

**Scott T. McCreary, Ph.D.  
Principal, CONCUR, Inc.**

## HIGHER EDUCATION

- 1989**     **Massachusetts Institute of Technology, Cambridge, MA.** Ph.D. Department of Urban and Regional Planning. Environmental Policy and Dispute Resolution Emphasis. Instructorship; National Institute for Dispute Resolution Fellowship.
- 1979**     **University of California at Berkeley.** Master of Landscape Architecture and Environmental Planning. Emphasis on use of technical information in Environmental Planning. Regents' Fellowship.
- 1976**     **University of California at Santa Cruz.** Bachelor of Art in Biology and Environmental Planning. Graduated Summa Cum Laude in both majors; College Honors.

## AREAS OF SPECIALIZATION

- Stakeholder Involvement and Agreement-Focused Facilitation of Marine Resources and Other Environmental Disputes
- Convening Stakeholder Analyses and Joint Fact-Finding Processes
- Strategic Planning for Marine Resources Management / Dispute Resolution Systems Design
- Environmental Policy Analysis; Program Evaluation
- Use of Technical Information in Environmental Planning and Policy

## KEY ACCOMPLISHMENTS

- Co-founder and Principal of the CONCUR Inc, a highly-regarded provider of services in environmental policy analysis and facilitation, mediation, and training
- While at MIT and Harvard's Program on Negotiation, co-managed a major national study to take stock of EPA's negotiation of Superfund settlements, and recommend ways to strengthen the agency's approach
- Convened and facilitated independent scientific review panels on impacts of logging practices on water quality, supporting first ever-Watershed Wide Waste Discharge Requirements in California
- Mediated the first-ever collaborative dialogue in the State of Louisiana to rank the full array of environmental issues to establish priorities for clean up and investment; the mediation produced unanimous agreement on the ranking
- Mediated agreement on a revised flood control design for the Guadalupe River in Downtown San Jose, California, which broke a 40-year impasse over flood control; integrated flood protection with habitat restoration and recreation.
- Designed and lead training program in negotiation and joint fact finding for the government ministries, NGOs, and tribal leaders from Angola, Namibia and Botswana working on transboundary water management for the Okavango River watershed
- Founder of the CONCUR Scholarship, which supports undergraduate students at UC Santa Cruz who wish to pursue thesis projects and careers in environmental conflict resolution
- Served as a member of an Independent Review Team from UC Berkeley to examine environmental impacts of oil and gas development in Pastaza Province, Ecuador jointly commissioned by UNOCAL, Oxfam America, and the Rainforest Action Network

## PROFESSIONAL EXPERIENCE

### 1989-Present **CONCUR, Inc., Berkeley, CA**

*Co-Founder and Principal.* Services in the environmental dispute resolution arena have included agreement-focused mediation and facilitation of public policy dialogues, dispute resolution systems design, stakeholder analysis and conflict assessment, neutral fact-finding, and case evaluation. Services also include environmental policy analysis, natural resource planning, strategic planning, conflict management and negotiation training. Clients and parties to CONCUR-mediated negotiations have included national, state and local government agencies, the private and NGO sectors in the U.S. and abroad working across a very wide range of complex environmental issues.

Selected CONCUR Clients have included:

**Alaskan Way Viaduct.** CONCUR was selected by the Washington State Department of Transportation, Seattle Department of Transportation and King County to design a process that will enable the three parties and affected stakeholders to resolve a longstanding dispute over the replacement of the at-risk Alaskan Way Viaduct, a 60-year-old stacked highway that separates downtown Seattle from the waterfront. The project, started in summer 2007, developed a set of eight alternatives, which were rigorously evaluated according to a set of six specific solution principles. CONCUR's role in the project over the past two years has focused on collaborative process design, strategic planning advice and stakeholder involvement.

On January 15, 2009, Washington State Governor Chris Gregoire, then-King County Executive Ron Sims and Seattle Mayor Greg Nickels announced a break-through agreement. The recommendation – put forward by the three executives and the Port of Seattle and approved by the Washington State Legislature this spring – calls for construction of a deep-bored tunnel under downtown Seattle, as well as significant improvements to current transit service and city streets. Implementation is moving forward as of Summer 2009. The recommended approach, expected to cost \$4.2 billion, is to be completed by 2015 with funding allocated by the state legislature.

**California Marine Life Protection Act Initiative -- South Coast.** CONCUR Principal Scott McCreary and Associate Becky Tuden are now facilitating the South Coast Regional Stakeholder Group. The South Coast region includes most of the population for Southern California, and stretches from Point Conception to the US-Mexico border. The RSG unanimously adopted a set of Regional Objectives and worked through ten proposals. At this stage in the process (Summer 2009), the RSG is working on its final Round 3 proposals, which reflect intensive tradeoffs between commercial and recreational fishing, boating, and conservation interests. These are slated for completion in September 2009, with review by the Blue Ribbon Task Force, which will in turn make a recommendation to the Fish and Game Commission, as in the previous regions.

**California Marine Life Protection Act Initiative -- North Central Coast.** Building on the success of CONCUR's work in the Central Coast, CONCUR (Scott McCreary served as lead facilitator for the North Central Coast Regional Stakeholder Group (NCCRSG). The NCCRSG successfully completed all elements of its charge, including the development of three alternative proposals for sets of marine protected areas in state waters between Alder Creek (Mendocino County) to the north and Pigeon Point (San Mateo County) to the South. These recommendations were presented to the Blue Ribbon Task Force in April 2008 from which the BRTF developed. The BRTF in turn presented an Integrated Preferred Alternative to the Fish and Game Commission in June 2008. The North Central Coast proposal was adopted by the Fish and Game Commission on August 3, 2009.

CONCUR's charge also included intensive strategic planning and process design tasks, working with the MLPA Initiative Executive Director and other project staff. CONCUR also teamed with Lesson Learned consultants Michael Harty and Jonathan Raab to reflect on the work of the North Coast, to help inform work in the study region.

**California Marine Life Protection Act Initiative -- Central Coast.** CONCUR facilitated the Central Coast Regional Stakeholder Group, a 32-member group charged with developing alternate packages of Marine Protected Areas for the region between Pillar Point and Point Conception. Parties included commercial and recreational fishing interests, the harbormaster of Morro Bay and Monterey, conservation organizations, consumptive and nonconsumptive divers, and coastal business owners. CONCUR lead the group in adopting ground rules and regional goals and objectives, and deliberation over alternate packages of marine protected areas. The RSG met its aggressive deadline to produce alternative packages in seven months. These were the basis for the recommendation by the Blue Ribbon Task Force and action by the Fish and Game Commission in August 2006 to identify a Preferred Alternative including a set of 29 Marine Protected Areas in Central California. CONCUR also prepared a Facilitators' Report as part of a robust lessons learned effort; these findings and recommendations will help inform work in the next study region.

**National Marine Fisheries Service Take Reduction Teams.** CONCUR is facilitating three different East Coast stakeholder groups focused regulatory negotiations to reduce incidental take of protected species. CONCUR's work focuses on (1) conducting initial stakeholder assessments, (2) convening both in-person and teleconference meetings among fishermen, conservationists, academics, researchers and various government agencies, and (3) summarizing emerging agreement. CONCUR's work with the National Marine Fisheries Service on this effort strives to identify consensus-supported approaches that can reduce bycatch to sustainable levels. The draft rule for the Pelagic Longline Take Reduction Team was published in the Federal Register on June 24, 2008.

#### **NMFS Take Reduction Team Strategic Planning**

CONCUR is working with National Marine Fisheries Service (NMFS) staff from headquarters and the Northeast and Southeast regions to improve the effectiveness of its Take Reduction Teams - stakeholder bodies composed of fishermen, conservationists, academics, researchers and government agencies convened to identify consensus strategies for reducing commercial fishing bycatch of marine endangered species to sustainable levels. CONCUR's effort is focused primarily on helping NMFS staff conceptualize and develop a comprehensive handbook intended to foster best practices within and across the various take reduction teams. The project is slated to be completed in Fall 2009.

**San Miguel Island Abalone Fishery Advisory Group (AAG).** CONCUR was selected by the Department of Fish and Game to facilitate a multistakeholder process to provide guidance to the California Department of Fish and Game regarding a potential abalone fishery at San Miguel Island. The AAG's charge is to generate recommendations on: a total allowable catch (TAC) for San Miguel red abalone, alternatives for allocation between user groups, alternative regulations to achieve the TAC and allocation, and potential management, enforcement, and monitoring techniques. CONCUR devised a procedure to recruit a population dynamist to serve as a key member of the Technical Committee, and help generate options for the TAC. Stakeholder members include recreational divers, commercial fishermen, non-consumptive users, conservationists, governmental agency representatives, and scientists. Key tasks include designing and facilitating AAG meetings and convening and facilitating an expert scientific panel to develop the TAC.

**Design and Facilitation of a Stakeholder Involvement Process: Port of Oakland Maritime Air Quality Improvement Plan.** Throughout 2007 and 2008, CONCUR facilitated the Port of Oakland Maritime Air Quality Task Force, a body created to engage stakeholders in

developing the Port of Oakland's Maritime Air Quality Improvement Plan (MAQIP). The Maritime Air Quality Improvement Plan was an effort to cost-effectively reduce air pollution from the port and CONCUR was unanimously chosen by a broad-based selection committee to design and facilitate the planning process. The Task Force that CONCUR facilitated included local residents, environmental groups, business interests, elected leaders, public agencies, and others. CONCUR worked in close coordination with the Port's technical consultants to provide accessible technical information to a wide range of stakeholders and to provide opportunities for stakeholders to interact with the Port's technical consultants.

After much collaboration with, and input from, the Task Force, the Port released its Final Draft Maritime Air Quality Improvement Plan (MAQIP) on October 31, 2008. The MAQIP was presented to the Board of Port Commissioners' Maritime Committee for review the following January 29th, 2009. Staff then completed a final round of consultation with the Task Force Co-Chairs and with an interagency group. The Board of Port Commissioners approved the Plan in April 2009 and authorized \$2 million for Port-related truck retrofits. The Port will be implementing a variety of other measures as well and adapting the plan over time as results of its implementation are evaluated. Discussions regarding implementation strategies are ongoing as of Summer 2009.

**Oil & Gas Platform Decommissioning.** In early 2008, CONCUR successfully completed a project for the California Resources Agency to create a Request for Proposals (RFP) to study the major technical issues associated with a range of decommissioning alternatives for the state's 27 offshore oil and gas platforms. Working closely with the office of the Assistant Secretary for Ocean and Coastal Policy, we reviewed research related to mineral resource development in the Southern California Bight and pertinent federal and state coastal management policy and legislation. CONCUR conducted confidential interviews with a cross-section of key stakeholders and scientists. CONCUR used the results of this background research and interviews, in turn, to organize and facilitate two workshops: one for ocean and coastal policy stakeholders; and a second for expert scientists, including the members of the Inter-Agency Decommissioning Working Group. CONCUR prepared a Workshop Summary for the facilitated workshops highlighting the key information needs raised by stakeholders and scientists. CONCUR used this summary to develop a Scope of Work for a study to be commissioned by the Resources Agency. The final work product delivered by CONCUR was a comprehensive draft RFP to guide the selection of a consultant to address the identified information needs. The aim of the study, in turn, is to support well-reasoned deliberation on policy alternatives.

**Collaborative Fisheries Research Workshop.** In May 2008, CONCUR helped design and facilitate a two day statewide workshop on Collaborative Fisheries Research (CFR) for the California Ocean Protection Council. Our team conducted pre-workshop interviews to help create the workshop agenda, and used our knowledge of ocean and coastal policy - including the status of California ocean fisheries - to refine approaches to be used during the workshop. This workshop was attended by fisheries managers, fishermen, scientists, community groups and policy makers from throughout California and the nation. The focus was twofold: To hear about lessons learned from existing CFR projects; and to solicit feedback on how to establish a new statewide CFR program that may then be extended to include other west coast states. CONCUR helped co-organize and facilitate panel discussions, the plenary, breakout sessions, and provided a comprehensive meeting summary that included a framework and major institutional elements of a statewide CFR program.

**NMFS Vessel Monitoring System.** CONCUR worked with the National Marine Fisheries Service's Office of Law Enforcement (OLE) and the Northeast Regional Office (NERO) to help the two offices resolve a series of issues related to the use of the Vessel Monitoring System (VMS), a satellite-based technology that helps track fishing boat locations when at-sea. VMS is used both to support law enforcement and fisheries management activities. As a result, the

competing needs make it challenging to operate the system in a manner that is equally effective and affordable for both offices. CONCUR worked closely with senior staff to convene and facilitate a one-day workshop intended to find consensus-based solutions to some of the most vexing implementation challenges. The work included pre-meeting interviews with key office staff, careful development of materials to support the one-day meeting and rigorous facilitation to produce a concrete workplan for moving forward.

**Environmental Management Agency, Trinidad and Tobago.** CONCUR serves as a member of a team headed by the Trinidad-based firm DGE to advise the EMA on the conduct of the EIA process for a proposed Alcoa aluminum smelter, with particular emphasis on evaluation of social impacts. Recent work included an in depth Situation Assessment, and concluded with a series of findings and recommendations to strengthen the EIA process, which were in turn adopted by EMA in the final Terms of Reference for the EIA.

**Consultative Group on Biological Diversity.** Scott McCreary facilitated a deliberation of the Consultative Group on Biological Diversity (CGBD) on October 25-26, 2007 at UC Berkeley's Boalt Hall Law School. Scott worked alongside Bill Hull of CGBD and Steve Whitney of the Bullitt Foundation, the co-conveners of the meeting. The Consultative Group on Biological Diversity (CGBD) is a grantmakers forum that seeks to focus attention on issues and program opportunities related to the conservation and restoration of biological resources. Established in 1987, the CGBD is comprised of 53 foundations and the U.S. Agency for International Development. The briefing session brought together 35 grantmakers and national leaders in water resource management innovation to identify current and emerging trends to stimulate thinking on potential future grantmaking, potential opportunities for collaboration, and next steps to build a platform for future discussions of water resource funders.

**National Marine Fisheries Service Southeast Region Office Training.** CONCUR conducted a negotiations training for two dozen staff with the National Marine Fisheries Service's Southeast Region Office in St. Petersburg, Florida. The two-day training session, led by co-instructors Scott McCreary and Bennett Brooks, focused on providing the region's Protected Resources Division staff with a framework for negotiating complex environmental agreements. The training included presentations, discussions and simulations aimed at helping staff apply basic negotiation and facilitation techniques to regularly encountered problems.

**NMFS U.S. Longline Bycatch Reduction Assessment and Planning Workshop.** CONCUR worked with NMFS staff from Headquarters and the Northwest Region to plan and execute a national workshop to develop an Action Plan to further reduce bycatch of sea turtles and other species incidental to longline fishing. The workshop, which will be convened in September 2007, will bring together over 30 national experts on the subject. Workshop participants will review and discuss the results of all U.S. longline bycatch reduction efforts to date, fully assess the available information on the effects of circle hooks on bycatch species and target catch, and identify gaps in knowledge.

**NMFS Marine Mammal Serious Injury Technical Workshop.** CONCUR worked with NMFS staff from Headquarters and multiple regions to plan and execute a national workshop to refine current thinking and work toward national guidance on characterization of serious injury in marine mammals. Workshop participants shared new information obtained over the past 10 years on the types and frequencies of injuries and the fate of multiple species of seriously injured marine mammals. The workshop, convened in September 2007, brought together over 60 national experts on the subject, including leading veterinarians, pathobiologists, and marine mammal scientists. Workshop convenors considered multiple options for translating findings into more formal agency guidance.

**Department of Energy.** In 2006, CONCUR co-facilitated review of the US Department of Energy's priorities for core technology and product development research on the topic of solid-state lighting (SSL) at a national workshop convened in Phoenix, Arizona. SSL, built on the rapidly developing technologies of Light Emitting Diodes (LEDs) and Organic Light Emitting Diodes (OLEDs), holds great promise as a light source and a way to reduce a major component of the US energy budget. LEDs are semiconductor devices that emit light when connected in a circuit. Participants included university and DOE researchers, lighting industry specialists, utility executives, and senior DOE staff.

**Santa Clara Valley Water Resources Protection Collaborative.** Convened by the Santa Clara Valley Water District ("District"), with initial meetings co-convened by the City of Cupertino, this effort addressed water resources protection goals within Santa Clara County, and attempting to define management strategies, institutional arrangements, and implementation measures which will better coordinate land use planning and resource protection county-wide. The Collaborative is composed of representatives from the District, the County of Santa Clara, each municipality within the County, the SF Bay Regional Water Quality Control Board, The Guadalupe-Coyote Conservation District, the Santa Clara County Farm Bureau, and representatives of Property Owner, Environmental/Community and Business/Development interests.

CONCUR's work with the Collaborative began with an assessment of the broad range of stakeholder interests in water resources protection issues, resulting in a Convening Report which contained specific strategic planning options for the goals, composition and funding of the Collaborative. In 2003-2006, CONCUR facilitated all proceedings of the Collaborative, assisting the parties in the design and strategic planning of alternatives to promote the Collaborative's goals to protect water resources. In 2006, the District adopted an ordinance to create a unified framework for water resources in the Valley.

**Tahoe Research and Science Consortium.** CONCUR was selected by the U.S. Army Corps of Engineers in June 2004 to work with the U.S. Environmental Protection Agency, the Tahoe Regional Planning Agency and other federal, state and local entities to design a process for coordinating Lake Tahoe-focused science- and research-related activities. The effort is intended to assist those entities needing to prioritize and coordinate among research, monitoring, evaluation and outreach activities in support of the high-profile Tahoe Basin management goals. CONCUR helped participants develop an Agreement-in-Principle on a process model for integrating science and management objectives into a coordinated research and science program. That Agreement in Principled was formalized as an MOU in August 2005, and in turn has been instrumental the work of the recently-established Lake Tahoe Science Consortium. Founding members of the consortium include UC Davis, the Desert Research Institute of Nevada, University of Nevada, Reno, USGS and the US Forest Service Pacific Southwest Research Station.

**CALFED Bay-Delta Authority.** CONCUR worked closely with the CALFED Bay-Delta Program from 1996 to 2007 to provide strategic planning, process design, joint fact-finding services and agreement-focused facilitation. CALFED is a joint effort among more than 20 federal and state agencies working to broker a deal that will create a long-term solution for the Delta that improves water supply reliability, levee system integrity, water quality and ecosystem restoration. The effort is one of the largest environmental planning initiatives ever undertaken in North America.

In its work, CONCUR:

- Mediated a series of water use efficiency agreements that have helped to resolve longstanding disagreements among environmental, agricultural, urban and agency interests. These broadly supported agreements and approaches include: (1) a

conceptual foundation for an agricultural water use efficiency program grounded in an objective-oriented, incentive driven approach; (2) a Memorandum of Understanding between the Agricultural Water Management Council and CALFED to help agricultural water districts plan and implement a set of efficient water management practices; (3) a clearly delineated package of agricultural water use efficiency milestones; (4) a detailed framework for an urban water conservation certification program; and, (5) protocols for a multi-million-dollar grant and loan program to implement water use efficiency.

- Facilitated a series of public bodies that brought together agricultural, environmental, urban and state/federal agency representatives to discuss strategies for structuring and implementing CALFED's far-reach Water Use Efficiency Program.
- Assisted CALFED in organizing, structuring and facilitating high-profile and technically complex independent review processes. These independent review panel initiatives have focused on ecosystem restoration, agricultural water conservation potential, agricultural water use measurement and CALFED-wide program financing. CONCUR also helped design and facilitate CALFED's Water Management Science Board.
- Helped Ecosystem Restoration Program (ERP) staff on strategic planning efforts, including providing guidance on work program development and facilitating a stakeholder group charged with identifying, addressing and resolving key policy issues associated with the ERP and its implementation.
- Provided a range of Program-wide assistance, including: advising CALFED staff on the design and execution of meetings of the Bay-Delta Advisory Committee, a body comprised of the major interest groups involved in shaping California water policy; and, designing and facilitating two large (200+ person) workshops to brief major water stakeholders and the public on emerging draft alternatives and elicit their comments on the options strengths and weaknesses.

CONCUR's work with the program focused on the following primary areas: (1) conducting an extensive stakeholder analysis to assess the need for revising the CALFED Program's current approach to fostering urban water agencies' implementation of locally cost effective conservation measures; and (2) canvassing urban and agricultural representatives to better understand their water use efficiency-related technical assistance needs.

**International Fishers Forum.** Designed and facilitated an international forum aimed at reducing incidental bycatch of seabirds and sea turtles by longline fisheries. The forum—which involved fishermen, governmental agency, scientific researchers, and environmental groups from 28 countries—produced a formal resolution and a series of commitments directed toward improving and enhancing current mitigation efforts.

**Strategic Planning for NMFS Pacific Region Office.** In 2003-2004, CONCUR provided strategic planning and facilitation services to assist key governmental agencies to form a stronger partnership in the vast Pacific Islands Region. In the spring of 2003, the Pacific Islands Region was established as an autonomous region within the National Oceanic and Atmospheric Administration (NOAA). The establishment of the new region created a strong impetus for the three federal agencies primarily responsible for fisheries management and conservation in the region - The Western Pacific Regional Fisheries Management Council, the Pacific Islands Regional Office, and the Pacific Islands Fisheries Science Center - to begin acting together in a more coordinated, cohesive, and integrated fashion.

To assist in this process, CONCUR worked with the executive officers of the three organizations to design a work plan for improving inter-organizational cooperation and effectiveness. This entailed a series of joint planning activities, including several staff workshops. The purposes of the workshops were to: introduce the three organizations, and their staffs, to each other; solicit staff input on strategic planning goals and priorities and on how to better link the organizations' respective research, policy, and management missions; and establish a series of "operating protocols".

An early work product of this effort - rolled out in March 2004 at a public workshop in Honolulu attended by over 100 people - was a 20-page document entitled "Strategic Plan for the Conservation and Management of Marine Resources in the Pacific Islands Region - Summary." Of particular note, the three organizations jointly proposed to increase budget allocations for the new region from \$37 million to \$73 million.

**Technical Workshops on Marine Turtle Bycatch from Longline Fishing.** Facilitated a technical workshop convened by the National Marine Fisheries Service in Seattle, Washington in February 2004 focusing on avoidance of impacts to sea turtles from longline. Participants included representatives of NMFS, the State Department, academic and research institutions, commercial fishers, gear manufacturers, environmental NGOs, and agency staff from about 15 nations. The results of the Seattle meeting were used as an input to FAO-convened deliberations. CONCUR convened a workshop in Washington D.C. in January 2004 to review current criteria on post-hooking mortality in sea turtle, with participants drawn for their expertise.

**Distributing Limited Resources in the Imperial Valley.** CONCUR teamed with UC Berkeley Professor Michael Hanemann to assist the Imperial Irrigation District (District) in evaluating and ranking different methods to support the equitable distribution of water within the District. The District provides irrigation water and electric power to the lower southeastern portion of California's desert. The Imperial Valley produces nearly \$1 billion in crops annually and provides over 1,000 jobs in the Imperial and Coachella Valleys. The process was part of the District's overall planning and preparation effort should future circumstances arise where local water needs are greater than supplies. CONCUR took the lead in structuring an extensive public involvement process. Dr. Hanemann performed the technical analysis. The project focused around a series of meetings and workshops with growers, local businesses and others to identify allocation options capable of garnering widespread support. Based on the discussions, a package of broadly supported recommendations was submitted to the IID Board for its consideration in August 2006. The recommendations cited both historical use and a soil-based variant of straight line as having the greatest potential to balance equity, cost and implementation considerations. Much of the package served as the foundation of the eventual staff-generated recommendation approved by the Board in a 3-2 vote. The District is expected to immediately begin developing a plan to implement the recommended actions.

**Developing a Reliable Plan to Conserve Water in the Imperial Valley.** CONCUR was part of a multi-faceted team headed by Davids Engineering of Davis, California, hired by the Imperial Irrigation District to develop a plan for conserving more than 300,000 acre-feet of water for transfer to San Diego and elsewhere. In its role in the project, referred to as the Definite Plan, CONCUR was responsible for designing and executing a public involvement process intended to build support for conservation practices needed to cut the District's overall water use by almost 10 percent. The project involved extensive strategic planning, facilitation of a 12-member grower work group and close coordination with a project team that includes irrigation engineers, resource economists and others. CONCUR was also responsible for overseeing the public outreach effort, including a bi-monthly project newsletter, public workshops, field visits to conservation demonstration projects and a project website.

**Baldwin Park Operable Unit: Mediating a Multi-party Dispute on the Remediation of a Superfund Site/Contaminated Drinking Water Supply.** In March of 2000, CONCUR was asked to assist the U.S. EPA, the Main San Gabriel Basin Watermaster, and the Aerojet General Corporation in mediating negotiations over the containment and cleanup of contaminants at the Baldwin Park Operable Unit (BPOU) of the San Gabriel Valley Superfund sites. The BPOU is located just east of Los Angeles, and involves a several-mile-long area of groundwater contamination in the San Gabriel Valley. The basin also serves as a primary drinking water supply for area residents. Contaminants include volatile organic compounds, perchlorate, and N-nitrosodimethylamine (NDMA). CONCUR worked with the group to identify and prioritize a list of twenty issues to address, including water supply reliability, treatment technology, the number and location of treatment plants, the cleanup timeline, a myriad of cost issues, and project management responsibilities. In June of 2000, EPA issued Unilateral Administrative Orders to all BPOU PRPs, effectively expanding the number of participating parties in the negotiation process from three to 19. At the beginning of 2001, seven companies signed a legally binding Memorandum of Understanding to pay \$4.1 million in past cleanup costs to area water companies. These companies also agreed to work with the water purveyors and EPA to meet an aggressive deadline to hammer out a 15-year interim Record of Decision.

Then, in July and August 2006, CONCUR was retained under a national contract with SRA international to conduct an assessment for USEPA and DOJ to evaluate the prospects for mediation to finalize cost recovery actions at the Baldwin Park Operable Unit (BPOU) Superfund site. CONCUR conducted a series of interviews with key parties including PRPs and their representatives, insurance companies, as well as representatives of USEPA and counterpart state agencies (California's Department of Substance Toxic Control (DTSC), the Los Angeles Regional Water Quality Control Board) The assessment confirmed the willingness of parties to enter mediation, established selection criteria for a mediator, framed issues for negotiation, and produced agreement on a mediator with specific expertise in insurance Superfund law, and a commitment to commence a mediation process in the fall of 2006.

**State Water Resources Control Board, Leadership Training Academy.** CONCUR has been working with counterparts from UC Davis and the State Water Resources Control Board to design and present a new Water Leadership curriculum. Scott McCreary lead a team of CONCUR co-instructors to develop and teach a curriculum of four pilot courses in 2003-2005, and then presented again in 2006-2007. They are "Designing Effective Stakeholder Collaborative Processes", "Effective Use of Scientific Information", "Negotiation and Facilitation in Water Resources Collaboration" and "Advanced Course in Negotiating and Facilitating in Collaborative Processes".

**Clean Estuary Partnership.** CONCUR was part of team responsible for developing a 5-Year Work Plan and facilitating all stakeholder involvement activities for the Clean Estuary Partnership (CEP). CEP is a collaborative effort on behalf of the Regional Water 14Stormwater Management Agencies Association to guide and assist in the development of water quality attainment strategies, including Total Maximum Daily Loads (TMDLs), for the San Francisco Bay Delta.

**Okavango Watershed and Basin "Sharing Water" Project in Southern Africa.** CONCUR served as facilitator and trainer for this US-AID funded initiative, lead by the Berkeley-based Natural Heritage Institute, aimed at strengthening the information base to support transboundary natural resource planning for the Okavango-Kubango River system. With a watershed rising in Angola, the Okavango flows through Namibia and terminates in the Okavango Delta in Botswana. Other project partners include IUCN, the Namibian Nature Foundation, and Angola-based NGOs. CONCUR lead the project components on negotiation and joint-fact finding, and contributed to the strategic planning for the entire project. Meetings convened in Luanda, Angola, Windhoek, Namibia, and Chobe, Botswana.

**'Collaboration Network' Online Discussion Forum.** CONCUR worked with the California State Water Resources Control Board's Office of Statewide Initiatives and UC Davis to develop and facilitate a private online discussion forum for Water Board staff called the Collaboration Network, or CollabNet. CollabNet was designed to complement the Water Board Training Academy's four existing courses on collaboration, promote intra-agency discussion and information-sharing on collaborative processes, and be a resource for staff for materials on collaborative process design and management. The seven-week pilot phase ran from Oct. 18 - Dec. 3, 2004, and saw the posting of over 140 messages by the pilot phase's 42 participants. Topics in CollabNet's 7 sub-forums ranged from how to resolve technical arguments between experts, to how to quantify environmental impacts for penalty assessments, to a discussion on the role of the SWRCB's Watershed Management Initiative. The forum has since been transitioned to Water Board and UC Davis management, and continues to serve as a resource for Water Board staff.

**Restoration Concepts and Stakeholder Involvement for the Tigris-Euphrates Marshlands.** Sponsored by the Iraq Foundation, the U.S. State Department and other funders, the aim of the project, known as "Eden Again" is to outline scientifically-sound concepts that can be used to facilitate the restoration of the Mesopotamian Marshlands, which are located within modern day Iraq and Iran. In February 2003, CONCUR facilitated an international technical workshop that brought together a panel of 20 scientists with expertise in ecology, hydrology, and geochemistry. Panelists articulated restoration challenges from the standpoint of their discipline, outlined a series of ecological functions that could be accomplished developed and evaluating a series of preliminary restoration options for the marshlands. A Report summarizing the scientists' findings and recommendations, *"Building a Scientific Basis for Restoration of the Mesopotamian Marshlands: Findings of the International Technical Advisory Panel"* was produced in April of 2003.

**Headwaters Forest Water Quality Issues: Conflict Assessment Independent Scientific Review, and Facilitated Watershed Working Group.** In 2002 and 2003, CONCUR carried out a series of assignments for the North Coast Regional Water Quality Control Board in support of resolving longstanding issues related to sediment impairment of water quality in five Humboldt County watersheds that are subject to logging by Pacific Lumber Company (PALCO). CONCUR served as convenor and facilitator of an Independent Scientific Review Panel (ISRP). In the first phase of work, CONCUR prepared a Situation Assessment and organized a Convening Committee comprised of representatives of the major groups with a stake in the management of the five watersheds. CONCUR then worked closely with a group of local stakeholders to frame questions and develop criteria for selecting the panel of experts. Members of the ISRP included experts in the disciplines of hydrology, slope stability, silviculture, aquatic ecology, and environmental planning. A detailed Terms of Reference document was prepared to clearly state the Panel's assignment, and the process by which they were to prepare their report. Both reports reflect extensive review of existing information, followed by intensive deliberations among panelists. The ISRP issued its Phase I report in January of 2003, and its Phase II report in August of 2003.

The Panel's August 2003 Phase II report was presented in a workshop format, with four panelists briefing Regional Board members, and responding to questions they posed about the Panel's findings and recommendations. Panelists also responded to a series of questions posed in writing by interested parties. The NCRWQCB staff then convened additional public workshop, and considered the Panel's findings and recommendations in developing options for the next steps in the Regional Board's policies toward managing sediment impairment in the five watersheds.

**USIECR Conflict Assessment On Line Dialogue.** Co-created by CONCUR and Colin Rule and Jonathan Raab of Raab Associates. The aim of this project was to advance two dimensions of the fields of environmental and public policy dispute resolution simultaneously. These are

(1) the practice of conducting conflict assessments and (2) the use of on line tools to conduct dialogue and facilitate collaboration. This project was jointly funded by USIECR, the Hewlett Foundation, EPA, and US Department of Interior. Results and lessons learned from the dialogue were presented at the Association for Conflict Resolution Conference in Orlando, Florida in October 2003.

**Guadalupe River Flood Control Project.** From 1997-2002, CONCUR facilitated the Guadalupe River Flood Control Project Collaborative, which produced a landmark agreement to resolve remaining mitigation issues for the lower Guadalupe River in downtown San Jose. The River, which has flooded twice in the past decade, is habitat for both chinook salmon and steelhead trout. The Collaborative included over a dozen members of federal, state and local agencies as well as citizen/agency litigants who had challenged the adequacy of the earlier mitigation plan. Over the first six months, the Collaborative met on a monthly basis and produced a Dispute Resolution Memorandum (DRM): an agreement on a proposed project and a package of early implementation measures. CONCUR also convened a parallel Technical Fact-Finding Subcommittee to develop technical information in support of the Collaborative's work.

Over the next 3 1/2 years, this basic design, along with its companion plans for mitigation and recreational access were refined, and rigorous environmental documentation prepared, all with intensive participation of the Collaborative. On November 16, 2001, Brigadier General Griffin, Director of Civil Works, U.S. Army Corps of Engineers (USACE), approved the GRR/EIR-SEIS and signed the Record of Decision for the Guadalupe River Flood Control Project (GRFCP). At the Collaborative's final meeting, a NHI attorney officially withdrew the May 22, 1996 notice of citizens' suit. He noted that the redesigned project was clearly "superior to the original and to any project that the court would have ordered." The project redesign produced efficiency gains that will reduce over \$100M from the projected cost of the original project with its mitigation requirements. The project has been fully constructed, mitigation is in place, and has been recognized as a national model for effective integrated watershed planning by both the Corp of Engineers and the Santa Clara Valley Water District. . In February 2002, a successor adaptive management team began meeting to kick off a 100-year commitment to Adaptive Management to ensure that the mitigation measures perform as needed.

**Environmental Restoration at the Former Fort Ord.** Fort Ord sits in the heart of the Monterey Peninsula. For decades, the sprawling 29,000-acre Army base was a focus of the region's attention, serving as a national infantry-training site and pumping millions into the local economy. Today, almost a decade after the base was shut down, the installation still attracts significant attention. Neighboring communities are eager to see the land re-used for non-military purposes. Environmental advocates, local officials, nearby residents and others are focused on the clean-up of the base, designated a Superfund site in 1990. In 1994, the Department of Defense established a Restoration Advisory Board (RAB) composed of local officials, members of the public, the Army, EPA and the state to help shape the clean-up of the former Fort Ord. Almost immediately, the members of the RAB had difficulty working together and reaching agreement on clean-up issues regarding the site. As a result, in the summer of 1998, the EPA asked CONCUR to evaluate the situation and devise strategies for developing a more productive, collaborative effort. In response to the EPA's request, CONCUR provided strategic guidance and facilitation services on the project from July 1998 to June 1999. CONCUR's work centered on: 1) preparing an extensive issue audit that detailed key findings and overarching recommendations related to the RAB's mission, membership, procedures and information sharing; 2) convening a series of facilitated meetings with the RAB to engage CONCUR's recommendations and findings; and, 3) providing strategic planning advice to the EPA on designing effective public participation processes.

**Tijuana National Estuarine Research Reserve.** CONCUR lead the preparation of the Tijuana River National Estuarine Research Reserve and National Wildlife Refuge Comprehensive Management Plan, which focuses on improved management of this binational watershed with an emphasis on integration of flood protection, water quality, and habitat. Parties to the collaborative effort included the National Oceanic and Atmospheric Administration, U.S. Fish and Wildlife Service, California Department of Parks and Recreation, the cities of San Diego and Imperial Beach, County of San Diego, California Coastal Commission, State Coastal Conservancy, as well as local interest groups.

**Situation Assessment, Shoalwater Bay Tribe, Pacific County, Washington.** Retained by the Shoalwater Bay Tribe, with the support of EPA Region X, to conduct a Situation Assessment to analyze prospects for future collaboration between Shoalwater Bay Indian Tribe and community of Tokeland to address issues related to water quality, coastal erosion, water supply and community development. The objective was to take stock of the community's most critical environmental quality and economic development issues and recommend a possible framework for future collaboration among the Tribe and interest groups within the community. The CONCUR team conducted 35 confidential interviews and analyzed the findings in detail. The CONCUR team stepped out a detailed set of process options for future collaboration and presented them in a community meeting in Tokeland

**Santa Clara Valley Water District Stream Maintenance Program.** Facilitated a 30-stakeholder advisory committee through a four meeting process to assist the District in preparing a District-wide effort for assessing and mitigating the impacts of its stream maintenance program.

**Santa Clara Valley Water District South Bay Copper Reduction Dialogue.** CONCUR facilitated the South Bay Copper Reduction Dialogue, which produced a Memorandum of Understanding on control measures to reduce discharge of copper into South SF Bay. Facilitated initial workshops to develop a Comprehensive Reservoir Watershed Management Plan.

**Sacramento Area Flood Control Agency (SAFCA).** Facilitated a 45-member dialogue charged with devising a locally preferred alternative for flood control that integrates habitat restoration and recreation components. Participants ratified detailed proceedings addressing bank protection, levee stabilization, planning for alternate flow levels, hydraulic mitigation, and floodway management.

**San Diego County Water Authority.** Facilitated meetings of the Emergency Storage Working Committee, a 27-member group charged with advising Water Authority staff on planning a major new system of pipelines and re-operated reservoirs. Work produced a signed consensus agreement.

**Nevada Division of Water Planning.** Designed and executed a training program for senior officials from the Division of Water Planning, Division of State Parks, Division of Wildlife, Division of State Lands, Division of Water Resources, and the State Attorney General's Office.

**EPA Climate Change Panel.** Scott served as a member of a team contributing to a new research initiative launched by USEPA HQs, the National Center for Atmospheric Research, and the Tellus Institute, to examine effects of global climate change on ecosystem goods and services provided by the San Francisco Bay Delta watershed. These goods and services are "processes and attributes of ecosystems that help sustain and fulfill human life, including water supply, flood and drought alleviation, waste assimilation and purification, harvestable aquatic species, and recreation. Served as a panelist advising on the integration of ecological research and stakeholder processes at the first advisory panel. CONCUR also conducted a

focused stakeholder analysis of about a dozen senior players in California water policy to look at opportunities to link the EPA initiative with evolving California policy.

**U. S. Department Of Agriculture.** Designed and executed a training program for Officers in Charge and Field Managers in South Dakota, Utah, and California emphasizing mutual gains bargaining in the context of implementing pest management program.

**U.S. EPA, Region IX, Water Division.** Led independent review team of planners, economists, and attorneys in the preparation of analysis of a Section 404 wetlands review for a major development project near Sacramento in an area with a high density of vernal pools. Briefed Regional Administrator. Facilitated a technical forum on toxic waste cleanup at a Superfund site. Facilitation and policy analysis services provided in support of the land use program for the Comprehensive Conservation and Management Plan; and to develop the wetlands and land use elements of the Regional Monitoring Strategy for the San Francisco Estuary Project. Included review and synthesis of natural resource documents and facilitation of working groups of EPA and Water Board staff, local governments and other diverse interest groups with a stake in management of the Estuary.

**Pacific Gas and Electric Company.** Designed and executed a series of three training courses on principled negotiation for staff of the Hydropower Relicensing, Technical and Ecological Services, Law, Hydro Generation, Power Generation, and Building and Land Services.

**San Francisco Bay Regional Water Quality Control Board.** Designed and executed a training program for Regional Board staff emphasizing mutual gains bargaining and negotiation over cleanup of contaminated sites.

**U. S. EPA Headquarters and Regions.** CONCUR serves as a member of a team lead by the Marasco Newton Group (MNG) under a five year contract to provide a wide range of conflict resolution, convening, stakeholder analysis and training services to EPA Headquarters and all EPA Regions. Projects have included Superfund, military base, and Title VI cases.

**Crane Valley Hydroelectric Project Relicensing.** CONCUR facilitated an 8-way agreement among PG&E, local governments, USFWS, DFG, and USFS on the terms of new FERC Hydroelectric License for the Crane Valley Project in eastern Madera County, California. CONCUR worked with parties to identify, rank, and package over 90 specific candidate license conditions, and to identify new institutional structure to see this package through to implementation. The agreement, presented to the Federal Energy Regulatory Commission, addressed licensing conditions for in stream flow for cold water and warm water fisheries in Willow Creek and tributaries, terrestrial habitat and wildlife protection and recreational improvements at Bass Lake and the adjacent watershed.

**EBMUD.** Advised East Bay Municipal Utility District staff on structuring the negotiation of the cleanup of Penn Mine. Convened meetings devoted to clarifying issues in FERC relicensing.

**Israel Ministry of Justice and Ministry for the Environment.** Member of 5-person international team of experts briefing 200 senior officials from the Ministry of Justice, Environment, Interior, as well as senior municipal officials on the application of mediation techniques to environmental and policy issues in Israel. Facilitated discussions among proponents and opponents of a proposed marina in Tel Aviv.

**California Public Utilities Commission.** Advised the California PUC in the preparation of an alternative water supply plan for the Monterey Peninsula, in conformance with AB 1182 (Keeley). Services include strategic planning, design and execution of a public participation

effort. Planning steps included establishment of criteria and objectives, identification and screening of candidate water supply components, and assembling packages of alternatives.

**Minerals Management Service And University Of New Orleans.** Designed and facilitated a three-day workshop to produce a social science research agenda for evaluating effects of OCS development on the Gulf Coast. Participants included 25 senior social sciences from the US, Canada, and Europe. The meeting produced a ranked list of 17 proposals. The summary for the project specifically calls out the value of the CONCUR facilitation team as part of the planning process for the members of the team, the value of upfront interviews, the convening of both plenary and breakout groups, and the culmination of the final plenary session to rank research proposals. The final report was published as: Gramling, R and S. Laska  
*A Social Science Research Agenda for the Minerals Management Service in the Gulf of Mexico.* Minerals Management Service Gulf of Mexico OCS Office, New Orleans, LA. Contract number MMS 14-35-0001-30470, OCS Study, 93-0017. 66 pp.

**Partners For Democratic Change.** Designed and delivered a course in environmental policy analysis and dispute resolution for senior Ministry for the Environment officials and members of Parliament in Hungary, and for regional environmental officers in Bulgaria.

**Centre For Dispute Resolution, London.** Designed and delivered a course in the application of dispute resolution techniques to complex public policy issues for senior officials from 30 organizations.

**Winrock International, Arlington, Virginia.** Served as facilitator and environmental policy analyst in initiating the Environmental Policy and Training Project (EPAT), funded by USAID.

**Department Of Environmental Quality, State of Louisiana.** Served as facilitator and environmental policy adviser for the Louisiana Comparative Risk Project, the first collaborative public policy dialogue in Louisiana. Involved 12 state agencies and over 30 interests groups. Product includes ranked list of environmental problems, environmental policy goals; parties signed the final agreement. Led negotiation training course for senior officials.

**Department Of Conservation, Wellington, New Zealand.** Conducted training in negotiation and dispute resolution for senior resource managers.

**Auckland Regional Council, Auckland, New Zealand.** Advised the Council on improving cross-cultural negotiation with the Maori community.

**Independent Scientific Review of Oil and Gas Development in Pastaza Province, Ecuador.** Served on a four-member team with three UC Berkeley professors to assess the quality of environmental documentation prepared by. The team was jointly commissioned in its review by UNOCAL, Oxfam International, and the Rainforest Action Network. The work included a series of site visits and interviews, and included a detailed report of findings and recommendation, presented jointly to the convening parties and representatives of indigenous organizations active in the Amazon Basin. This work was in turn summarized in an article in *Cultural Survival Quarterly*.

## OTHER SELECTED PROFESSIONAL EXPERIENCE

2006 - 2008    **Vermont Law School**  
*Adjunct Professor.* Designed and co-taught two-credit law school course "Mediating Land Use, Water Resource and Marine Resources Disputes" in summers of 2006, 2007

and 2008. Presented additional seminar on California's work on marine protected areas.

1989 - 93

**University Of California at Berkeley**

***Lecturer in Environmental Planning and Dispute Resolution.***

Designed and taught graduate courses in the Process of Environmental Planning, Studio in Land Use Planning, Thesis Research, and Environmental Planning in Developing Countries. Taught a new course in Environmental Dispute Resolution for Spring, 1993.

1989 - 92

**University Of California at Berkeley, Center For Environmental Design Research**

***Research Specialist.*** Conducted applied research in support of the San Francisco Estuary Project, one of the sites designated by EPA as part of the National Estuaries Program. Conducted research on effects of land use change on the San Francisco Estuary, and a companion regulatory analysis. Supervised teams of graduate research assistants, developed research methodology, managed preparation of technical reports, presented findings before technical and management committees.

1986 - 90

**Consultant In Environmental Policy And Conflict Resolution**

Clients included:

**Tourism Bureau, Ministry of Communication, Taipei, Taiwan.** Advised the Tourism Bureau on coastal resource management policies and use guidelines as part of a National Recreation Development Plan. Involved site visits to about 60% of Taiwan's coastline.

**USC Sea Grant Program.** Conducted training in negotiation and dispute resolution for Sea Grant agents, program managers, and researchers from West Coast States.

**Bay Vision 2020 Commission, San Francisco.** Prepared and delivered a briefing paper on land use, water quality, and air quality issues facing the San Francisco Bay Area for the Bay Vision Commission, a panel of 32 leaders charged with drafting a strategy for regional growth management.

**Ministry for the Environment, Wellington, New Zealand.** Conducted training courses in negotiation and environmental dispute resolution in for senior MFE officials and representatives of energy, mining, and other business sectors, and well as greens, Maori leaders, and local authorities in Wellington, Auckland, and Christchurch.

**Law Firm of Baker & McKenzie, San Francisco, CA.** Conducted a training program in negotiation and international environmental policy for the Land Use Practice Group in the San Francisco office of the world's largest law firm.

**University Of Miami, Miami, FL.** Co-organized international workshop on international coastal resource management in West Africa, attended by resource managers from 12 nations in Mbour, Senegal; nations, co-sponsored by USAID and IUCN; co-authored workshop report.

**New York Academy Of Sciences.** As a consultant to the Science and Decision Making Program, designed and executed a collaborative process to improve the management of contaminants in the New York Harbor region. Organized joint fact-finding sessions with over 20 scientific advisors. Mediated 10 negotiation sessions with over 20 interest groups. Led the development and revision of a single negotiating text that produced 120 findings and 26 recommendations to reduce PCB contamination and its effects.

**State Of New York Bureau of Coastal Management and Waterfront Rehabilitation.** Prepared an analysis of alternate institutional arrangements for strengthening the state's coastal programs.

**U.N. Ocean Economics and Technology Branch.** Prepared an analysis of coastal use conflicts.

**U.S. Agency For International Development/U.S. National Park Service, International Affairs.** Contributed to several projects to promote integrated coastal resource management in developing nations. Co-authored an analysis of institutional arrangements for managing coastal resources.

**1984-89 MIT/Harvard Public Disputes Program, Cambridge, MA Associate.** Contributed to several projects to test and refine the use of assisted negotiation techniques. Co-managed an analysis of EPA's negotiation of Superfund site clean ups. Contributed to an analysis of EPA's experiments in negotiated rulemaking; contributed to development of simulation exercises. Co-taught MIT Course "Resolving Science-Intensive Disputes".

#### **RECENT SELECTED CONFERENCE PRESENTATIONS, GUEST LECTURES, AND COURSE DEVELOPMENT**

**2009 Monterey Bay Aquarium Research Institute (MBARI). Guest lecturer. July 8, 2009.** Presentation entitled "*Mediated Negotiation and Joint Fact-Finding: Can They Help Propel Wise Marine Policy Decisions?*" About 30 researchers in fields ranging from marine biology to marine technology attended the talk. Presentation addressed the application of joint fact-finding techniques to Federal and state marine policy, discussed the potential roles of marine scientists, and outlined some of the challenges of mediating complex marine policy disputes.

**2008 US Institute for Environmental Conflict Resolution Conference. Panelist: "Blue Ribbon Decision Making in California".** This panel examined the unique process model of the California Marine Life Protection Initiative and reflected on lessons learned between the Central Coast and North Central Coast process. May 2008.

**2006 Goldman School of Public Policy, UC Berkeley. Guest lecturer. November 2006.** Presentation "Environmental Mediation: Perspectives from a Reflexive Practitioner".

**California State University Monterey Bay. Guest lecturer. October 2006.** Presentation on Marine Life Protection Act Initiative Central Coast Project to course in new Master's program for Coastal and Watershed Science and Policy.

**Stanford Law School/Northern California ADR Faculty. Guest lecturer, May 2006.** "Teaching Environmental Policy Mediation". Presented to 30 faculty and graduate students from Bay Area law and graduate schools.

**2005 American Bar Association Alternative Dispute Resolution Conference.** Co-Chair, Environment Track, American Bar Association Dispute Resolution.

**Lead Facilitator for Deliberations on the Role of Science, White House Collaborative Conservation Conference, St. Louis, Missouri. August 2005.**

**Moderator and Speaker**, Panel on "Long Lived Collaborative Processes: Managing the Life Cycle." USIECR Conference. Tucson, Arizona. May 2005.

- 2004 **Department of the Interior University Executive Forums.** Using Joint Fact Finding to Resolve Environmental Disputes. September 21, 2004.
- 2002 **The California and the World Ocean Conference:** Revisiting and Revising California's Ocean Agenda. Served on the panel "Resolving Coastal and Ocean User Conflicts Through Negotiation: Best Practices for Convening Marine and Coastal Policy Dialogues".
- U.S. Institute for Environmental Conflict Resolution.** Moderated round table on strategic diagnosis and assessment of conflicts. May 2002. Tucson, Arizona.
- American Bar Association Alternative Dispute Resolution Conference.** Presentation: "Possibilities and Pitfalls of Using Joint Fact-Finding Techniques." Seattle, Washington. April 2002.
- 2001 **Association for Conflict Resolution.** Presentation: "Using Joint Fact-Finding to Level the Playing Field in Environmental Dispute Resolution." Toronto, Ontario. October 2001.
- Third Annual Pacific Rim Participatory Community Design Conference.** Taiwan, June 2001.
- 1999 **Conference on Environmental Negotiation.** Maale Hahamisha, Jerusalem, Israel, January 20-22, 1999.
- Democratic Design for the Pacific Rim.** Saitama, Japan, June 24-26, 1999.
- Conference on the Future of the Sanbanze Wetlands of Tokyo Bay, Japan.** Chiba University, Chiba, Japan, June 27, 1999.

#### SELECTED PEER-REVIEWED PUBLICATIONS

- 2001 "Refining and Testing Joint Fact-Finding for Environmental Dispute Resolution: Ten Years of Success." In *Mediation Quarterly*, Volume 18 (4). June 2001.
- "Applying a Mediation Framework to Integrated Coastal Zone Management". In *Coastal Management*. Volume 29(3):183-216, 2001.
- 1999 "Resolving Science-Intensive Public Policy Disputes: Reflections on the New York Bight Initiative." In Susskind and McKernan (eds.) *Consensus Building Handbook*. Sage Publications.
- 1995 "Independent Fact-Finding as a Catalyst for Cross-Cultural Dialogue: *Assessing Impacts of Oil and Gas Development in Ecuador's Oriente Region*. In *Cultural Survival Quarterly* 19 (3): 50-55.
- 1990 *Institutional Arrangements for Managing Coastal Resources and Environments*. with J. Sorensen. Revised second edition. U. S. National Park Service and U.S. Agency for International Development.

## OTHER PUBLICATIONS AND REPORTS (partial list)

- 2009**      *"The Conversation: Conditions ripe for climate change brawl"*. With J. K. Gamman. Special to The Sacramento Bee. Published: Sunday, Aug. 16, 2009.
- 2002**      "Final Report on Sediment Impairment and Effects on Beneficial Uses of the Elk River and Stitz, Bear, Jordan and Freshwater Creeks". Authored by the Humboldt Watersheds Independent Scientific Review Panel, Convened and Facilitated by CONCUR, Inc. December 27, 2002.
- "Final Record of Decision and Withdrawal of Citizen's Suit Marks Resolution of a 15 Year Flood Control Dispute in San Jose", California Water Law Reporter, January 2002. With R. Bryson and G. Widman.
- 2001**      "Using Independent Scientific Review to Strengthen Public Participation in Environmental Decision-Making in the Pacific Rim." With Bryson and Atkinson. Presented at the Third Conference on Participatory Design and Planning for the Pacific Rim. Ching-Be, Matzu Island, Taiwan. May 28-30, 2001.
- 1999**      "Participation and Representation in Environmental Decision Making in the Pacific Rim: Reflections on Negotiation-Based Models of Practice." Presented at the Conference On Democratic Design for the Pacific Rim. Saitama, Japan. June 24, 1999.
- "Lesson from the San Francisco Estuary: Four Rounds of Action. Proceedings of the Conference on the Future of the Sanbanze Wetlands. Tokyo Bay. Chiba University, Tokyo, Japan. June 27, 1999.
- 1984**      *Institutional Arrangements for Management of Coastal Resources*, with J. Sorensen and M. Hershman. 167 pp. Research Planning Institute for the U.S. Agency for International Development and the U.S. National Park Service.