

Collaborative Planning on State Trust Lands:

A University of Michigan Study

*for the State Trust Lands Partnership Project
of the Sonoran Institute and the Lincoln Institute of Land Policy*



About the Study:

Collaborative planning on state trust lands was identified for further research at the 2004 State Trust Lands Research and Policy Analysis Roundtable convened by the State Trust Lands partnership project of the Sonoran Institute and the Lincoln Institute of Land Policy. In March 2005, under the guidance of Dr. Steven L. Yaffee, a team of eight graduate students from the University of Michigan School of Natural Resources and Environment began conducting a region-wide survey and analysis of eight case studies in which state trust land agencies collaborated with stakeholders in trust land planning and management. The research team conducted 117 on-site and telephone interviews, each lasting roughly one to three hours. Through these interviews, the team answered a set of research questions concerning the benefits, challenges, costs and outcomes of collaborative planning on state trust lands. The goals of this research were to:

- Capture on-the-ground experiences of collaborative planning on state trust lands
- Analyze the advantages and disadvantages of this trust land management approach
- Distill a set of best management practices
- Provide broader recommendations for overcoming barriers to collaborative planning on state trust lands

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HOW IS A COLLABORATIVE PLANNING PROCESS STRUCTURED TO BE EFFECTIVE?

The collaborative planning literature reveals that a process should be designed and managed well. The eight cases explored in this report each reveal important lessons about process structure and provide examples of both effective and ineffective process structure planning.

Creating an effective process structure is important to increasing the group's sense of ownership over the process and key to ensuring that individual stakeholder goals are met through the process. Bill Wallace, the Northwest Regional Manager of the Washington Department of Natural Resources, participated in the Lake Whatcom Landscape Planning Process. Wallace commented that it is important to "get some of the key stakeholders together to decide what the process should be, so that there is some ownership of what the process will be."¹

Asking questions about the group's objectives, timeframe and methods of representation is a crucial step in setting up any collaborative process. Wallace recommended that any collaborative planning group ask themselves, "What kind of outcome do we want? What kind of a timeframe do we want? Who should be represented on the committee? What are some processes that we have some experience with?"²

Several structural elements emerge as important components to consider when deciding on the structure of a collaborative process including how the process is organized and structured, how the process deals with decision making and how the process is managed. All of these important structural elements are considered in the following analysis, using examples found in the eight cases in this report. These elements include:

How the process is *organized and structured*:

- Creating an initial process design
- Dealing with issues of representation and participation
- Defining stakeholders' roles and responsibilities
- Organizing subcommittees or task forces

How the process deals with *decision making*:

- Establishing ground rules
- Establishing decision rules

How the process is *managed*:

- Agreeing upon and setting objectives
- Setting timelines and deadlines
- Building understanding among process participants
- Deciding whether to have open or closed meetings
- Addressing hidden agendas and attrition

- Dealing with external state or federal processes

HOW THE PROCESS IS ORGANIZED AND STRUCTURED

INITIAL PROCESS DESIGN

There is no one-size-fits-all approach to organizing a successful structure for a collaborative planning process. Instead, the design of the process should be tailored to the specific context in which it exists. Some successful structural elements that can be helpful to collaborative planning processes include creating a charter, bylaws and a leadership structure and incorporating as or partnering with a 501(c) (3) non-profit organization. However, sometimes collaborative planning processes benefit from being more informal, with little formal design or structure involved.

Some collaborative planning processes may benefit from writing a formal charter at the outset of the process. For instance, in the Lake Whatcom Landscape Planning Process, the Interjurisdictional Committee that worked directly on the planning efforts was directed by a Committee Charter written by Department of Natural Resources (DNR) Commissioner Jennifer Belcher. Though brief, the Charter specified the group's activities and role in the Lake Whatcom Landscape Planning Process and guided the Interjurisdictional Committee as it engaged in planning. The Charter also summarized the legislature's recommendations for the Landscape Plan, broadly defined interactions between the Washington DNR and the Committee and gave the planning group direction so that it could move forward effectively in dealing with substantive issues.

The Whitefish Neighborhood Planning Process also benefited from the development of an Advisory Committee Charter. Montana Department of Natural Resources and Conservation (DNRC) Planner David Greer and Unit Manager Greg Poncin and members of the Whitefish "Ad Hoc Committee" authored the Advisory Committee Charter, which described how members of the planning group would be selected, provided a timeline for the planning process and outlined the roles and responsibilities of the five major stakeholders in the case. In particular, the Charter indicated that the DNRC would direct the neighborhood planning process but would cooperate with the Advisory Committee in the formulation of the plan. DNRC Trust Land Management Division Administrator Tom Schultz described the importance of having a charter in the Whitefish Neighborhood Planning Process. "The Charter was a way to legitimize the process, identify roles and responsibilities and identify the end product that we wanted."³ Although the charters in the Lake Whatcom and Whitefish processes were not exhaustive in describing every detail of the process, they still provided well-specified guidelines that directed the process in a beneficial way by guiding planning participants' activities and providing clarity to the process.

Other collaborative planning processes create bylaws or a formal leadership structure to guide interactions among process participants. In the Emerald Mountain Planning Process, the Emerald Mountain Partnership initially created a seven-member Board of Directors (which could be adjusted to between five and fifteen members) to lead the organization and developed a set of bylaws and a strategic plan to govern its activities. These structural elements provided

organization for the process. The Interjurisdictional Committee in the Lake Whatcom Landscape Planning Process also created a formal leadership structure in which an elected Chair would develop the agenda and guide the Committee in its planning activities. In both cases, having bylaws and a formal leadership structure from the outset of the process increased the efficiency of planning efforts.

Some collaborative groups decide to incorporate as or partner with 501(c) (3) non-profit organizations in order to gain credibility and legitimacy, to create a vehicle for raising funds with tax incentives and to set up an effective structure. The Emerald Mountain Partnership took this approach. The Partnership resulted from efforts by the Steamboat Springs community to influence trust land decisions in the area. Having 501(c) (3) status enabled the group to gain legitimacy with the city of Steamboat Springs, Routt County and the State Land Board; to receive tax-deductible donations to fund their planning and outreach efforts and possibly fund the purchase of the Emerald Mountain land parcel; to establish legal liability protection and to open a small business bank account to keep track of expenses and make payments on behalf of the Partnership.

The Castle Rock Collaboration (CRC) partnered with a 501(c) (3) organization in the Castle Valley Planning Process in southeastern Utah. In this case, CRC decided that it needed to engage in fundraising to purchase land at the base of Parriott Mesa and Castleton Tower. In order to do so, CRC became a branch of Utah Open Lands, a land trust with 501(c) (3) status. While CRC did not itself incorporate as a 501(c) (3) non-profit, its activities were funneled through Utah Open Lands that did have non-profit status.

While many collaborative efforts benefit from having a formal structure from the outset, some processes are more successful when the structure is more informal. For example, in the Mesa del Sol Planning Process, the New Mexico State Land Office (SLO) instituted an informal method of collaboration whereby they reached out to various stakeholders at different periods of time with an open door policy for receiving feedback on the Mesa del Sol plan. Because of the prolonged timeframe for the Mesa del Sol process and the inherently confidential nature of information from the Kirtland Air Force Base and the Isleta Pueblo whose land abutted the Mesa del Sol property, the informal process proved to be an asset. Without being constrained by a set of procedures for the process, the SLO garnered community involvement in the Mesa del Sol plan in a non-intimidating way and built support for the project among the various stakeholder groups.

Despite the success of the informal method of Mesa del Sol planning, some stakeholders such as the Dragway representatives would have welcomed a more formal venue for their concerns. Dragway representatives often felt that they were often ignored in the process. Having a more formal structure may have provided them with a more assured method of interaction with the SLO rather than depending on informal conversations with the SLO Commissioner.

REPRESENTATION AND PARTICIPATION

Representation and levels of participation in a collaborative planning process can greatly influence the success of the process. These factors include:

- How participants are selected
- How group size is managed
- How the stakeholder groups' interests and individuals' interests are balanced

Selecting Participants

Careful participant selection appears to be important to ensure adequate representation and participation in a collaborative process. When members of a collaborative process are appointed, who appoints them can influence the process. In the Lake Whatcom Landscape Planning Process Interjurisdictional Committee, the Department of Natural Resources (DNR) Commissioner appointed the public representatives and other members as needed, while state agencies and local authorities were given discretion regarding who they would appoint to the Committee. This appointment scenario worked well for the Interjurisdictional Committee, but appointing members for the Implementation Committee was more controversial. It was not clear whether the DNR would appoint Implementation Committee members from nominees made by the county, city and water district or if the county, city and water district would appoint their own members. This confusion led to controversy that could have been avoided if the appointment method for the Implementation Committee had been clearly specified from the beginning.

Some collaborative planning processes employ a self-selection method of representation where potential participants in a collaborative process identify themselves and choose to participate rather than being appointed. However, self-selection may still benefit from knowledgeable guidance. For example, in the Whitefish Neighborhood Planning Process, Mayor Andy Feury and Flathead County Commissioner Gary Hall were responsible for selecting participants for the Whitefish School Trust Lands Advisory Committee in a manner that was as self-selecting as possible. The public perceived Mayor Feury and Commissioner Hall as impartial and thus trusted them to help select the participants. To do so, Mayor Feury and Commissioner Hall published a notice in the newspaper and sent out emails soliciting letters of interest. However, due to the fact that the Committee's Charter limited participation to 20 individuals, Mayor Feury and Commissioner Hall used Charter guidelines and their own visions for an effective citizens group to narrow the pool of 45 respondents to approximately 15.

Some collaborative processes distinguish between categories of representation. Such a scenario can prove problematic if the distinctions are not agreed upon by all participants and made clear. Again, the Whitefish Neighborhood Planning Process illustrates this point. In the beginning, there was a separation between regular and alternate members of the Advisory Committee. Although the membership structure was used to limit the size and increase the efficiency of the group, participant distinctions were never clarified to the Committee as a whole. Since many of the more outspoken members of the group were alternates, the Committee spent valuable time debating who should be at the table rather than discussing substantive issues. Eventually, the group disposed of the distinction between regular and alternate membership, which allowed the group to transition into dealing with substantive issues.

At the beginning of a collaborative planning process, it is a good idea to clarify whether representatives will act on behalf of themselves or the interests of a stakeholder group. Typically, clarifying that participants will represent a stakeholder group rather than their personal interests

results in clearer communication among participants. In both the Mesa del Sol Planning Process and the Southeast New Mexico Working Group, representation based on defined stakeholder groups facilitated discussion of the issues. For example, the Southeast New Mexico Working Group was comprised of four stakeholder groups: relevant agencies, the oil and gas industry, ranching interests and conservationists. Because the process structure made these stakeholder groups very apparent from the outset, it was clear to all participants that everyone would act on behalf of the interests of their stakeholder group.

Despite the potential benefits of identifying stakeholder groups rather than individual interests, sometimes those with a personal stake in the issue are more likely to persist in the process. In the Emerald Mountain Planning Process, for example, participants with direct, personal interests in the outcome tended to be more invested in the process. In this case, it seemed that participants whose livelihoods were tied to the parcel of trust land in question were more likely to persevere in the process than those who merely had a tangential interest in using it. Therefore, having a personal stake in a collaborative process may be a facilitating factor.

Managing Group Size

Managing the size of a collaborative group is a difficult but essential task, because group size influences the range of stakeholders that can be involved and how productive discussions will be. Because of the dynamic nature of many collaborative processes, representation may need to expand after the original members are selected. For example, the Emerald Mountain Partnership was designed with a seven-member Board of Directors. However, due to high level of interest and commitment of old and new members, the Board was expanded to include a greater number of stakeholders. Having flexibility written into their bylaws to add new members proved to be effective for the Partnership.

However, too large of a group may be cumbersome and should be winnowed down. As such, a collaborative group may need to narrow itself to a feasible size. Nearly 80 individuals attended the first meeting of the Southeast New Mexico Working Group. Because the sheer size of the group proved too formidable, the group narrowed its range of participants to 30 to 40 members by identifying groups of stakeholder interests and having those groups elect representatives to participate in the collaborative group. This method of winnowing group size was effective because all interested stakeholders were able to participate in selecting the final membership of the Working Group.

Another way of reducing the number of participants is to follow the group's charter, if available. In deciding on the representation of the Whitefish School Trust Lands Advisory Committee, Mayor Feury and Commissioner Hall used the guidelines provided in the Committee's Charter to determine who should and should not participate. Having a solid foundation for making decisions regarding representation can help narrow a group's size and provide justification for membership selection decisions.

Balancing Stakeholder Groups' Interests and Individuals' Interests

Spending time at the beginning of a collaborative planning process identifying and involving all pertinent stakeholders is a good way to help increase the likelihood of success. For example, in the Mesa del Sol Planning Process, the New Mexico State Land Office (SLO) was effective in ensuring that all interests were represented in their decisions related to the planning effort. The SLO also actively visited the community to gain public input in the process. The SLO's effectiveness in identifying and reaching out to all relevant stakeholder groups increased the breadth and meaningful involvement of stakeholder groups, most of whom feel that their involvement has been beneficial.

Sometimes stakeholder groups are intentionally left out of the process, which may be strategic but can lead to problems later down the road. The Elliott State Forest Planning Process provides a clear illustration of this point. According to Committee members, participation in the group's Steering Committee was limited to those with a key interest in the financial outcome of the Elliott State Forest. This criterion precluded involvement from timber interests or environmental groups. In fact, timber and environmental interests and adjacent landowners including the Bureau of Land Management, the U.S. Forest Service and Weyerhaeuser were intentionally excluded from the Steering Committee because the planning group did not perceive that they had a key interest in the forest's management. Because there was an intentional imbalance of stakeholders in the Steering Committee, an "us-versus-them" dynamic emerged between the Committee and environmental groups. Comments from the environmental community, and to some extent from timber interests, were discounted due to the perception that they were extremist viewpoints. Participants from the Committee and environmental and timber interests conceded that the lack of involvement from the environmental and timber communities was a shortcoming of the process.

In order to maintain the appropriate balance of stakeholders' interests, a collaborative group should consider the timing and location of meetings. Southeast New Mexico Working Group meetings were primarily held once a month for two days at a time during the work week and were located in southeastern New Mexico. While this location was convenient for many of the ranching and oil and gas industry representatives who worked or lived in the area, it was less convenient for agency representatives and conservationists from the northern part of the state. Holding the meetings for two days at a time during the work week was acceptable for those participating as a function of their jobs, but for others such as conservationists who were participating on their own personal time and funding, having meetings during the work week prohibited consistent involvement. Because of these limitations, the conservationist stakeholder group often was represented by only one participant and sportsmen were not represented at all. The lack of balance of conservation interests and the absence of sportsmen interests proved a shortcoming in the process, as the full range of perspectives was not consistently shared with the Working Group.

Process participants often realize that certain stakeholders or stakeholder groups are not adequately represented during the process or after its completion. For example, in the Lake Whatcom Landscape Planning Process, the Department of Natural Resources realized that several stakeholder groups should have been included only after the process was completed.

These interests included the timber industry, local school districts, homeowner groups and recreational groups. It is often more effective to try to identify and include all stakeholder groups from the beginning of a collaborative planning process. However, this task is very difficult and requires careful planning for process structure.

ROLES AND RESPONSIBILITIES

At the beginning of a collaborative planning process, it is essential for participants to clearly define the roles and responsibilities of all stakeholders involved. Often, a clear definition of the participants' roles and responsibilities requires a formal discussion of the issue at the beginning of the process. In other contexts, stakeholders' roles and responsibilities must be revisited and revised along the way. In most cases, however, it is essential that the issue of roles and responsibilities be addressed explicitly within the process structure to avoid future complications in the process.

When roles and responsibilities are well-defined, participants have a sense of clear division of labor among participants, feel as though they are having an impact on the process and avoid unnecessary replication of work. The Elliott State Forest Planning Process provides an example of a process with clearly defined roles. The Steering Committee in this case unambiguously designated participants' roles and responsibilities within its structure by appointing a Chair and a Project Leader who would lead the process and specifically describing the role that each individual participant would play. The Elliott State Forest Planning Process also made a clear distinction between the policy function the Steering Committee would fill and the scientific function the Core Planning Team would fill. Having such well-structured roles in the process increased the efficiency of the process, but also provided some constraints on its flexibility. However, the tradeoff between efficiency and flexibility was worth it from the participants' perspectives.

When there is confusion regarding various stakeholders' roles, the process can become difficult. The Castle Valley Planning Process provides an example of a case where the roles of process participants were ill-defined from the beginning. In this case, the collaborative process emerged quickly from a sense of perceived crisis, because the School and Institutional Trust Lands Administration sold trust land at the base of a beloved red rock mesa in Castle Valley. As a result of the process' quick start, the roles of the town government of Castle Valley and the citizens who comprised the Castle Rock Collaboration group were not distinctly separated. The failure of the process to separate these stakeholders' roles led to confusion and eventually a stalemate in the process when the town pursued mechanisms outside of the collaborative process to achieve their goals.

The Houghton Area Master Plan (HAMP) Process provides another example of a collaborative process without clear definition of stakeholder responsibilities. In this case, process participants did not clearly define the roles of the three main parties involved: the City of Tucson, the Arizona State Land Department (ASLD) and the Citizens Review Committee (CRC). As a result, it was unclear what degree of influence the HAMP would have on the ASLD as it made land management decisions in the area. Also, some CRC members felt at times that they merely

represented a “rubber stamp” of approval on the plan, rather than being able to provide meaningful input to the city on the plan’s outcome.⁴

Often, discussions surrounding stakeholders’ roles in the process deal with the issue of decision-making authority, particularly when addressing the role of the trust land agency in determining the outcome of the process. In most cases, trust land agencies have the ultimate authority over the outcome of collaborative planning processes addressing state trust land. Because of this fact, the roles and responsibilities of the state trust land agency in relation to the rest of the collaborative group should be clarified early on in order to avoid miscommunication and the development of mistrust.

In the HAMP Process, the City of Tucson made the final decision on the content of the plan, but the Arizona State Land Department (ASLD) had the ultimate authority over deciding how its land in the Houghton Area would be developed. The ASLD is not required to implement the HAMP, but an ASLD representative attended CRC meetings in order to serve as a resource on ASLD-related issues that arose during the development of the plan. The ASLD representative made clear to the committee from the outset how the agency’s mandate informed its land use decisions and limitations. Although the agency attempted to make this role clear, some CRC members expressed frustration at the uncertainty at the end of the process due to not knowing if the plan would ultimately be implemented by the ASLD.

In some cases, the trust land agency is a member of the stakeholder group, and in other cases the collaborative group is advisory to the trust land agency. This distinction is important to make when dealing with roles and responsibilities surrounding decision-making authority. The role of the respective trust land agencies in the Lake Whatcom Landscape Planning Process and the Whitefish Neighborhood Planning Process provide an interesting contrast in this regard.

In the Lake Whatcom Landscape Planning Process, the role of the Interjurisdictional Committee and its relationship to the Department of Natural Resources (DNR), the trust land management agency, was not clear. Some participants felt that the DNR should be a member of the Committee thus precluding further authorization of the plan once the Committee agreed to it. However, other participants including DNR representatives who did not want to cede decision-making power felt that the Committee was advisory to the DNR and believed that was what the original legislation that mandated the process intended. The Committee eventually sought the Attorney General’s opinion on the issue. The Attorney General determined that the Committee was advisory to the DNR, thus clarifying the relationship between the Committee and the DNR. Prior to the Attorney General’s decision, the collaborative process was stymied by arguments over roles and responsibilities. After having the issue decided for them by an outside arbiter, process participants were able to proceed with the drafting of the Landscape Plan, a year and a half after the process began.

By contrast, in the Whitefish Neighborhood Planning Process, the Department of Natural Resources and Conservation (DNRC) was a member of the Advisory Committee rather than an outside entity. This membership composition increased the non-agency participants’ relative level of decision-making power in crafting the neighborhood plan, despite the fact that the plan was technically an advisory rather than a regulatory document. Having the DNRC at the table

with the rest of the Advisory Committee members enabled the Whitefish community to move past being a sounding board for ideas to become an active participant in the creation of the neighborhood plan.

SUBCOMMITTEES AND TASK FORCES

The use of subcommittees or task forces can facilitate or undermine a collaborative planning process, depending on who initiates the subcommittee or task force, when it is initiated, its level of perceived legitimacy and its effect on the process. Processes employed a variety of different subcommittees and task forces that assumed different roles in the process (Table 17-1).

The Tucson Department of Urban Planning and Design successfully used citizen committees in the HAMP Process. To facilitate an effective process structure, the city created a Citizens Review Committee (CRC) and a Technical Advisory Team (TAT) at the beginning of the HAMP Planning Process. The CRC provided a public participation element to the plan and created a mechanism for feedback from the public. The TAT advised the city on the technical aspects of providing services to future development within the HAMP. The TAT and the CRC dealt with different elements of the planning process in a way that allowed for effective division of labor and provided areas of specialization that fostered progress. Both the TAT and the CRC communicated their findings to city representatives who then combined both sources of information into their decision making.

The Elliott State Forest Planning Process also employed a bi-level structure comprised of a Steering Committee and a Core Planning Team. The Steering Committee guided the overall process of drafting the Habitat Conservation Plan (HCP) and Forest Management Plan (FMP), articulated overarching policy issues and involved stakeholders at the policy level. The Core Planning Team dealt with the technical components of the planning efforts such as assembling the scientific data to support the resulting HCP and FMP. Process participants Jim Young and Mike Schnee served as liaisons between the two groups. Having a structure where liaisons bridged the Steering Committee's focus on policy issues and the Core Planning Team's emphasis on scientific issues facilitated effective communication throughout the planning process.

While subcommittees can be used to efficiently divide labor and create ownership in a collaborative planning process, sometimes this approach can be problematic. The Southeast New Mexico Working Group is an example of a collaborative group that included subcommittees that improved group interactions and ones that did not. During the Working Group's efforts to draft a plan for managing lesser prairie chicken habitat, difficulty emerged surrounding the details of oil and gas development requirements. The Working Group's facilitators suggested that participants break into stakeholder-specific subcommittees to independently come up with a draft management plan. The three stakeholder groups included one for the oil and gas industry, one for conservationists and one for agencies. Not surprisingly, each of the groups came up with very different draft plans that only highlighted differences between the stakeholder groups rather than illustrating areas of commonality.

Table 17-1: Type and Role of Subcommittees and Task Forces

CASE	Type of Subcommittee/Task Force	Role of Subcommittee/Task Force
Castle Valley Planning Process	<ul style="list-style-type: none"> • Planning Process Steering Committee 	→ Guided the overall planning process
Elliott State Forest Planning Process	<ul style="list-style-type: none"> • Steering Committee • Core Planning Team 	→ Focused on policy applications of the process → Focused on the scientific/technical aspects of the process
Emerald Mountain Planning Process	<ul style="list-style-type: none"> • Management Plan Subcommittee • Parcel Subcommittee 	→ Developed a “community management plan” for the Emerald Mountain Parcel, which serves as one of four alternatives that the BLM is considering in their Environmental Assessment → Developed the parcel selection criteria to determine which parcels would be eligible for inclusion in the exchange, and who would be eligible to acquire them
Houghton Area Master Plan Process	<ul style="list-style-type: none"> • Citizens Review Committee (CRC) • Technical Advisory Team (TAT) 	→ Focused on public participation aspects of the process → Focused on the scientific/ technical aspects of the process
Lake Whatcom Landscape Planning Process	<ul style="list-style-type: none"> • Facilitator Selection Subcommittee 	→ Drew up a Request for Proposal and reviewed applications from professional facilitators
Mesa del Sol Planning Process	---	---
Southeast New Mexico Working Group	<ul style="list-style-type: none"> • Oil and Gas Recommendation Stakeholder Groups • Oil and Gas Technical Subcommittee 	→ Focused on developing oil and gas technical solutions → Focused on developing oil and gas technical solutions, more successfully than the Oil and Gas Recommendation Stakeholder Groups
Whitefish Neighborhood Planning Process	<ul style="list-style-type: none"> • Task Forces • “Shadow Group” 	→ Researched issues such as wildlife, fire, economics, land use, recreation and water → Group that emerged due to ineffective process structure, frustrated the process

Despite the somewhat unsuccessful nature of the small subcommittee exercise, an Oil and Gas Technical Subcommittee later emerged to address the same difficulties surrounding oil and gas technical stipulations. The Subcommittee included one representative from each of the main stakeholder groups and used the major issues that were drawn from the small subcommittees’ recommendations. The Subcommittee was successful in reaching compromises and crafting creative solutions for addressing the oil and gas elements of the draft management plan. Each representative of the Subcommittee was responsible for ensuring that the remainder of his or her constituents was in agreement with the compromises that the Subcommittee made, which resulted in greater transparency in the process and more cohesiveness in the Working Group as a whole. The intimate setting provided by the Subcommittee enabled participants to share their interests freely and to create trust that was needed to make progress on the issue. This Subcommittee differed from the three stakeholder groups because it included representatives

from the range of stakeholder groups, whereas the three stakeholder groups were each comprised of members from the same stakeholder group.

Sometimes, illegitimate or destructive subcommittees result from ineffective process structure. For instance, as a result of ineffective process design that created and perpetuated mistrust, a “shadow group” surfaced in the Whitefish Neighborhood Planning Process that compromised the collaborative nature of the process. Several Advisory Committee members noticed the shadow group developing behind the scenes; however, the Advisory Committee never formally acknowledged the shadow group. As a result, the faction was able to meet separately from the planning process and made decisions without the full involvement of the Advisory Committee. These ex parte conversations limited the breadth of stakeholders involved in the process, the transparency of the process and the group’s overall influence over decision making.

HOW THE PROCESS DEALS WITH DECISION MAKING

GROUND RULES

Instituting a set of agreed-upon and legitimate ground rules at the beginning of a collaborative process is another way to articulate the group’s common objectives and goals. Developing and sticking to ground rules also defines the process structure in which the group will function and sets forth standards of interaction among participants. Recalling ground rules when the group gets off track can also help bring participants back to productive discussion.

Formal ground rules can help provide the foundation for a collaborative planning process. The Elliott State Forest Planning Process illustrates the importance and effectiveness of well-defined ground rules. In this planning process, the participants jointly discussed and agreed upon ground rules, which were originally called “planning principles” and then “guiding principles” (Table 17-2). The guiding principles were essential in articulating the forest vision, management goals and monitoring assumptions inherent in the process. They also recognized various requirements to which the process had to adhere such as Endangered Species Act requirements, the State Land Board’s mandate to provide revenue for the Common School Fund and the Board of Forestry’s statutory responsibilities. Process participants referred to the guiding principles as “the compass that guides our navigation,” and the Core Planning Team often referred to the guiding principles as decision-making criteria.⁵ Overall, the guiding principles gave the Elliott State Forest Planning Process goals, objectives and direction that participants referenced throughout the process, particularly when making difficult decisions.

Often, having a collaborative group work on ground rules together at the beginning of the process can be a good way to build trust and a common understanding of the process constraints. In the Castle Valley Planning Process, one of the first activities in which the group engaged was the formation of ground rules, or principles for success. The planning group jointly worked on the principles, which went through multiple iterations until the group reached consensus on the content of the principles (Table 17-3). The principles addressed the participants’ divergent interests and emphasized that they were not mutually exclusive. They also guided the process, set

forth standards for group member interactions and established outcomes by which success in the process could be measured, all of which helped to establish trust among participants.

Table 17-2: Elliott State Forest Planning Process Guiding Principles

Elliott State Forest Planning Process Guiding Principles
<ul style="list-style-type: none"> • The plan will recognize that the goal for the Common School Forest Lands is the maximization of revenue to the Common School Fund over the long term. The goal for the BOF lands is to secure the greatest permanent value to the citizens of Oregon by providing healthy, productive and sustainable forest ecosystems, that over time and across the landscape provide a full range of social, economic and environmental benefits to the people of Oregon.
<ul style="list-style-type: none"> • The plan will be developed within the context of the Elliott State Forest as a managed forest.
<ul style="list-style-type: none"> • The plan will recognize that the forest is intended to be an important contributor to timber supply for present and future generations.
<ul style="list-style-type: none"> • The plan will be a comprehensive, integrated forest management plan taking into account a wide range of forest values.
<ul style="list-style-type: none"> • Lands will be identified and managed for long-term revenue production while providing for a sustained contribution to biological capability and social values. The plan will recognize that there will be trade-offs between revenue producing activities and non-revenue producing activities.
<ul style="list-style-type: none"> • The plan will examine opportunities to achieve goals through cooperative efforts with other agencies, user groups or organizations.
<ul style="list-style-type: none"> • The plan will be developed through a collaborative and cooperative process involving the State Land Board, the BOF, the public, local and tribal governments and other resource management agencies including the federal services.
<ul style="list-style-type: none"> • The plan will be goal-driven.
<ul style="list-style-type: none"> • The plan will view the Elliott State Forest in both a local and regional context.
<ul style="list-style-type: none"> • The plan will consider the overall biological diversity of state forest lands, including the variety of life and accompanying ecological processes.
<ul style="list-style-type: none"> • The forest will be managed to meet the state and federal Endangered Species Acts (ESA) while fulfilling the State Land Board’s responsibilities under the Oregon Constitution and the BOF’s statutory responsibilities.

Source: “Purpose, Planning and History: Executive Summary,” *Draft Elliott State Forest Management Plan*, August 2005, Oregon Department of Forestry, available at <http://www.oregon.gov/ODF/index.shtml>.

Despite the benefits of agreeing upon a set of formal ground rules, when the collaborative planning group does not stick to its ground rules, the process can become increasingly lengthy and frustrating for participants. For example, several participants in the Southeast New Mexico Working Group felt that the group did not adhere to its ground rules. In particular, some participants recognized that the ground rule that “debate would only be acceptable on legitimate arguments” was often disregarded and that all comments were treated as acceptable debate. According to these participants, the process took more time and became very frustrating.

Table 17-3: Castle Valley Planning Process Principles for Success

Castle Valley Planning Process Principles for Success	
1. Open and Collaborative Process.	The aim of this planning process is to define both a conservation and real estate product for the parcel of Utah School Trust Lands (the “Trust”) identified on the attached map. This process should meet the primary objectives of the Town, the Trust and the Castle Rock Collaboration (CRC). All parties recognize that they are starting with very different objectives but that the risks of not exploring creative alternatives in a collaborative fashion far outweigh the consequences of typical disposition and conventional development of these properties. In order to arrive at an acceptable plan, all parties must be willing to openly explore alternatives without commitment to preconceived solutions. There is mutual risk taking. All parties desire to maximize benefits and minimize potential losses through this joint planning process. All parties enter this process with constructive, open and flexible attitudes.
2. State Trust Objectives.	The primary objective of the Trust is to realize an economic return from the disposition/use of these lands for the benefit of the state school trust, which is comparable to the fair value of these lands at the time of disposition. In addition, the Trust desires to explore strategies that add value to its properties, including timing or phasing approaches and to work cooperatively with the Town of Castle Valley and CRC so that the conservation and real estate products produce public benefits far greater than simple disposition of these properties.
3. Castle Valley Community Objectives.	The primary objective of the Town of Castle Valley and CRC is to see that the lands that have important conservation values on the Trust properties are protected to retain those characteristics for the benefit of the Town and County residents, the State of Utah and the national and international visitors who annually experience the valley. When the Town, CRC and their partners acquire lands, or interests in lands, in order to protect conservation values, they expect to pay fair value for these interests. In the event that neither the Town, CRC or their partners are able to acquire lands for conservation purposes, and to the extent that real estate development is indicated on these properties in order to generate economic value for the Trust, new development should respond to the preferences and interests of the Town and CRC so that the development both fits in the landscape and responds to input from the local community.
4. Conservation and Development Opportunities, Constraints and Strategies.	All of the Trust parcels should be analyzed for their conservation and development potential and value. The objective of this exercise is to define those parcels that have high conservation values, high opportunities for development or a mix of conservation and development products that are appropriate for these areas but also strategies to achieve the Trust’s financial objectives and the Town’s and CRC’s community objectives. A full range of creative conservation and development options should be considered.
5. Real Estate Products.	In defining the types of potential real estate products, preferences shall be given to those kinds of development which fit in and blend with the natural landscape, which meet the Town identified needs, which meet economic objectives and which minimize the amount and area of disturbance. The Town, CRC and the Trust desire that the development product be accessible to a diverse range of potential buyers. In exploring alternative real estate products, a diversity of locations and product types should be considered. The Town expects that new development will pay its own way, that the Town will not be subsidizing the costs of new development and that the pace of development will occur at a rate that does not overwhelm Town services. The Town, CRC and the Trust will have to identify the types of development which are desirable from their different perspectives.
6. Conservation and Development Plan and Time Table.	The ultimate plan should identify the conservation and development program for each of the Trust parcels. In this fashion, the parties will have the assurance that the maximum allowable level of development for each of the parcels has been defined. In addition, the planning process should explore the concept of developing a time frame for disposition of the parcels. This time frame would identify the minimum amount of time prior to the

<p>development or marketing of each of the parcels. No parcel would be disposed of prior to the date identified in the proposed timetable. The objective of this time table concept is twofold: (i) to give the Town of Castle Valley, CRC and their partners reasonable time to develop alternative acquisition or protection strategies which might lessen the impact of development or lead to greater conservation benefit and; (ii) to identify a set time frame for the Trust which would allow reasonable disposal of the individual parcels, with the assurance that the Town will support such development. In conjunction with the time table, the planning process should explore the strategies and structures for granting the Town, CRC and their conservation partners, the opportunity to acquire certain lands or interests in lands.</p>
<p>7. Valuation. The Trust will ascertain through analysis or appraisal that the plan developed through this process has comparable value to open market disposition, minus any retained interests. This valuation should occur throughout the planning process so that they process may respond creatively to information generated through these analyses. The valuation process should be done in a manner that enhances the credibility of the conservation and development products.</p>
<p>8. Implementation. The Town, CRC and the Trust understand that various agreements will need to be approved by the governing boards of the implementing parties. All parties agree to a good faith commitment to seek any reasonable means to achieve the stated objectives of the parties.</p>

Source: "Castle Valley Planning Study: Principles or Criteria for Success," Castle Rock Collaboration <http://www.castlerockcollaboration.org/initiative.html> (website not currently available).

As with many elements of process structure, the context of the collaborative planning process will determine which types of ground rules are appropriate. However, some collaborative processes have used particularly effective ground rules that may be useful in many contexts. The "No Surprises Rule," the "Cooling Off Period" and majority and minority reports were ground rules that facilitated progress in the Lake Whatcom Landscape Planning Process. The "No Surprises Rule" prohibited members from leaking new information to the press before providing that information to the group. This ground rule was mostly effective in increasing transparency and communication among group members and limiting potentially damaging press leaks. To handle issues where the participants did not reach consensus, the Committee enacted a "Cooling Off Period." According to the "Cooling Off Period," the group would table discussion on a controversial issue for one week, at which time the participants would vote on the issue again. A majority report and minority report were required to document points of disagreement. The minority report writing requirement discouraged anything but substantive disagreements. By creating this requirement, the group hoped to encourage only constructive dissent instead of disagreement for the sake of disagreeing. In this way, the "Cooling Off Period" allowed participants to reassess their interests and priorities and enabled the group to make substantial strides in their discussions.⁶

DECISION RULES

When the collaborative planning group jointly decides on a formal set of decision-making rules that define how the group will make decisions, confusing and frustrating decisions can become easier to handle. As discussed earlier, the guiding principles for the Elliott State Forest Planning Process provided a decision rule for the group. Members of the Core Planning Team revisited the principles throughout the process in order to ensure that they made decisions that were consistent with the agreements and constraints that were identified at the beginning of the process. Without

having firm guiding principles that laid out a decision-making process, the group might have had more difficulty making challenging decisions.

Defining a Decision Rule

When a group fails to decide upon a decision rule from the outset, the process and participants can suffer. The Whitefish Neighborhood Planning Process illustrates what can happen when a collaborative group fails to establish a formal decision-making process. While Janet Cornish, the original facilitator for the Whitefish School Trust Lands Advisory Committee, created a formal discussion structure for the group (e.g., by developing group goals and objectives), she never facilitated the creation of a decision-making structure. As a result, the group never discussed how to make decisions going forward. Instead, they quickly transitioned into talks about the substantive issues.

As a result of the Committee's failure to create a decision rule, shadow group members had the flexibility to enact "Roberts Rules of Order" in an Advisory Committee meeting. A method of making motions for majority voting, Roberts Rules of Order allowed the shadow group to call for several votes to protect various parcels of trust land within the 13,000-acre study area. Because the Committee had not considered making a decision rule, there was no procedure to address the proposed decision-making approach. While the proposal received enough votes to pass, they were not unanimously supported. As such, the decisions did not necessarily represent all stakeholders' interests.

Consensus

Consensus, if used as a decision rule in a collaborative planning process, should be clearly defined and agreed upon by all participants before engaging in discussion surrounding substantive issues. The concept of consensus often means different things to different people. Some participants may believe consensus requires unanimity, merely a majority or the greatest number of participants in agreement as possible. Because of these potentially varying perceptions, a collaborative planning group should explicitly address the issue at the beginning of the process. In at least four of the eight cases in this report, the issue of consensus was addressed in some way. For example, the Interjurisdictional Committee in the Lake Whatcom Landscape Planning Process defined consensus as 100 percent in favor and developed ground rules about how it would reach consensus and deal with non-consensus situations. These ground rules, discussed above, included the "Cooling Off Period" and the majority and minority reports that were required if consensus was not reached.

The HAMP Process and the Elliott State Forest Planning Process decided to make decisions based on a definition of consensus that required a majority in agreement; yet both processes allowed for exceptions to the consensus agreement. In the HAMP Process, votes could occur on specific elements of proposals rather than a consensus-based decision on the entire proposal. In the Elliott State Forest Planning Process, the Steering Committee and the Core Planning Team typically made decisions based on consensus but would defer to the ultimate authority of the Chairman when consensus could not be reached. In these cases, having a decision rule for

consensus allowed for flexibility in the process structure that fostered progress in the group and enabled the group to address conflicts and make decisions more efficiently.

On the other hand, the Whitefish Neighborhood Planning Process did not make a decision rule about consensus. As discussed above, because the group did not establish a clear decision rule or decision-making process, it was not clear how decisions would be made by the group. Had the participants agreed to a definition of consensus and a decision rule, the shadow group might not have been able to periodically derail the process.

Voting

Specifying voting procedures prior to engaging in substantive discussions is also helpful. Like the issue of consensus, voting procedures are often defined in a decision rule. Typically, a collaborative planning group will benefit from creating a decision rule that describes whether and how voting will be used in the process.

Voting can become acrimonious if voting rights are given to some, but not to all of the participants. For example, participants in the Emerald Mountain Planning Process established a clear voting procedure at the outset in their bylaws, which made a distinction between the Board of Directors and the Advisory Group, which was comprised of individuals who may have a personal stake in the management or disposition of the Emerald Mountain land parcel. While members of both groups could participate in discussions, only the Board of Directors members had voting privileges. While some participants saw this decision-making design as a way to increase stakeholder involvement without bogging down decision making, many Advisory Group members were frustrated with not having a vote in group decisions. The voting decision became problematic and resulted in feelings of alienation for some stakeholders.

When voting procedures are not clearly defined and agreed upon by everyone involved in the process, votes also can be used to manipulate outcomes. The use of Roberts Rules of Order by the shadow group in the Whitefish Neighborhood Planning Process exemplifies a consequence of unclear voting procedures. Because the Advisory Committee did not specify a decision rule for voting at the beginning of the process, the shadow group was able to initiate voting on an issue to their strategic advantage. In this case, participants lacked a formal voting mechanism to evaluate the shadow group's proposals.

Minority Reports and Decision Matrices

In addition to having a firmly established decision rule, there are many other ways to creatively overcome the challenges inherent in making tough decisions in a collaborative setting. Among these are using minority reports and decision matrices. The use of minority reports or statements can help address the concerns of those with dissenting opinions and can encourage obstructionists to reconsider their level of dissatisfaction with a proposal. Both the HAMP Process and the Lake Whatcom Landscape Planning Process used reports to document minority opinions and encourage the group to come to a decision. In the Lake Whatcom Landscape Planning Process, the group required minority and majority reports when consensus could not be reached.

The minority report requirement occasionally served to dissuade individuals from opposing an issue because of the effort it entailed. Often, participants who did not strongly oppose would change their vote and live with a decision. Steve Hood, the representative from the Department of Ecology, described the effect of the rule:

When it came down to a vote where we knew we wouldn't have consensus, we knew someone would have to write the minority report opinion. If no one was willing to represent the minority, then why bother taking the vote if you are not going to put your minority opinion in there. If you don't care enough to state why you are against it, why can't you just say you can live with it? People would often say, "I guess I could."⁷

A decision matrix that goes through multiple iterations also can assist a collaborative planning group in making sense of a complex decision. The Core Planning Team in the Elliott State Forest Planning Process developed such a Decision Matrix to guide the team's decision about which forest model to use in their plan. In the Decision Matrix scenario, each member individually ranked eight possible models on a scale of one to five. The average of the rankings was presented to the Steering Committee, who revised the Decision Matrix accordingly. The Core Planning Team then re-ranked the models on the revised Matrix according to how well they met the goals and objectives of the planning process.

HOW THE PROCESS IS MANAGED

OBJECTIVES

Having well-defined objectives from the outset of a collaborative planning process can help guide the process and increase participants' chances of successfully achieving those objectives. Objectives can take the form of a mission or vision statement, guiding principles, shared goals or a shared understanding of the problem and the reason for jointly working on that problem.

In the Lake Whatcom Landscape Planning Process, the individual stakeholders involved had very different goals. However, the Department of Natural Resources official involved claimed that the group was able to agree that a mutually acceptable solution would be one that balanced three central objectives: (1) fiduciary – revenue generation for trust beneficiaries, (2) social – public safety and (3) environmental – water quality. Having agreed on these three shared objectives was particularly helpful in moving the process forward.

Prior to working on a management plan for lesser prairie chicken and sand dune lizard habitat in southeastern New Mexico, the Southeast New Mexico Working Group jointly developed a guiding statement. The guiding statement was:

To create a conservation strategy for the management of shinnery oak and sand sage-grassland communities in southeastern and east-central New Mexico, recommending a range of specific actions to enhance and secure populations of Lesser Prairie-Chickens and Sand Dune Lizards, so that federal or state listing of these species is not needed, while protecting other uses of the land.

The statement was specific and kept all stakeholders focused on the same overarching goal throughout the process; yet it still acknowledged the complexity of the issue and took into account the stakeholders' divergent individual goals. Often, if all participants jointly articulate the goals of a planning process, group members are more likely to perceive the goals as legitimate, to have ownership over them and to use them for problem-solving during the process.

A collaborative effort may also suffer from the lack of clear goals and objectives. The HAMP Process illustrates what can occur when clear objectives are not articulated at the beginning and throughout a collaborative planning process. Citizens Review Committee (CRC) members became frustrated when they realized that the City of Tucson lacked a clear vision for the HAMP process. CRC member Ken Abrahams expressed his discontent with the fact that the city did not clearly define its goals from the outset of the planning process. "They ought to just sit down and figure out what they want to do and then start from there."⁸

TIMELINES AND DEADLINES

The role of timelines and deadlines in a collaborative planning process is very important. Timelines provide the ongoing structure and goals during the process and deadlines provide the end goal for the process, marking its completion. However, setting and sticking to realistic timelines and deadlines are very difficult tasks for participants of a collaborative process. Prolonged timelines can result in participant frustration and group attrition.

Sometimes collaborative planning processes do not set realistic timelines and occasionally do not set them at all. For example, in the Castle Valley Planning Process, participants did not set exact timelines or a deadline for the process. As a result, the process continued for several years, and only ended when the funds for paying the facilitator ran out, which became an imposed but not planned deadline.

Even when collaborative planning groups set timelines, it can be difficult to stick to them. None of the cases in this project that set strict deadlines were able to complete the process by those original deadlines. For example, the HAMP Process was projected to last one year but lasted for two years; the Southeast New Mexico Working Group extended their original six to nine month timeframe to two and a half years; and the Whitefish Neighborhood Planning Process that was slated to last one year grew to 18 months. Although collaborative planning processes vary to the extent that they are able to finish close to their original deadline, the trend is that such processes typically take longer than participants originally expect.

In light of the fact that collaborative planning processes typically exceed their original timelines, many participants recognize the importance and difficulty of choosing and sticking to realistic deadlines. Participants of the Southeast New Mexico Working Group acknowledged the need for realistic deadlines in order to avoid attrition and maintain process momentum, especially in time-consuming processes. On the other hand, the group also recognized that had an accurate timeframe been given at the outset, many participants may have been unwilling to participate in such a lengthy process. That said, the Whitefish Neighborhood Planning Process participants stressed the need for clear deadlines, as well as a comprehensive timeline to ensure enough time for substantive issues and prevent the collaborative process from becoming mired in details.

Given the fact that collaborative planning groups rarely achieve their own self-imposed, internal deadlines, some groups have turned to external deadlines provided by others outside the collaborative process to regain momentum and finish the process. In fact, in many cases external deadlines can be as or more effective than internal timelines in moving a collaborative planning process forward. For the Southeast New Mexico Working Group, an external deadline provided the necessary impetus to come to agreement. The Bureau of Land Management deadline for alternatives to be considered in the Resource Management Plan (RMP) Amendment was the catalyst that increased stakeholders' willingness to compromise, as the Working Group's goal was to have their recommendations included in the RMP Amendment process. Without this deadline, many participants felt that the process would have continued for an extended period of time.

Despite their effectiveness in accelerating a slow process, external deadlines can prove to be a double-edged sword. Some participants in the Southeast New Mexico Working Group indicated that while they are glad the Working Group developed a conservation plan prior to the RMP Amendment deadline, they are concerned that the quality of the plan was compromised to meet the deadline. In particular, participants are concerned that the concessions made by stakeholders during the final push for agreement might not be durable or truly effective in conserving lesser prairie chickens and sand dune lizards, which was the original intent of the plan. For example, oil and gas industry representative and Southeast New Mexico Working Group participant Dan Girand stated, "We didn't get the species listed, but I don't think we helped it."⁹

When a collaborative planning group sets contractually binding deadlines, the group may be more likely to adhere to those deadlines. The Emerald Mountain Planning Process is an example of an effective, contractually binding deadline that facilitated progress in the process. In this planning process, the State Land Board and the Emerald Mountain Partnership agreed to a five-year planning lease and a Memorandum of Agreement (MOA) that gave the Partnership legitimacy, illustrated a sense of commitment to the process and provided a defined window of opportunity during which a range of strategies could be explored. Due to the protracted nature of the federal land exchange process, this deadline had to be revised via an amended MOA that added one year to the agreement and set a new deadline of March 15, 2006. The contractually binding nature of the deadline, although a balancing act between multiple interests, was particularly effective in this case.

Although prolonged timelines and revised deadlines may lead to frustration and participant attrition, occasionally they can allow for better outcomes. For example, the prolonged timeframe for the Mesa del Sol Planning Process, which has lasted for more than two decades, was a key facilitating factor that enabled the appropriate political climate for approval. If the timeframe had been truncated and a decision made earlier, the outcome may not have been as positive.

Regardless of whether a prolonged timeframe is a hindrance or facilitating factor for success, those entering into a collaborative planning process should be willing and able to devote a large amount of time to the process.

ACTIVITIES THAT BUILD UNDERSTANDING

Collaborative planning groups build understanding in several ways, such as engaging in team-building activities, taking joint field trips, sharing informal time together and engaging in joint fact-finding. Such activities can help increase the effectiveness of group communications, uncover hidden agendas and provide an overarching sense of group identity.

Some groups engage in team-building exercises in order to build participants' communication skills, personal relationships, trust and shared knowledge. For example, in the Southeast New Mexico Working Group, the group's facilitators led the participants in team-building exercises at the outset of the process in order to build a sense of cooperation among participants. Although the facilitators wished that more time was spent on team-building, what little team-building occurred was helpful in forming a coherent group identity.

In collaborative planning processes involving decisions about state trust land, field trips to the area of interest can be helpful for developing a common understanding among all process participants. In at least four of the cases, collaborative planning groups took joint field trips to state trust land areas. In the HAMP Process, for example, the City of Tucson organized a field trip to the Houghton Road area to encourage a shared understanding of the land. Similar site visits were taken in the Emerald Mountain Planning Process, the Castle Valley Planning Process, the Lake Whatcom Landscape Planning Process and the Whitefish Neighborhood Planning Process.

Other periods of informal interactions also helped facilitate group solidarity and growing understanding. For instance, participants in the Southeast New Mexico Working Group routinely engaged in informal interactions such as carpooling to meetings and interacting between meeting sessions. These less formal activities were essential for developing relationships between participants, encouraging participants to take the perspective of their fellow group members and building understanding of the various stakeholders' constraints and capacities.

Engaging in joint fact-finding often helps increase trust, communication and understanding among collaborative planning process participants. Joint fact-finding was a key component of the Castle Valley Planning Process. One of the first activities in which the planning group engaged was examining a series of maps created by the facilitator that illustrated the natural resources and development potential of Castle Valley. Jointly working from the same fact base helped the group to develop a coherent, shared understanding of the resources and limitations of the land in Castle Valley. By developing a shared information base, the planning group built understanding about the issues they were jointly addressing.

Joint information sharing was also a key component in the Southeast New Mexico Working Group. A lack of scientific data and mapping for prairie chicken habitat limited the process early on. However, once the group was able to produce maps that participants could view during meetings, the process benefited. Exploring scientific data through a set of shared maps helped to create joint understanding of the land and provided an impetus for negotiations.

PUBLIC MEETINGS AND MEDIA INVOLVEMENT

Often, a collaborative planning group will hold a combination of meetings that are open to the general public and those that only include the process participants. In fact, at least five out of the eight cases had a combination of open and closed meetings. Open and closed meetings serve different purposes in a collaborative process and can have positive and negative effects, depending on the context of the process.

Holding open, public meetings is a way to gather information from the community, to get buy-in from the community and to convey conclusions and decisions reached through the collaborative process. For example, in the Castle Valley Planning Process, the planning group held an initial charrette in the community of Castle Valley to gather community input on the range of issues being discussed in the planning group. The planning group also held open houses in Castle Valley that were open to the public. During the first open house, the facilitators presented a series of maps and overlay data illustrating the natural features of the Valley as well as preliminary development options based on the data. After compiling community input and convening a series of closed meetings with only planning process participants present, the facilitators held a second open house in which a more final plan was presented to the community for feedback. The open, public meetings were particularly effective in helping the planning group ascertain public opinion and create community buy-in for the decisions, increasing chances that the decisions would be implemented with less resistance.

Despite the many benefits of holding open meetings, this level of public involvement can have negative effects as well, such as providing an opportunity for dissenters to disrupt a collaborative process in an unproductive way. The Emerald Mountain Planning Process illustrates this point. In this case, the Emerald Mountain Partnership held semi-monthly meetings that were advertised regularly in the local newspaper and the Partnership's website and open to the public. Although the meetings were effective at helping the collaborative group gather public input and increase the transparency of the process, they also provided an avenue for disruption. In particular, a dissenting group called Citizens to Save Our Public Lands often attended the meetings to challenge the Partnership's land exchange proposal. While they did not oppose protecting Emerald Mountain, they disagreed with selling public lands in other towns to achieve this goal. Colorado Division of Wildlife District Wildlife Manager Libbie Miller thought the Partnership was ill-prepared to work with this conflicting perspective. "[The Partnership] might have done a better job handling these [concerns], if we had thought how we were going to address them ahead of time."¹⁰

Open meetings can also be frustrating if participation levels are lower than expected, despite conscientious public outreach. Several of the cases illustrated the fact that despite intentional efforts to include the public, sometimes public outreach proved ineffective. This challenge was particularly salient in the Elliott State Forest Planning Process, where the planning group's public meetings rarely were well-attended. Both the Steering Committee and the Core Planning Team worked tirelessly to involve the public by publishing and mailing an informational newsletter, holding public meetings and forest tours and posting information on the Oregon Department of Forestry website where individuals could submit comments.

Despite the planning groups' efforts to include public input, members of the general public often struggled to find accurate and timely information on the website, and it was not always clear whether the public's involvement influenced the process. Some participants indicated that the top-down nature of the public input process might have prohibited meaningful involvement from some sectors of the public. This example highlights both the difficulty and importance of reaching out the public in a collaborative process. A collaborative process should be structured in a way to encourage public involvement.

While open meetings can provide many benefits, closed meetings that include only the process stakeholders also can provide productive opportunities for candor about substantive issues and allow the group to make substantial progress in decision making. Having a group of consistent participants who develop relationships, shared understanding of the issues and ownership over the process can foster progress in a collaborative process. The Castle Valley Planning Process provides an example of the importance of having closed meetings. In this case, the planning group was able to make significant strides toward addressing substantive issues and finding areas for compromise when the group met separately from the general community. Having a small group of stakeholders working together can foster trust and build shared understanding among participants and can allow for greater risk-taking, creativity and compromise because participants do not fear public backlash.

ATTRITION AND HIDDEN AGENDAS AND INTERESTS

Attrition can occur because of a long process with extended timelines, frustration with the process, financial constraints or staff turnover. Attrition and other changes in participation can have a negative effect on a collaborative process as it can decrease the effectiveness of the process because communication is lost, trust is diminished and forged relationships are no longer available. At least four of the eight cases faced attrition.

The Mesa del Sol Planning Process spanned more than two decades, and as such it provides an example of discontinuity of stakeholder involvement. Throughout the long process, leadership of stakeholder groups changed significantly, which made communication difficult at points and occasionally stalled the collaborative process. Similar problems with participant attrition occurred in the HAMP Process and the Elliott State Forest Planning Process. The attrition experienced in these cases was due in part to staff turnover throughout a prolonged process timeline. Some participants dropped out in frustration during the research phase of the HAMP Process because it took longer than expected.

Sometimes participants drop out of a process because of financial, as well as time constraints. The Southeast New Mexico Working Group illustrates how these kinds of constraints can result in attrition and can decrease stakeholder representation. Because of the financial and time commitments required for participation in the Working Group meetings, many stakeholder representatives had to significantly reduce their participation levels or drop out entirely. Stakeholder groups that faced such constraints included conservationists, sportsmen and agencies such as the U.S. Fish and Wildlife Service, the Department of Energy and the Natural Resources Conservation Service. Participants of the Working Group recognized that without these perspectives, the group lost valuable insights into potential solutions to the problem at hand.

As illustrated in the Southeast New Mexico Working Group, attrition can result in an imbalance of stakeholder interests represented in the group. The Emerald Mountain Planning Process is another instance where attrition caused the collaborative process to suffer. Although Routt County interests were originally included in the discussions, the process lost formal representation from the County along the way. As a result, county-based opposition to the collaborative group's land exchange proposal emerged, posing a challenge to the intended process outcome.

Because of the reality and difficulties that attrition can cause, a collaborative process should be structured to deal with such attrition. A process should address the issue of potential attrition from the outset and decide as a group what method will be used to deal with the issue if and as it emerges. For example, a collaborative group could come up with a contingency plan for substituting a stakeholder representative if one can no longer attend the meetings. Also, comprehensive meeting notes should be given to any and all new participants to ensure a common base of information.

Hidden agendas and interests can be present in any collaborative planning process. In order to ensure that such hidden interests and agendas do not stifle progress, a collaborative process should be structured to deal effectively with unspoken interests.

Sometimes hidden agendas are a byproduct of stakeholders' legal constraints or personal characteristics. For example, in the Mesa del Sol Planning Process, the New Mexico State Land Office (SLO) found it difficult to understand the true interests of the Kirtland Air Force Base (Sandia National Laboratories) because of the confidentiality of military information and national security concerns. The SLO also had a hard time interpreting the underlying interests of the Isleta Pueblo because SLO representatives were only authorized to speak with the Isleta Governor, who is the head political official but not necessarily the most influential decision maker among tribal members. The inherently secretive nature of the Kirtland Air Force Base and Isleta Pueblo stakeholders made obtaining feedback regarding concerns about the Mesa del Sol plan very difficult. In cases such as these, a collaborative process should have a process for making decisions in the absence of complete information.

Occasionally, ineffective process structure also can foster hidden agendas that may strain a collaborative process. The Whitefish Neighborhood Planning Process provides an illustration of process structure that ineffectively dealt with stakeholders' hidden interests. Janet Cornish, the original facilitator for the Whitefish School Trust Lands Advisory Committee, believed that some community stakeholders masked their "Not in My Backyard" attitudes with concern for open space protection. Some committee members similarly questioned each others' true interests. Because the Committee never forthrightly attempted to clarify the interests that each of its members represented, mistrust grew within the group. Although regular meetings and interactions ameliorated this mistrust somewhat, participants may have been better served by identifying their true interests at the beginning of the process.

INTERACTION WITH OTHER STATE OR FEDERAL PROCESSES

Collaborative planning processes often interact with other state or federal processes that can influence the collaborative process structure in both positive and negative ways. Simultaneous state and federal processes can help initiate and motivate the formation of a budding collaborative planning process, provide necessary external deadlines and create options for problem solving. However, they can also provide a set of strict regulations and requirements that can hinder creative thinking, decrease public involvement and frustrate process participants.

A collaborative process may be initiated because of a state or federal process that requires action. For example, the impetus for the creation of the Southeast New Mexico Working Group stemmed from the U.S. Fish and Wildlife Service's decision to designate the lesser prairie chicken and the sand dune lizard as candidates for federal listing as threatened species under the Endangered Species Act. Without the fear induced by the risk of federal regulation on the threatened species' habitats, the collaborative group might not have coalesced.

State or federal processes can also help motivate a process that has reached a stalemate. The Emerald Mountain Planning Process provides an illustration of the motivating force of federal processes. In this case, the Emerald Mountain Partnership's Board of Directors struggled for the first two years of its existence to acquire adequate funding or find a conservation buyer for the Emerald Mountain state trust land parcel. However, in time the opportunity of a land exchange with the Bureau of Land Management (BLM) enabled the group to move past a period that some described as "floundering."¹¹

Mandatory compliance with outside state or federal processes can provide the needed incentives for a collaborative planning group to meet deadlines. The BLM Resource Management Plan Amendment process provided the necessary deadlines for the Southeast New Mexico Working Group. Since the Working Group wanted their conservation strategy to be included in the Amendment process, they were forced to comply with the external deadline provided by the federal process. This deadline allowed the group to finish a long, protracted debate and come up with a cohesive conservation strategy.

Sometimes looking to other state or federal processes can enable a collaborative group to invent options to achieve their interests, particularly when the group has reached impasse. In the Castle Valley Planning Process, a federally legislated land exchange with the BLM enabled the process to move past a stalemate. When the planning group could not agree to the planning process contract, looking to a land exchange option offered another path for the participants to achieve their goals.

Despite some of the benefits of having an outside process to motivate, provide deadlines or create options in a collaborative effort, the strict regulations and requirements they entail can hinder creative thinking among process participants. For example, the U.S. Fish and Wildlife Service Habitat Conservation Plan (HCP) process bound the Elliott State Forest Planning Process within an institutional framework inherent in the federal planning process. This limitation posed challenges in being able to think creatively about the process and outcomes.

Members of the general public who are interested in a collaborative planning process may be deterred due to the unwieldy nature of some state and federal planning process documentation. In the Elliott State Forest Planning Process, the general public did not have the time or ability to read through the cumbersome HCP planning documents, a factor that limited public involvement, and according to some, the success of the process.

The rigid structure of state and federal planning processes can also frustrate process participants and create distrust in some cases. In the Lake Whatcom Landscape Planning Process, the Department of Natural Resource's decision to initiate an Environmental Impact Statement in compliance with the State Environmental Policy Act was perceived by some participants to be a stall tactic or the manifestation of a power struggle. This situation highlights the fact that when a collaborative process dovetails with other state or federal processes, the limitations of those processes and legal reasons for initiating them must be made clear to all participants of the collaborative process.

Endnotes

¹ William Wallace (Northwest Regional Manager, Washington State Department of Natural Resources), interview by Alden Boetsch and Matt Stout, August 9, 2005, DNR, Sedro-Woolley, WA.

² Ibid.

³ Tom Schultz (Administrator, Trust Land Management Division, DNRC), interview by Jessica Mitchell and Lisa Spalding, August 15, 2005, DNRC, Helena, MT.

⁴ Linda Morales (Principal, The Planning Center), interview by Alden Boetsch and Jessica Mitchell, August 3, 2005, Tucson, AZ; Ken Abrahams (Executive Vice President, Diamond Ventures) interview by Alden Boetsch and Jessica Mitchell, August 5, 2005, Tucson, AZ.

⁵ “Purpose, Planning and History: Executive Summary,” *Draft Elliott State Forest Management Plan*, August 2005, Oregon Department of Forestry, available at <http://www.oregon.gov/ODF/index.shtml>; Jim Young (Coos District Forester, Oregon Department of Forestry), personal correspondence [phone] with Eirin Krane, January 11, 2006.

⁶ Steve Hood (Water Quality Engineer, Washington State Department of Ecology), interview by Alden Boetsch and Matt Stout, August 10, 2005, DOE, Bellingham, WA.

⁷ Ibid.

⁸ Ken Abrahams (Executive Vice President, Diamond Ventures) interviewed by Alden Boetsch and Jessica Mitchell, August 5, 2005, Tucson, AZ.

⁹ Dan Girand (Regulatory and Environmental Affairs, Mack Energy), interview by Stephanie Bertaina and Emily Kelly, August 26, 2005, Mack Energy Corporation, Roswell, NM.

¹⁰ Libbie Miller (District Wildlife Manger, Colorado Division of Wildlife), interview by Lisa Spalding and Matt Stout, August 3, 2005, Colorado Division of Wildlife Area 10 Office, Steamboat Springs, CO.

¹¹ Paul Strong (Steamboat Springs City Council), interview by Lisa Spalding and Matt Stout, August 2, 2005, Steamboat Springs, CO.