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August 30, 1996

TO: Harrison Dunning, Mary Scoonover, and Lester Snow FROM: Eugenia Laychak SUBJECT: Key Outcomes from August 15, 1996 Assurances Work Group Meeting

Post-It Fax Note /8/1 Date 8/31/96 # of pages 4 To Lester Snow From Eugenia Laychak Co./Dept CALFED Co. (916) 445-2087 Phone # Fax #

Mary asked that I provide observations of the meeting, in terms of the process and structure. This memo is structured so that introductory information is provided in the form of a conflict management plan outline, followed by observations of the meeting and related recommendations, and suggestions for future activities.

Feel free to contact me at 916/444-2161 (voice), 916/444-2162 (fax) or 73130.3271@compuserve.com (e-mail) to discuss questions or comments regarding this memo or my role in the Assurances Work Group process.

CONFLICT MANAGEMENT PLAN OUTLINE FOR THE ASSURANCES WORK GROUP

It may be useful to outline a plan that supports the consensus based decision-making process adopted by the Work Group at the August 15 meeting. Many public policy mediators use this type of approach, which can be reviewed in various publications.

The following outline is very general, but recommends a plan that contains the following management components:

- Involve affected parties early in the process.
• Find a common definition of the problem.
• Determine mutually satisfactory procedures for carrying out meetings, discussions, and negotiations.
• Identify needs and related interests of each interested party.
• Develop a range of options for addressing needs.
• Offer recommendations and suggestions for how recommendations can best be carried out.

MEETING OVERVIEW

At the first meeting of the Assurances Work Group the participants, representing many major stakeholder groups and agencies, began work on the first three components. Generally, the meeting was quite orderly and people actively discussed the items and followed the agenda. Everyone had a chance to participate, but no one person dominated the discussion. In addition, the objective of the meeting was partially met.

However, there was a loose end that may need some follow-up at the next meeting: the background papers received little attention at the meeting. Perhaps, allowing some time at a subsequent meeting to discuss the major conclusions of the papers or using the conclusions to frame discussion of critical issues will allow dialogue on important aspects of the papers.

Interested Party Participation

A brief review of the sign-up sheet shows that many key groups and organizations were represented at the meeting. Notable state and federal agency exceptions include SWRCB, NMFS, and CalEPA. Non-state and federal interests were broadly represented, including agriculture, southern and northern California urban water agencies, environmental and Delta interests. Of the constituent groups identified by BDAC as needing more attention, only mountain counties were represented at the meeting. In addition, fisheries representatives did not attend the meeting.

Recommendation: As the needs assessment progresses, conduct a strategic stakeholder assessment to determine if the key interested parties are adequately represented. Besides considering participant needs and underlying interests, identify those who can fully represent constituents. Conversely, identify those who can break any agreements that lead to the group's recommendations. Conduct this assessment before additional invited participants are asked to attend meetings.

After key parties are identified, invite them to pertinent meetings. This additional initiative, which may require some level of aggressive recruiting by staff or Work Group members, will pay off in smoother negotiations and agreement building later in the process.

Problem Definition

Meeting strengths: The group agreed on a mission statement and to identify interested party needs. Although these agreements may seem like small steps, they were critical for helping to develop trust and a base for future discussions and negotiations.

Recommendation: As part of the needs assessment, you may find that a concise statement of the needs or challenges will help focus the group on its purpose and attaining its goal.

Meeting/Discussion Procedures

Meeting Strengths: The detailed planning prior to the meeting paid off in orderly discussion by and active participation of the attendees. The Group reached agreement to adopt a

consensus based approach for developing recommendations and staff committed to develop a schedule of milestones for review at the next meeting. In addition, the summations at the end of the meeting regarding the need to be inclusive when considering representatives interests and the need to communicate with constituents supported the Group's earlier agreement to make decisions through consensus.

Concerns: Several statements made at the meeting raised concerns that people may be confused about participant roles, responsibilities and expectations. Statements that the Work Group may not be engaged in a serious discussion suggests that one or more attendees may not understand the Group's role or charge from BDAC. Along the same topic, the uncertainty regarding the order in which members, invited participants and other interested parties, including staff and other agency representatives, would speak may reflect uncertainty regarding attendees' roles. For instance, the group did not decide *who* would reach consensus on recommendations. Statements that all needs cannot be addressed by the group demonstrate that some may be unfamiliar with how to build consensus and related agreements that address the needs of the interested parties.

Recommendations: I strongly recommend attendees' roles be clearly outlined, including their decision-making/negotiation role. In addition, the needs or problem statement can include protocols or language that guide Work Group activity. The purpose of the protocols is to provide a framework for meaningful discussion and exchange that guides rather than constrains interaction. Examples of protocols are:

Members and staff:

- are responsible for the overall conduct and outcome of the Work Group discussions.
- will fully explore issues, recognizing time limitations and the number of Work Group members and invited participants, and
- will commit to search for opportunities and creative solutions.

All participants:

- will seek to articulate, clearly, their concerns and goals and
- recognize the legitimacy of the concerns and goals of others.

To maximize participation and ownership of the Work Group's recommendations to BDAC, consider the following options for building consensus.

- Consensus by the members, staff, and invited participants would be the first step. If consensus is not possible, then consensus recommendations made by members would be the second step. If the second attempt is unsuccessful, then a majority recommendation by the members, with minority reports, would be the third option.

OR

- For interim agreements needed for recommendations, members, staff, and invited participants would reach consensus. In the absence of consensus, different perspectives held on the issue would be noted.

For recommendations to BDAC, members would reach consensus, based on the outcomes of the interim agreement making process. Lacking consensus by the members, majority recommendations with minority reports would be developed.

FUTURE ACTIVITIES

Listed below are several suggested planning and organizational steps to ensure the October 2 meeting proceeds smoothly.

- Develop a schedule for planning or rehearsal meetings.
- Develop objectives for each Work Group meeting and include them in the Work Group meeting schedule.
- Compile the process protocols or guidance, incorporating decisions made at the meeting and other procedures that would be appropriate. Bring them to the Group for discussion and approval.
- Review the member and invited participant list and decide if others should be invited to future meetings. Alert those people to the schedule and let them know why they are being invited or receiving special attention. Your conversations will encourage them to come to the meetings prepared to discuss their issues of concern.