

The Mediator

A PUBLICATION OF THE INSTITUTE FOR ENVIRONMENTAL NEGOTIATION (IEN)
 AFFILIATED WITH THE DEPARTMENT OF URBAN & ENVIRONMENTAL PLANNING, SCHOOL OF ARCHITECTURE, UNIVERSITY OF VIRGINIA

Natural Resources Leadership Institute Graduates Class of 25

The second Virginia Natural Resources Leadership Institute (VNRLI) class of 25 Fellows graduated in May after completing an intensive year-long series of workshops throughout Virginia. The Fellows examined some of Virginia's most pressing environmental issues from a variety of perspectives and developed leadership skills in consensus building and collaborative problem solving.

VNRLI was developed and conducted by the "core team" of IEN's **Frank Dukes** and **Tanya Denckla**, Virginia Tech Center for Economic Education Director **Mike Ellerbrock**, and the Virginia Department of Forestry's **Bettina Ring** and **Mike Foreman**. IEN Associates **Brandi**

Leadership Institute, continued on page 3

VNRLI's Mission: "Developing leaders in the Commonwealth who can help groups involved in contentious natural resources issues move beyond conflict toward consensus building and collaborative problem solving."

VNRLI CLASS OF 2002

R. Wade Biddix

*Supervisory District Conservationist, USDA
 Natural Res. Conserv. Service, Goochland*

David W. Carr, Jr.

*Senior Attorney, Southern Environmental
 Law Center (SELC), Charlottesville*

Robert L. Dunn

*Env. & Community Affairs Mgr., E.I.
 DuPont de Nemours & Co., Inc. Richmond*

Susan V. Cable

*Founder/President-Blue Ridge Foothills
 Conservancy; Innkeeper/Owner, Madison*

Diane D. Dunaway

*Program Coordinator, Alliance for the
 Chesapeake Bay, Richmond*

Bradley G. Fuller

*Wood Procurement Manager, J.M. Huber
 Corporation, Green Bay*

Khalil Hassan

*Chair of the Madison County Task Force
 for Sustainable Growth, Madison*

Thomas E. Hoy

*Director of Parks & Recreation, City of
 Winchester*

Charles Hutsell

*Regional Forester, Virginia Department of
 Forestry, Salem*

Desiree A. Lopasic

*Environmental Engineer, Virginia
 Department of Health, Culpeper*

John T. McCambridge, Jr.

*District Environmental Manager, VDOT,
 Suffolk*

Paul E. Howard, Jr.

*Environmental Services Director, County of
 Culpeper*

James E. Hurley

*Organization Development Consultant,
 Hurley Associates, Arlington*

John L. Johnson

*Process Work DC, Independent Consultant
 & Retired Professor, Washington, D.C.*

Georgiana H. McCabe

*Co-Founder, Equestrian Land Conservation
 Resource, Standardsville*

Charles A. Newton

*NPS Park Engineer, Shenandoah National
 Park, Stanley*

Patricia S. O'Bannon

*Tuckahoe Magisterial District Supervisor;
 Chair, Richmond*

David B. Powell

*Forest Engineer, Virginia Department of
 Forestry, Sandston*

Gavin Sanderlin

*Watershed Protection Specialist, Valley
 Conservation Council, Staunton*

Alison Teeter

*Natural Resource Planner, Clarke County
 Planning Department, Berryville*

Donald J. Orth

*Department Head for Fisheries & Wildlife
 Sciences, VA Tech University, Blacksburg*

Scott M. Richardson

*Director of Research and Design, Earth
 Force, Alexandria*

Ellen P. Shepard

*Coordinator, Virginia Conservation Network,
 Roanoke*

Alden-John Wangner

*Environmental Engineer, RASco, Inc.
 Woodbridge*

Donna L. Whitmarsh

*Organic Farming Certification Coordinator,
 Organic Certification Services, Blacksburg*

IEN Assisting Superfund Site Re-Use

The IEN has been collaborating with other schools and departments at the University of Virginia (UVA) to develop a **Center of Expertise for Superfund Site Recycling**. Established this past year and funded under a cooperative agreement with the US EPA, the Center is now working to design and conduct a variety of research projects including investigating how stakeholders can be involved most effectively in the redevelopment of Superfund sites.

The Center, led by UVA School of Law Professor **Jon Cannon**, conducts research on the scientific, technical, economic and governmental issues involved in Superfund site re-use utilizing multi-disciplinary teams of faculty members and students from throughout the university.

Projects led by Architecture School faculty include an investigation of institutional impediments and incentives involved with Superfund site re-use by **Bruce Dotson**, Chair of the Department of Urban and Environmental Planning; research on community involvement and collaborative decision-making among diverse interests and institutions involved with site redevelopment by IEN Director **Frank Dukes**; and an investigation of site visualization and design

Superfund Site Re-Use, continued on page 3

UVA-Based Research Consortium to Study Environmental Outcomes of Collaborative Processes

The IEN has awarded seven grants, ranging from \$10,000 to \$35,000, to different researchers in the U.S. to study the processes and environmental outcomes of community-based collaborative projects. Funding is provided by the William and Flora Hewlett Foundation through the Community Based Collaboratives Research Consortium, a project lead by IEN's **Frank Dukes** and **Karen Firehock** with assistance from IEN Associates **Robin Cook** and **Lynn Wilson**.

Founded in 1999, the Research Consortium serves as a forum for researchers, agencies, community and environmental groups, tribes, and process facilitators to share research findings concerning collaborative approaches to environmen-

Research Consortium, continued on page 2

IEN Facilitates Input on National Report on Sustainable Forests

The nation's first National Report on Sustainable Forests is now under review and should be available by summer 2003. IEN's **Karen Firehock** facilitated stakeholder comments on this report through her long-term role as facilitator for the Communications and Outreach Work Group of the national Roundtable on Sustainable Forests. IEN Associate **John Hoover** assisted with this project.

Produced by the USDA Forest Service in partnership with 11 other federal agencies, the national report will describe key trends, such as decreasing harvests in the West and increasing harvests in the southeastern states, as well as impacts on forest-dependent species, forest communities, and markets.

The national Roundtable engages stakeholders in learning about, utilizing and applying seven Criteria and 67 Indicators for measuring whether a forest is moving towards or away from sustainability. The Indicators were developed through the Santiago Declaration of the Montreal Process, a result of the 1992 Rio Earth Summit.

Participation by non-government stakeholder groups is vital to achieving sustainable forest management, particularly with nine percent of forest lands owned by industry and another forty-nine percent in private ownership.

To facilitate this participation, the Roundtable sponsored workshops in Portland, Oregon and in Washington, D.C. in Spring 2002, which were attended by industry and trade groups, conservation and community groups, private forest landowners, universities, tribes, agencies and others.

Comments from stakeholders can be viewed at: http://www.sustainableforests.net/C&I_workshops/ci_index.

The current draft of the National Report can be found at the USDA Forest Service web site at: <http://www.fs.fed.us/sustained>.

Fluvanna Forum on Open Space: Local Innovation and National Leadership

In early April over 150 citizens of Fluvanna County gathered at an open Forum to identify local priorities for protecting open space. Sponsored by the Fluvanna Heritage Forum and the Rivanna Conservation Society, and funded by the National Park Service and the Virginia Department of Forestry, the Forum on Open Space represents an unusual innovation for involving citizens in local land use planning. The Forum was collaboratively designed by a local planning committee and IEN's **Tanya Denckla** with assistance from Associate **Caroline Brennan**, and facilitated by IEN Associates and numerous volunteers including **VNRLI Fellows**. The Forum is now cited by the National Park Service and The Conservation Fund as an exemplar of how communities can be proactive in their attempts to preserve open space during years of growth.

Participants first heard a number of speakers, including Virginia's Secretary of Natural Resources, W. Tayloe Murphy, Jr., Keynote speaker Ed McMahon of the Conservation Fund described ways that protection of open space preserves local heritage and sense of place while also benefiting local economic development. Participants spent the afternoon identifying types of open space that should be given priority protection. A written survey demonstrated unexpected overwhelming support for proactive planning tools to protect open space, including architecture design standards, setbacks, buffers, tree preservation, and even purchase of development rights.

The Forum's report will be provided to the Fluvanna planning commission and Board of Supervisors as community input for the new Zoning Ordinance and the county's first Open Space Plan. To obtain the report (late September) contact: mmoss@ystone.net or view the report at: <http://www.fluvannaheritage.org>.

Research Consortium, continued from page 1

tal management. The idea for the Research Consortium arose in response to the controversy surrounding collaborative processes and the lack of clear, objective and defensible research about their appropriateness and impacts.

Increasingly, public agencies are seeking to rely on multi-stakeholder, collaborative processes to help advise natural resource managers. Additionally, across the nation, community-based collaborative groups have formed to influence environmental management decisions that affect local communities.

Natural disasters and other kinds of pressures are leading communities to become even more concerned about how they can influence land management decisions. As communities

become more engaged in seeking to influence government decisions concerning local land management, environmentalists and others have questioned whether their influence over public resources is appropriate. The Consortium's research will seek to understand and assess the environmental outcomes of community involvement.

In addition to funding research, the Consortium has created an interactive website with a comprehensive database of books, journals, research, and collaborative projects and research. Also, mark your calendar for the Consortium conference at the Snowbird Ski Resort outside of Salt Lake City, Utah to learn the results of the grant research and other developments: September 14-16, 2003.

Join or visit the Research Consortium for free at:

<http://www.cbcrc.org>.

IEN Assists Baltimore County, Maryland with Land-Use Planning Issues

A year-long series of advisory committee meetings has resulted in agreement in principle on the shape of a Transfer of Development Rights (TDR) program for Baltimore County and a strategy for locating the transferred density on infill sites within the county's designated growth area. The advisory committee—composed of stakeholders including farmers, landowners, developers, attorneys, landscape architects, planners, residents, and representatives of rural conservation organizations—also looked at establishing “rural villages” as a way to combat scattered rural development by concentrating development in designated rural residential and commercial centers, but opted instead for development in urban sites.

The IEN was selected by the Maryland Mediation and Conflict Resolution Office (MACRO) to lead this innovative growth management pilot project as a follow-up to Baltimore County's 2010 Master Plan. IEN's **Rich Collins** and **Bruce Dotson** led the project, which focused initially on the use of rural villages as a means to concentrate rural development in small pockets to preserve larger agricultural and environmentally sensitive areas. The rural village concept is a method of accommodating residential and commercial development in rural areas that

is strictly limited in area and compatible with the rural character. Permanently protected buffers could surround the villages to prevent conflict with adjacent uses.

The advisory committee also discussed the merits of creating a Baltimore County TDR program as a tool to direct development and preserve rural areas. TDRs are a process in which the unused density allowed on a piece of land is transferred to a different parcel. One of the most difficult problems to resolve with the creation of a TDR program is the designation of “receiving areas” in the county's urban and rural areas. The advisory committee endorsed the TDR concept and agreed in principle on the shape of a county TDR program. Next, Baltimore County planning staff will prepare the necessary TDR legislative language and conduct additional citizen involvement before presentation to county officials in early 2003.

The IEN is especially proud to have been selected for this project by MACRO. It provided IEN staff with the opportunity to work on an important land-use issue with far-reaching implications for other localities looking at ways of managing growth in their backyards.

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Collins, Jovette Gadson, Adam Scharfenberger, Irene Boland and James Wilkinson assisted in this program.

Supported from the outset by grants from the Virginia Department of Forestry, this next year the program will be supported by additional grants from the Chesapeake Bay License Plate Fund and the Environmental Protection Agency. A third class of 30 people from across the Commonwealth has been accepted and will begin their work this October.



VNRLI Spurs New Multi-State Regional Leadership Program

Based on the success of the VNRLI program, the Virginia partnership of IEN-VT-DOF is developing a new multi-state program for the Southeast. The new leadership program will be conducted as a two-week summer residential institute in July 2003, with one week based in Charlottesville, Virginia (July 7-11) and a second week based

in Chattanooga, Tennessee (July 28-August 1).

During each week participants will develop leadership skills in collaborative problem-solving and conflict resolution, and will travel by chartered bus to different locations to explore natural resource issues of a regional nature, such as air quality, sustainable forestry, water supply, land conservation, or fisheries management. Funded by the U.S. Forest Service, participation will be limited to the 13 states and 1 territory that comprise the USFS southeastern region.

To ensure that a broad range of perspectives are represented in the class, participants will be sought from state and federal agencies, local government, business and industry, and environmental and community nonprofits. To learn more about VNRLI visit the website: www.virginia.edu/~envneg/VNRLI_home.html.

Superfund Site Re-Use, continued from page 1

in re-use decision-making by Department of Landscape Architecture Professor **Julie Bargmann**.

In addition to research work done through the Center, IEN has become actively involved in helping communities grapple with re-use issues in several sites around the country. Along with the private environmental consulting firm, E² Inc., and the D.I.R.T. studio of Professor Julie Bargmann, IEN is working on superfund sites in Antioch, Illinois; Bainbridge Island, Washington; and Lead, South Dakota. IEN will be providing assistance for several other sites during the coming year as well.

To learn more about the Superfund Center visit the website at: <http://www.virginia.edu/superfund/>.

IEN Active In Our Larger Community

Director **Frank Dukes** has completed his term as co-chair of the Environmental Public Policy Sector of the Association for Conflict Resolution. One highlight of this section was developing a series of white papers explaining key issues for the future of environmental consensus building and civic engagement.

Founder **Rich Collins** chairs the Charlottesville-Albemarle regional authorities responsible for water supply, water treatment, and solid waste management. The Rivanna Water and Sewer Authority and the Rivanna Solid Waste Authority are jointly managed but separately organized and legally authorized; both authorities will require changes if they are to meet the critical environmental challenges ahead.

Senior Associate **Bruce Dotson** was one of twelve persons who served on a panel to award one half million dollars nationally in the Department of Housing and Urban Development's Urban Scholars Program for 2002. Bruce is beginning his seventh and final year as chair of the Department of Urban and Environmental Planning, following which he will resume a greater role at IEN.

Senior Associate **Tanya Denckla** moderated discussion panels at two national conferences. She conducted two mediation trainings for the Mediation Center at FOCUS, and continues to mediate court-referred cases outside of IEN.

Senior Associate **Karen Firehock** served as moderator for the Charlottesville City Council Candidates Forum on environment and transportation issues.

Virginia Environmental Endowment Continues Support!

The VEE is offering another year's generous support for IEN's initiatives. However, this will be the final year of Foundation support for the IEN. Together with the School of Architecture and UVA officials, the IEN is actively seeking continued support for its many programs. Please contact us at (434) 924-1970 with your ideas in this planning endeavor.

The IEN is deeply grateful for the many years of support that the VEE Board and its long-time director, Gerald McCarthy, have offered IEN to promote environmental dispute resolution and consensus building in Virginia.

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