

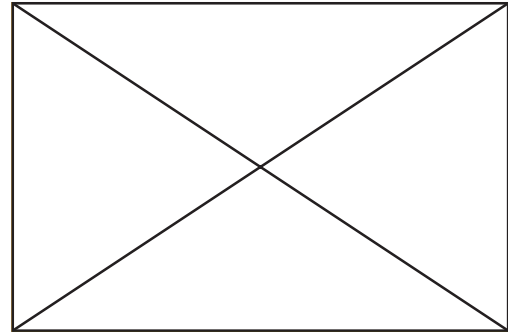
The Mediator

A PUBLICATION OF THE INSTITUTE FOR ENVIRONMENTAL NEGOTIATION (IEN)

AFFILIATED WITH THE DEPARTMENT OF URBAN & ENVIRONMENTAL PLANNING , SCHOOL OF ARCHITECTURE , UNIVERSITY OF VIRGINIA

IEN Releases Stream Corridor Protection Handbook

The IEN has released a handbook entitled “**Stream Corridor Protection Strategy for Local Governments.**” This 63 page handbook is designed to help local governments within the Chesapeake Bay drainage basin develop effective methods to protect the streams in their region. Following the handbook’s guidelines will help local governments meet Chesapeake 2000 goals such as development of a watershed management plan, assessment and protection of ecosystem diversity, and reduction of water pollution. **Karen Firehock** served as executive writer and editor with research and writing assistance from graduate associates **David Tipson**, **Lynn Wilson** and **John Hoover**. The production of this handbook was made possible by grants from the Chesapeake Bay Program and the Virginia Environmental Endowment. A web version of the handbook can be downloaded on the IEN website, or you may order a hard copy from IEN for \$8.00 each.



Virginia DEQ Water and Air Impact Reports Completed

Deregulation of the electric generation industry has spurred a proliferation of new and proposed power plants in Virginia. The number of new proposals has raised questions about the potential combined impacts of these power plants and other permitted sources of air emissions and water uses. Concerns have been expressed that the Commonwealth may be unable to assess and understand the effects of increased air emissions and the impacts of increased water usage on drinking water and other water uses. Under the initiative of Director **Bob Burnley**, the Dept of Environmental Quality (DEQ) convened the Water and Air Technical Advisory Committees (TACs) in June. The TACs were charged with developing a range of options for improving the Commonwealth’s ability to understand and manage the combined impacts of new facilities on air and water resources. The IEN, led by **Frank Dukes** and **Tanya Denckla**, with assistance from **Bruce Dotson** at the first meeting, facilitated the two TACs and their development of final reports. These reports were forwarded by DEQ to Senator **Mary Margaret Whipple** in early December, along with its plans for implementation. The air report is available online at www.deq.state.va.us/info/airresources.html, and the water report is online at www.deq.state.va.us/info/waterresources.html.

Community Solutions Workshop Offered

The Virginia Association for Community Conflict Resolution is offering in different locations a two-day “Community Solutions” workshop, conducted by IEN’s **Frank Dukes** and **Tanya Denckla**. The first morning of the workshop is open to people from throughout the community, to learn more about the range of community issues that can be addressed through “community solutions” and the broad range of processes that can be designed to meet different needs. This will help people who are involved with different community issues to envision different collaborative ways that issues can be addressed, and to think of “community solutions” when issues arise. The rest of the two-day workshop is open to people who are interested in helping to convene and/or facilitate “community solutions” processes. For further information and to pre-register for a workshop, contact the centers listed below:

- Fredericksburg** - To be announced
Rappahannock Mediation Center: 540-372-7740
- Charlottesville** - May 9-10
The Mediation Center at FOCUS: 804-977-2926
- Richmond** - May 28-29
Dispute Resolution Center: 804-343-7355
- Northern Virginia** - June 5-6
Northern Va. Mediation Service: GMU: 703-993-3656
- Warrenton** - June 10-11
Piedmont Dispute Resolution Center : 540-347-6650

We are planning to move to a paperless newsletter. If you would like to continue receiving the Mediator electronically, please send your email address to Jennifer Harris at jgh4c@virginia.edu

St. Michaels Development Plan Presented to Town Commissioners

An ongoing dispute between D.C developer **Midland Real Estate Company** and residents of **St. Michaels, Maryland** has yet to be resolved. The architecture firm of **Duany Plater-Zyberk & Company** designed a housing development of over 300 units on the 89 available acres in Miles Point, located adjacent to the historic town of St. Michaels. Citizens liked the traditional neighborhood concept and its conformity to St. Michaels' historical pattern, but were leery of the density that would accompany it. Three lawsuits initiated by the developer were unsuccessful in getting the town's approval to develop the land. The mediation challenge was to reconcile acceptable density with good design. The mediation effort, led by IEN founder **Rich Collins**, culminated in a report to the Town Commissioners. The committee, made of town representatives and the developers, agreed on several points including that development should be compatible with the character of St. Michaels, a waterfront strand or park be included in the development, and that traditional neighborhood design with mixed use, and walkable neighborhoods was preferable. Two members of the committee dissented from the final mediation consensus statement. At this writing the revised plan has not been submitted to the Town Commissioners. The lawsuit, which was on appeal at the time the mediation was initiated, has not been withdrawn. Consequently, it is uncertain what the real outcome in terms of the land's use will be. One can expect additional opposition and negotiation as the plan advances to the Town Commissioners of St. Michaels.

Fairfax County hires IEN to Develop Watershed Plans



Fairfax County has hired **Woolpert Engineering** and IEN Senior Associate **Karen Firehock** to help develop watershed plans for Fairfax County. The plans, which will be developed with the

assistance of graduate associate **Curt Ostrodka**, will seek to apply new technologies for watershed restoration such as low impact development techniques and will employ planning tools such as a build out analysis of growth patterns to determine if existing zoning is adequate to provide for future watershed protection.

As part of this project, Ms. Firehock has also been contracted to develop the public involvement plan for all watersheds in the county. The stakeholder involvement plan has been developed and is now being incorporated into a "how-to" guide for use by other watershed planning teams working in the county's remaining seven watersheds. This guide will provide a useful tool for other localities in Virginia and will incorporate the many lessons learned by IEN in how to conduct effective community-based watershed planning processes.

IEN Facilitates Superfund site Redevelopment Plans

Making decisions on the reuse of Superfund sites can be a contentious issue for any community. In Hagerstown, Maryland, **Frank Dukes** and **Bruce Dotson** of IEN, consultant and former IEN intern **Lynn Osgood**, and former IEN interns **James Wilkinson** and **Mike Hancox** of **E², Inc.** are teaming up to conduct an intensive reuse assessment at a former chemical manufacturing facility. Currently, IEN and **E²** are participating in the development of alternatives for the Central Chemical site in Hagerstown, Maryland. The 19 acre Central Chemical site was a manufacturer of fertilizers and pesticides starting in the 1930s until it was declared a Superfund site in 1984. Spills and the improper disposal of fertilizers, herbicides and pesticides led to contamination of the site. IEN and **E²** Inc, along with Technical Outreach Services for Communities (TOSC) in working a Future Land Use Committee composed of area residents to develop alternative redevelopment plans for the site. These plans will then be presented to the larger community for comment and dialogue.



GILT EDGE GOLD MINE,
S. DAKOTA

In addition to the Hagerstown site, IEN is working on Superfund sites in Antioch, Illinois; Bainbridge Island, Washington; and a site near Deadwood, South Dakota. Antioch residents wants to transform a former landfill into a public gathering space with playing fields for the high school, educational nature trails, and a restored, healthy creek. Site redevelopment for the Gilt Edge gold mine site in South Dakota is in the early stages. IEN and **E²**, Inc. hope to convene a representative group of interested parties to look at potential reuses. The Superfund site in Washington State remains heavily contaminated. IEN Director **Frank Dukes** and **E²**, Inc. are helping the community in their efforts to purchase the site. D.I.R.T. landscape architect **Joe Ragsdale** and **Mike Hancox** of **E²**, Inc. have been enlisted to help the community turn part of the contaminated site into a park. Currently, plans for redevelopment include a national memorial honoring Japanese Americans who were subject to forced internment during World War II.

Governor's Commonwealth Natural Resource Leadership Summit

Governor Mark Warner is convening a Natural Resource Leadership Summit on April 10-11 in Williamsburg. The two day summit, which is by invitation only, will bring together 150 individuals with diverse backgrounds and interests in the environmental priorities of the Commonwealth. The Summit, to be facilitated by IEN, will provide an unprecedented opportunity to bring together Virginia's natural resource leaders from the private, public and non-profit sectors to identify priorities and encourage common action to improve Virginia's environment.

Southeast Regional Leadership Institute to Begin in Fall 2003

The first Natural Resources Leadership Institute (NRLI) for the southeastern region of the U.S. will be held in Fall 2003 for leaders drawn from 13 states in the southeast. Funded by the U.S. Forest Service, the Southeast NRLI will focus on environmental issues that transcend state boundaries and are regional in nature. IEN's **Frank Dukes**, **Tanya Denckla** and **Caroline Brennan** are developing this new program, in partnership with **Mike Foreman** and **Paul Revell** of the Virginia Department of Forestry and Virginia Tech's Center for Economic Education Director **Mike Ellerbrock**.

The Southeast NRLI will consist of a full three-day session held next September in Virginia followed by another three-day session in November in Tennessee. Institute Fellows will learn ways of helping people in conflict move into collaborative problem-solving through a mix of dynamic exercises, role plays, mini-lectures, field trips, and stakeholder panel discussions about specific regional "hot" topics.

The Southeast NRLI is open to all people involved with natural resource issues that impact the southeastern region of the United States – business and industry, trade organizations, nonprofit groups, environmental and civic organizations, and state and federal agencies. The class will be limited to 33 people, and it is hoped that each of the 13 states will be represented.

The Southeast NRLI is based on the continuing success of the Virginia Natural Resources Leadership Institute, conceived in 1998 and now in its third full year. Consisting of six three-day sessions held in different locations throughout the Commonwealth, the VNRLI program explores environmental issues specific to Virginia and offers Fellows more in-depth opportunities to develop skills in collaborative problem-solving and conflict management. A benefit of VNRLI is the opportunity to network and develop relationships with other key people involved with Virginia's natural resources.

Applications for both the Southeast NRLI and Virginia NRLI will be available in March from the IEN. Deadlines are June 6th for the Southeast NRLI and for Virginia NRLI. For further information, email **Caroline Brennan** at ckbrennan@virginia.edu or call (434) 924-1970.

Development of Crozet Master Plan Continues



The community of Crozet, facing exponential growth in the next twenty years, is in the process of developing a Master Plan to address community growth and design. The IEN's **Bruce Dotson** has been actively involved in facilitating this

process along with UVA. Professors **Kenneth Schwartz** of Renaissance Planning Group and **Warren Byrd** of Nelson Byrd Architectural Firm. Resident input garnered from a series of community meetings will be used to help Crozet in developing a Master Plan that the community feels invested in. The plan will adapt the general principles of the Albemarle County Neighborhood Model. For the latest information on the Master Plan, visit www.albemarle.org/crozet. The final plan is expected to be presented to the Board of Supervisors in late Summer of 2003.

UVA-Based Research Consortium to Hold Conference in September 2003

The **Community-Based Collaboratives Research Consortium** is holding a national conference September 14-16, 2003 in Salt Lake City, Utah. The theme of this year's event is "Evaluating Methodologies and Environmental Outcomes of Community Based Collaborative Processes". The Consortium is seeking to determine the environmental and social outcomes of community collaborative approaches to environmental management. Thanks to funding from the Hewlett Foundation, the Consortium has awarded seven grants to look at environmental outcomes, methods of community decision making and new approaches to engaging communities in management of publicly owned natural resources. The results of this research will be presented at the Consortium's conference. Those who are affiliated with community-based collaboratives or have an interest in this approach to community problem solving are encouraged to participate. For details, including costs and accommodations, please visit: <http://www.cbcr.org/events.html>. For additional information, please contact the CBCRC Coordinator, **Karen Firehock**, at (434) 924-5041.

VNRLI Graduates Create Alumni Association

Finding that "parting is sweet sorrow," graduates of the Virginia Natural Resources Leadership Institute (VNRLI) have joined together to continue their networking, learning from each other, and helping to move Virginia's communities beyond conflict to collaborative problem solving. In a unanimous decision of over 30 Fellows present, nearly one-third of all program graduates, with representatives of all four classes including the 1999 pilot class, the VNRLI Alumni Association was officially formed on October 30, 2002. The Alumni Association intends to offer continuing educational opportunities to VNRLI Fellows, and to foster the use of collaborative processes for resolving difficult environmental issues in the Commonwealth. While Alumni represent an incredible diversity of views – drawn from industry, business, civic and environmental organizations, local government, state and federal agencies – they share a common passion for encouraging productive dialogue. Their desire to continue working together is a testimony to the success of the VNRLI program.

IEN Active in The Larger Community

IEN founder **Rich Collins** recently completed his term as Chair of the Rivanna Water and Sewer Authority. The RWSA is in the midst of a major expansion of water supplies for the region. The drought conditions also led the RWSA and the two local governments to impose mandatory conservation and impose higher water use fees. The closure of the Ivy Landfill has provoked a range of issues and concerns as well.

IEN Director **Frank Dukes** and **Bruce Dotson**, Chair of the Department of Urban and Environmental Planning are working on institutional controls, community involvement and collaborative decision-making for the Center of Expertise for Superfund Site Recycling, a multi-disciplinary cooperative agreement between the University of Virginia and the US EPA.

Senior Associate **Tanya Denckla** was invited by the Virginia Planning Academy to conduct a half day workshop on "Managing Change" in Lynchburg for planning commissioners drawn from around the state. She also attended a colloquium in Portland, Oregon to help conceptualize a "State Solutions Network" that could assist states in their efforts to use collaborative problem-solving.

Senior Associate **Karen Firehock** was appointed to a four year term on the Charlottesville City Planning Commission where she hopes to apply her skills in consensus building and urban planning towards forging a sustainable Charlottesville. She also pursued her interests in building strong environmental organizations by facilitating a strategic planning process over several months for Trout Unlimited of Virginia and a strategy session for a meeting of coal field groups seeking to assess the true costs of coal for communities and the environment.

Virginia Environmental Endowment Continues Support!

The VEE continues to provide generous support for IEN's initiatives. However, this will be the final year of general 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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