Joint Decision making:
Interagency Coordination
Public Involvement

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Sustainability requires joint decision making

- Coordination of policies and actions of multiple public agencies at multiple levels of administration and
- Support of the public.
About 25 years ago…

- Federal decision making “malaise” and “gridlock” in Washington, DC;
- 80% of U.S. Environmental Protection Agency (EPA) rules were being contested in court;
- Private and public entities subject to federal policies did not comply;
- Agencies recognized need to coordinate own actions, but did not know how to do so;
- More recently, recognized need to “change behaviors” of many rather than a few.
Decision making innovations

- Negotiation-based processes
- Involving stakeholders (affected agencies, organizations, private and public groups)
- All stakeholders communicating directly (face-to-face) to one another
- Assisted by a professional facilitator
- Applied to many types of cases: public-public; public-private; public-public-private.
Oregon Example #1: CETAS
(Collaborative Environmental and Transportation Agreement for Streamlining)

The “problem”

– Transportation planners do not like to worry about environmental impacts.
– Big infrastructure projects face many delays for many reasons.
– Environmental reviews have been targeted as the source of delays.

“How to speed up the environmental review process without sacrificing environmental resources?”
Oregon Department of Transportation (ODOT) created “CETAS”

Stakeholders (list on right)
Federal and state level agencies
All agencies with responsibilities to review actions under National Environmental Policy Act (NEPA)

- Oregon Department of Transportation
- U.S. Federal Highway Administration
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- U.S. National Marine Fisheries Service
- Oregon Division of State Lands
- Oregon Department of Environmental Quality
- Oregon Department of Fish and Wildlife
- Department of Land Conservation and Development
- Oregon State Historic Preservation Office
Face-to-face Meetings

Initial meeting to agree on purpose of group (the “Charter”)

Monthly meetings:
Share information
Discuss current issues
Collaborate on current state transportation projects
The “theory”:

Early input (sharing of technical and political information) would avoid or reduce later delays.
CETAS Results?

Too early for a "before" and "after" comparison of project timelines…

however…
Participants very optimistic about the prospects;
Felt they had much better understanding of one another’s institutional needs and goals;
Felt they had developed strong relationships with individuals in other agencies whom they had not known before, and
ODOT prepared a “biological assessment” that set standards for all bridge improvement projects to be conducted over the next several years as a way of streamlining the environmental review process. The standards exceeded expectations and were easily endorsed by agencies with responsibilities for environmental review. Agencies’ staff said this would not have occurred without the increased understanding and trust developed through CETAS.
Collaboration with the public
Goals of Public Involvement

- Inform public
  - Gather information
  - Deliberate
  - Achieve Efficiency
- Generate public acceptance
- Produce technically sound decisions
- Produce technically feasible decisions
- Incorporate public values (equity)
- Build trust in institutions
- Develop sense of citizenship

Public notices
Surveys
Public meetings
Public hearings
Workshops charrettes
Committees w/ citizen members

Planning process timeline
Goals and vision
Existing Conditions
Alternatives Generation
Analysis
Recommendations
State land use law requires creation of urban growth boundary (UGB).

Based on 20-year supply of lands; should consider quality of land and uses in expansion decision.

Metro, the regional government agency in the Portland metro region, has responsibility for UGB expansions.
Expansion of UGB: 2002

Source: Metro
After UGB Expansion: Concept Planning

- Metro requires local governments to comply with regional policies for new urban areas.
- Clackamas County partnered with Metro and Oregon Department of Transportation (ODOT).
- Develop a “Concept Plan” that can serve as a coordinating tool for local jurisdictions.
Concept plan components

- Land use plan that locates in broad brush strokes
- Land uses and densities,
- Natural resources,
- The skeleton of a multi-modal transportation system, and
- Public infrastructure and facilities.
Timeline

- 2001: Conversation with Damascus
- December 2002: Metro Council Decision to Expand UGB
- 2003: Initiation of Concept Planning
- 2004: Public workshops: 6 alternatives. Nov. vote to incorporate. Also: M37
- Summer 2005: Maps of 4 alternatives posted
- Draft Plan Revealed
- Final Plan Issued
- October-November 2005
Public involvement methods

Public notification and education
- Constant stream of local news articles
- Mailings to property owners about all public events

Consultation with public
- Core values
- Data collection workshops
- Week-long intensive charrette to develop alternatives
- Guided open house (October 2005)

Shared decision making with public reps
- Citizen members on Advisory Committee, Core Values Steering Committee and Public Involvement Committee
Opposition Erupts: “Concept Plan Comes Under Fire From Locals”

An estimated 200 residents from Damascus, Boring, and Happy Valley filled the bleachers at the Concept Plan Advisory Meeting November 8th. (Marty Beaudet photo)

The Damascus/Boring Observer, December 2005, p. 1
Critique:
1. Stakeholder Identification

- If indication that a group is not represented at the table
  - Conduct “convenor’s report” or “conflict assessment”
  - Identify stakeholding groups and appropriate representatives

- Don’t wait and “wonder” when opposition will show up.
Critique:
2. Roles and Responsibilities

- Incorporation of new city of Damascus
- No formal transfer of Concept Planning Process to the new Council
- Three members of Advisory Committee were elected to the City Council
- Were these 3 persons appropriate citizen representatives given their new status?
- Did the failure to acknowledge City and transfer ownership perpetuate sense of “them” v. “us”? 
PMT hired a “facilitator” to lead meetings – not selected by Advisory Committee

Insufficient funding in project

- Did not compensate adequately for preparation, less active participant – legitimacy at risk
- Did not expect reality checks with participants the consensus builders often do one-on-one, or “away from table”
Critique:
4. Dealing with an angry public

Interpersonal skills of planners
- Return phone calls and other seemingly trivial actions are magnified when disputes arise
- Give consistent information

Dealing with an angry public at a public meeting
- Let angry people be heard
- Admit mistakes (process-wise, in this case)
- Listen and demonstrate responsiveness
Local level community problem-solving
Interested parties
Facilitated by a respected member of group
Technical support provided by professional organization (PSU - NPCC)
Participants contribute knowledge, expertise, time and sometimes labor and material resources.
Low cost, “home grown” solutions.
Joint decision making = building agreement
(or, consensus building)

Consensus building = “interest-based” negotiations
Benefits of Successful Collaboration

- Wise decisions (technically feasible)
  - Information sharing
    - Technical (specialized and local knowledge)
    - Political (Concerns and constraints of various agencies and other stakeholders)

- Stable decisions (politically acceptable)

- Efficient over the long run

- Broad ownership (ensuring implementation and adaptation)

- Relationships (social capital)
Key elements of effective collaboration:

- Agreement on problem and goal (not specific solution)
- Involve key stakeholders (public agencies, private partners, public representatives)
- Consensus-building negotiation process
- Facilitated to guide consensus building
- Conflict management skills to handle conflict.
Roles and Responsibilities of Participants

- **Process sponsor**
  - Agency with decision making authority (**CETAS**)
  - Stakeholder (non-governmental) wanting to get action (**Oregon Solutions**)
  - Political leader addressing a serious issue (**Damascus**)

- **Funding**
  - Early on – Federal governmental pilot projects, foundation grants (**Kettering, Ford, Hewlett**)
  - Currently – Federal grants (specific areas), sponsoring agencies (**CETAS**), governor’s or state office (**Oregon Solutions**)
The Facilitator

- Usually chosen by sponsor
- Ideally chosen by sponsor AND participants
- Trained in mediation but having some substantive and institutional
- “Neutral” with respect to immediate issues
- Well-respected by all stakeholders and the general public
- Consultant or staff (CETAS)
Stakeholders

1. Governmental entities with legal responsibilities (for decision making or implementation)
2. Non-governmental entities with responsibilities for implementation
3. Groups likely to be affected by the decision (positively or negatively) and likely to raise concerns of broader public
The Structure of a Collaborative Process

Getting to the “table”
- Clear purpose and objectives of process (CETAS Charter)
- Sufficient incentives for all stakeholders to participate
- Explicit commitment of stakeholders (and sponsor) to process
- Sufficient resources (including time and money)

At the “table”
- Regular attendance at face-to-face meetings
- Information sharing (technical and political)
- A professional facilitator/mediator

After leaving the “table”
- Follow-up with written agreement
- Mechanisms for dealing with disputes and changing conditions
Thank you!

Questions?