN THEM	The Consensus and Dispute Resolution Program has developed a draft EPA manual on consultative processes it calls "Better Decisions through Consultation and Collaboration." It does a very good job of distinguishing the three types of involvement and discussing the differences between them. It does not provide a step-by-step analytic process for deciding if involvement is needed or which type of involvement to use.	Complete this guide and distribute it widely. Add a section on decision analysis to this guide.

Table 4 - Continued

PROCESS MODELS FOR EARLY PLANNING OF STAKEHOLDER INVOLVEMENT	None of the existing guides really focuses on developing public participation plans nor provides step-by-step processes for thinking through the selection of techniques.	Either add material on developing public participation plans to the "Better Decisions through Consultation and Collaboration" guide mentioned above, or produce a stand-alone guide that describes a universal decision analysis processes, with alternative thought processes for developing public participation plans for different types of programs.
TECHNIQUES GUIDES:		
Overview of Techniques	The Superfund Community Involvement and Outreach Center (OSWER) has prepared a draft toolkit that provides a useful overview of all stakeholder involvement techniques.	Publish the techniques toolkit as a stand-alone companion document to the draft Superfund Community Involvement Manual, so that the techniques guide can be used throughout the agency even by people who may not have any interest in Superfund requirements.
Advisory Groups	The Superfund Community Involvement and Outreach Center has prepared a draft "Community Advisory Group Toolkit for EPA Staff' that provides useful information about community-based advisory groups. It has also published a set of case studies entitled "Community Advisory Groups: Partners in Decisions at Hazardous Waste Sites," and a quick reference fact sheet titled "Community Advisory Groups (CAGs) at Superfund Sites."	There appears to be sufficient guidance for community-based advisory groups. Some additional guidance may be needed for sector-based advisory groups (see below).

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Table 4 - Continued

Sector-Based Approaches	There are a number of descriptions of actual sector-based programs, such as CSI activities, but there has been no attempt to develop a guide on how to set up and manage a sector-based stakeholder involvement program.	A sector-based guide is needed. The CE-SCAPE project is creating a guide that may serve this need at a community level.
Partnering/ Agreement-Seeking Approaches	Most of the existing guidance assumes that EPA is in the decision making role, but many of EPA's current activities involve either partnering with other agencies, or actually seeking agreements. We didn't find any guidance that summarized these techniques.	Develop a manual or guide in this field, explaining the different techniques and their uses.
Environmental Justice	The Public Participation and Accountability Subcommittee of the National Environmental Justice Advisory Council has prepared a document titled "The Model Plan for Public Participation."	There is a need for practical information on how to increase the involvement of racial and cultural minorities. It's not clear that sufficient information currently exists to develop such a manual.
Capacity Building	The Office of Policy, Planning and Evaluation has published guides such as "Community-Based Environmental Protection: A Resource Book for Protecting Ecosystems and Communities" and "People, Places, and Partnerships: A Progress report on Community-Based Environmental Protection."	The "capacity-building" role is sufficiently new to EPA (except in the technical assistance area) that in may be helpful to provide additional information on capacity-building skills.

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Table 4 - Continued

PROGRAM-SPECIFIC STAKEHOLDER INVOLVEMENT REQUIREMENTS AND APPROACHES	The Superfund Community Involvement and Outreach Center has previously published guidance on RCRA/ CERCLA community involvement, and has a draft Superfund Community Involvement Handbook nearing publication. The Community-Based Environmental Protection document described above contains considerable information on stakeholder involvement. The Office of Toxic Waste has published a guide titled “Sites for Our Solid Waste: A Guidebook for Effective Public Involvement.”	The need for program-specific manuals or guides should be determined by each program.

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Appendix G
REPORT ON STAKEHOLDER INVOLVEMENT CONFERENCE

U. S. EPA 1998 National Community Involvement Conference
"From One Program to Another: EPA Working Together with Communities"
August 3-7, 1998, Swissotel, Boston, Massachusetts

This_ conference will bring together 150-200 government employees from EPA, and other Federal and state agencies for an educational program which __explores the practice of community involvement and public participation, enhances skills through training, and offers information to all levels of public involvement practitioners.

Keynote speakers include Ernie Barnett, Florida Department of Environmental Protection; Greg Watson, Dudley Street Initiative, Boston; and Susan Seacrest, Groundwater Foundation, Lincoln, Nebraska.

The conference will include over 30 workshop/panel sessions which will vary in length from 11/2 to 41/2 hours. The EPA Office of Reinvention will be sponsoring 3 sessions:

1) Linking Stakeholder Involvement to Decision-making in EPA's Sector-Based Programs.

2) EPA Supported Technical Assistance for Stakeholder Groups (Project XL).

3) Evaluation of Stakeholder Involv ement Processes for Facility-specific flexible permitting negotiations conducting under EPA's Project XL.

In addition, a member of the Stakeholder Involvement Workgroup has been invited to participate in a panel discussion entitled, "Talking with and Learning from Our Critics."

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Appendix H
DESCRIPTION OF EPA PROGRAMS
WITH STAKEHOLDER INVOLVEMENT COMPONENTS

This list in Table 5 illustrates the range of EPA programs containing stakeholder involvement components. It is not a complete list of EPA programs that include stakeholder involvement.

Table 5
Examples of EPA Programs with Stakeholder involvement Components

PROGRAM	DESCRIPTION
Brownfields Action Agenda	"Brownfields" are abandoned, idled or under-used industrial and commercial properties where expansion or redevelopment is complicated by real or perceived contamination. The Brownfields Action Agenda is a comprehensive approach to achieve environmental cleanup and economic redevelopment at these sites. It empowers States, communities, and other stakeholders to work together to prevent, assess, safely clean up and sustainably reuse brownfields.
CBEP	The Community-Based Environmental Protection (CBEP) initiative is designed to help people become effective partners in protecting the environment in which they live and work, helping to mobilize communities to carry out their own ecosystem protection efforts.
Comparative Risk Program	The Comparative Risk process brings together diverse stakeholders to reach consensus on which environmental problems pose the most risk to human health, ecosystem health and quality of life; and to develop consensus on an action plan to reduce those risks.

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Table 5 - Continued

Common Sense Initiative (CSI)	The Common Sense Initiative Council (CSI Council) is an advisory board that provides recommendations to the Administrator on the nation's pollution control and prevention programs. The activities of the Council are largely carried out by subcommittees and workgroups organized based on sectors, i.e. iron &steel, petroleum refining, computers & electronics, printing, metal finishing, and automobile manufacturing.
NACEPT's CBEP Committee	The National Advisory Council for Environmental Policy and technology (NACEPT) was formed to provide environmental policy advice on a wide variety of issues. NACEPT created the Community-Based Environmental Protection (CBEP) Committee to develop detailed recommendations for that program.
NEPPS	The National Environmental Performance Partnership System (NEPPS) was designed to promote joint planning and priority-setting with the states, and provide states with more flexibility in determining how resources should be targeted. Under NEPPS, EPA and states develop partnership agreements that include criteria for measuring environmental and program management results, clearly defined management and implementation roles, and specific areas where EPA can reduce its program management oversight based on a history of strong state performance.
Project XL	Project XL gives regulated facilities the flexibility to develop and implement alternative strategies that replace or modify specific regulatory requirements, produce superior environmental performance, and produce greater accountability.
Superfund Community Advisory Groups	Community Advisory Groups are made up of representatives of diverse community interests and provide a forum for community members to present and discuss their needs about the decision making process at Superfund sites affecting them.

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Table 5 - Continued

Superfund Community Involvement	"Superfund" is the term used to describe EPA's activities to deal with hazardous substance emergencies and pay for hazardous waste cleanup, recovering cleanup costs from those responsible for the program. The program was created by the passage of the Comprehensive Environmental response, Compensation, and Liability Act of 1980 (CERCLA) and the Superfund Amendments and reauthorization Act of 1986 (SARA). Minimum requirements for public involvement include public notice, public comment periods, public meetings or hearings.
Super JTI	The Superfund Jobs Training Initiative (Super JTI) provides worker training (life skills and technical training) to qualified individuals in communities affected by Superfund sites and encourages employment during onsite cleanup activities.
Sustainable Development Challenge Grants	The Sustainable Development Challenge Grant program provides funds to encourage people, organizations, and businesses to work together in their communities to improve their environment while maintaining a healthy economy. Examples of pilot programs include a sustainable housing and subdivision design in the desert southwest, development of an eco-industrial park, and an inner-city building materials exchange.
Surf Your Watershed	An internet-based information service that allows people in local communities to find free maps and resources about their watersheds, and facilitates sharing experiences with watershed management programs.
TAG Grants	The Superfund Technical Assistance Grant (TAG) programs provides grants of up to $50,000 to eligible communities to hire independent technical advisors.

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Table 5 - Continued

Watershed Approach	A program design to encourage individuals and communities to become active in addressing all the issues related to protecting an entire watershed. It is a place-based program that, although water-related, ends up cutting across all media, since they all have an impact on watersheds.
Watershed ‘96	Watershed ‘96 was a large conference (2,000 people) designed to bring ideas, information and people together to promote the use of watershed management as a better means to restore and protect our water environment. It is an example of the use of conferences as part of capacity building.

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