How Should a Decision Be Made?

Local residents, local officials, representatives of state agencies, and other interested parties broadly agree that something needs to be done at the Shiatown Dam. However, the complex issues that surround the dam, impoundment, and river evade easy decisions. High stakes, complexity, and uncertainty about management outcomes create the potential for sustained, unproductive controversy and conflict. Many in the community believe that a removal decision has already been made and will be implemented without their input. At the same time, public authorities lack the resources and public support to move forward with any chosen solution. Without a clear direction or a process for managing the site, the situation will only get worse. Actions taken to address Shiatown Dam’s needs will continue to be driven by crisis, with adverse impacts for the local community, public authorities, and other stakeholders.

Instead of letting the site continue to decline and waiting for the worst, the people and organizations interested in the Shiatown Dam need to take positive action to move forward with a decision on how to manage the dam and impoundment. A collaborative decision making approach represents one effective way to move beyond the current inaction and develop and implement creative strategies for managing the dam. This approach would address the issues at the site through a process that engages all parties and individuals who care about Shiatown Dam in the development of sound, supportable options for management.

What is Collaborative Resource Management?

In recent years, a new style of resource management has emerged that draws on older ideas, such as town hall meetings, which encourage active participation by all interested parties instead of a top-down bureaucratic decision. Communities, public agencies, and nonprofit organizations have been developing a range of collaborative consensus-based approaches to managing complicated natural resource management issues. This is in response to increasing complexity about natural resources and greater public interest in the policy process. By working together and moving beyond traditional disagreements and disputes, people have discovered that they can craft enduring solutions to difficult problems.

Collaborative processes give participants the opportunity to develop a shared understanding of a problem and creatively generate solutions. By working together to identify and address issues, parties test their assumptions and stereotypes, develop a fuller appreciation for the realities of the problem, and generate realistic alternative solutions.
Why Collaboration? The Benefits for the Shiatown Decision

Collaboration Produces Creative, Effective Solutions
At the most basic level, a collaborative approach will help parties that have an interest in the Shiatown Dam move beyond the current state of inaction and decide on a way to manage the site. Currently, many of the Shiatown Dam stakeholders are focused on a win-lose decision: the dam either stays or goes. This perspective encourages parties to take positions but does not move toward a meaningful resolution of the issue. By helping participants move beyond a narrow, positional view of the dispute, a collaborative approach will generate options for the dam that genuinely meet the interests of multiple stakeholders. It will create a venue for identifying interests and determining how they can be satisfied.

Moving from Positions to Interests
A central tenet of effective conflict resolution is that creative solutions are based on interests rather than positions. Positions are the public stances that people take on issues. Positions are often polarized, absolute, and focused on final outcomes: “we want this dam to stay here” or “we want this dam to come out.” Interests are the underlying needs that motivate people. They generally speak to underlying beliefs, such as “we want to protect a symbol of our community” or “we need to stay within our budget” or “we want to protect the river from contamination.”

An interest-based approach can generate creative options and legitimate solutions. In fact, it is the differences in interests between parties that actually facilitates positive outcomes. Differences in interests and resources give parties the ability to make trades and deals that mutually advance goals.84

“Most interests are reasonable and can be described. The realization that the other side’s needs are not as outrageous as their position seems to be can awaken hope that there may be a way to solve the problem. Cooperative efforts to solve the problem can be built on the realization that interests are not necessarily in conflict.”85

Each party in the Shiatown Dam decision will come to the table with different goals and interests at stake in the decision. Public agencies and local governments will also have legal mandates and clear fiscal limits. The DNR, for example, is charged with stewardship of natural resources; the DEQ must assure dam safety and water quality; and the county must maintain the Shiatown Park and represent the interests of county residents. Each group can flex only a certain amount with their respective requirements. The challenge is therefore identifying areas of overlap wherein these groups can all
fulfill their responsibilities while at the same time benefiting each other and the people of the local communities and Shiawassee County.

The public can help in meeting this challenge by practicing patience and acknowledging that public agencies must juggle myriad responsibilities within the bounds of established policies and procedures. The information collection and sharing process will take time, and will be one of many concurrent decisions in which the agencies and county government are involved. All parties must exercise patience, but not at the expense of losing focus or momentum.

Collaboration Builds Understanding
Collaborative approaches foster information sharing between parties, giving organizations, agencies, and the public the ability to learn from and educate each other about their interests, limitations, and resources. High quality, accurate information is essential. Bringing in experts to present some kinds of information to everyone at once may be beneficial for elevating its legitimacy. Working together, parties can also develop new information about disputed issues to inform management options. This collective pool of shared information becomes a resource that all the parties “own,” contributing to a collective understanding of the issue and informing the decision process.

A collaborative process gives stakeholders the opportunity to be heard. In a respectful, open forum, this exchange of information can change the emotionally charged nature of the decision process and reduce counterproductive controversy. Community members can share with the DNR, for example, their childhood experiences at the Shiatown Dam, giving depth to what might otherwise be a bureaucratic decision. In turn, the DNR can explain the financial realities of managing and maintaining the Shiatown as well as share knowledge of contrasting pond and river ecosystems. The open exchange of information and opinions can help all parties come to a mutual understanding of the challenges that they face, collectively, in managing this dam.

Collaboration Builds Support for Decisions
Traditional public agency decision processes are perceived by many affected groups as “black boxes.” Even if decision makers solicit ideas from constituent communities, there is rarely any clear indication how, why, or to what extent they were actually incorporated into the final decision. People do not understand why tradeoffs were made, they only see the results. This can engender distrust and provoke adversely affected parties to resist decisions.
and seek recourse in other venues. In contrast, involving concerned parties in decisions builds support for the final outcome of that process.

A collaborative decision for Shiatown Dam, in which each party is vested, will lead to improved implementation and a better chance of success over the long term. When people understand how decisions were reached and how their interests have been balanced with the needs of other people, they are more likely to support and promote the final decision. A decision from which local residents are excluded, or which is perceived as top-down or not inclusive of community opinion, will create controversy and challenges to implementation. In contrast, a decision that county residents can be excited about, for example, might be sped along by volunteer labor and lack of legal challenges.

**Development of Collaborative Processes**

Three essential stages characterize the development of effective collaborative processes: problem setting, direction setting, and implementation. First, stakeholders need to agree to work together. Second, they move through a process of jointly learning about the problem and cooperatively developing creative solutions. Finally, they take steps to implement agreed upon actions.

**Getting Started: Deciding to Work Together**

**Framing the Problem**

Effective collaborative processes are built around a shared understanding of the problem facing the participants. Problem definition plays a critical role in determining if, and how, a potential conflict can be resolved. How a problem is described dictates how much room parties have to work together to find an interest-based solution. Questions like “Should we fix the dam?” or “Should we remove the dam?” implicitly focus on particular outcomes, worsening the situation by driving the parties apart and focusing them on positional bargaining. Instead of focusing on specific, pre-determined solutions, the parties should frame the problem in terms of their collective interests.

A shared sense of place can create a powerful foundation for a collaborative, problem-focused approach. The Shiawassee River exists as a potent unifying theme for the people, organizations, and agencies that have a stake in the dam and its management. One participant in our design exercise suggested addressing this challenge by “elevating the significance” of the Shiatown site in the eyes of county residents. She recognized that while the river and the Shiatown Dam site are concerns for most people, they are only peripheral issues in comparison to things like the economic health of the county and education. To secure the interest level and resources necessary to support a
collaborative decision process, the Shiatown Dam will have to be linked to other issues of importance in Shiawassee County. Our study uncovered a number of potential opportunities to forge these links, particularly on the issues of recreation, water quality, and economic growth. If framed in the context of these larger issues, the challenge of maintaining interest in a collaborative Shiatown Dam decision could become an opportunity to address several issues through a single decision process.

Overcoming Mistrust
Another set of challenges for a collaborative process will revolve around the different attitudes and perceptions that each party brings to the table. As discussed above, issues of mistrust, high emotion, and controversy will impact the decision process from the very beginning. Even in a cooperative environment, difficult individuals and particularly sensitive issues will cause problems. The design of the decision process will go a long way toward meeting these challenges and controlling the difficulties that might otherwise arise from them. A well structured process will help the decision participants keep stakeholder satisfaction high, thereby reducing the impacts of differing attitudes and allowing the group to move toward a decision.

Finding Resources
A challenge to a collaborative decision on the Shiatown Dam is limited resources. All stakeholders are constrained by the amount of time, personnel, and money they can contribute to the process. These issues are chronic at the Shiatown Dam, where little attention has been paid to the structure or the impoundment for over 50 years. Resources are devoted to the site only in times of crisis. There are a variety of funding sources to be explored for grants or in-kind assistance (listed in Appendix B).

Leadership
The incentives and leadership for encouraging stakeholders to participate must come from members of the community. We have spoken with many parties who support the idea of a collaborative decision. State and county agencies lack the financial and personnel resources necessary to convene and manage the process. Most local groups and citizens are relatively unorganized and feel unprepared to accept such a responsibility. Identifying a facilitator and the incentives that will bring each party to the table must be the first step. The Friends of the Shiawassee River has stepped forward to begin the process. Their first step will be to convene stakeholders in the Shiatown Dam decision and objectively search for and engage a neutral facilitator. Friends of the Shiawassee River will then change roles to participate in the collaborative decision process as a stakeholder advocating for the health of the river.

Learning Together and Deciding
Sharing Information and Joint Learning
An effective collaborative approach will give the parties the opportunity to jointly find credible answers to pressing questions of fact about the situation. A resolution-oriented joint learning process needs to be open, inclusive and collectively directed by all parties. The process should be structured to include and share all of the information that parties have available and involve all parties in directing additional needed research. Many questions remain about the dam and the impoundment. The level of PCB contamination in the pond sediments, the structural integrity of the dam, the severity of sewage impacts, and the amount of sediment behind the dam are examples of areas where the parties lack information and agreement on the facts. This uncertainty can be a roadblock that stops a decision from moving forward. A collaborative decision addresses questions of fact through a joint learning process. Parties share information in a common forum, with care taken to determine accuracy, allowing each stakeholder to develop a shared understanding of the issues.

A joint learning process also serves to build trusting relationships among the involved parties. This factor will be very important in the Shiatown Dam decision. In focus groups, local residents expressed skepticism over the dam safety reports, PCB contamination information, and repair estimates presented in county, DNR, and DEQ documents related to the dam. Similarly, public agencies often regard local populations as uninformed on the realities related to management decisions. This distrust can be overcome only if all of the parties develop baseline information together. Without the buy-in and understanding of all affected parties, even the most rigorously collected data will be questioned. Joint learning provides the mechanism to accomplish this alignment and move a decision forward.

Exploring Options
Complex management questions that involve multiple parties with diverse interests rarely lend themselves to single, silver bullet solutions that satisfy every party at the table. Effective collaborative processes invest time and energy in developing and exploring a range of different proposals and options for action before making final decisions. Conflict resolution practitioners stress the importance of separating option creation from option evaluation and decision-making. During the creation phase of the process, parties are encouraged to invent ways of meeting their own interests and meeting the interests of other parties. At this point, no ideas or plans should be judged or evaluated: the emphasis is on coming up with many diverse proposals. A range of ideas will give participants the opportunity to evaluate and make trades between different proposals.

Making Decisions
After a thorough exploration of the interests and options on the table, a collaborative process turns to evaluation and decision making. In this phase, the parties consider the range of information before them and begin to weigh the pros and cons of the options identified during the creation stage of the process. The evaluation of options is drawn from the common base of knowledge developed through joint learning, a fact that will serve to lessen potential conflicts over the options. A common knowledge base also allows for creative tradeoffs between options that result in benefits for all parties. One example of such a tradeoff is the scenario discussed above developed during our design charette. This scenario preserved the concrete spillways of the dam while allowing the river to flow freely around them. This option considered both the history of the dam as well as the concerns about river health and maintenance costs.

Through this process of evaluating and trading off, a collaborative process reaches decisions by consensus. Consensus gives each party a stake in the decision and also the assurance that they have a degree of authority in advocating for their interests. A consensual decision also ensures that no one party will come to dominate the process.