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DRAFT

Re: Comments on the RSIQ for the Florence-Eugene Highway Assessment

Dear Mr. Reed:

Thank you for your comments on the Request for Statements of Interest and Qualifications (RSIQ) for this conflict assessment. Let me address what I believe are several areas of misunderstanding regarding the purpose of the assessment and the role of the U.S. Institute for Environmental Conflict Resolution.

#### How the U.S. Institute became involved

The U.S. Institute is a federal agency whose mission is to help stakeholders resolve conflicts over public lands, natural resources, and the environment where a federal agency or interest is involved. We were asked by both the City of Eugene and the Oregon Division Office of FHWA if we could assist in resolving controversial aspects of the proposed transportation project. We agreed to provide assistance and, although our knowledge of the project and its history is far from complete, we have learned that some agencies, governing bodies, non-governmental groups and individuals involved or affected by the project (the stakeholders) have different perspectives on it – indeed, there is a controversy.

#### Collaborative processes and conflict assessments

We understood that some stakeholders were calling for a collaborative stakeholder process before the environmental review of the proposed project was completed. But differing interpretations of "a collaborative process" appeared to be part of the controversy. Rather than embarking on a process that would be unsatisfying for some, we suggested that the focus of our assistance be on assessing the nature of the controversy, with particular emphasis on what, if any, expanded community involvement might be appropriate and useful going forward. The stakeholders can use this information in deciding on next steps.

#### Who will be involved in the assessment

The assessment team, under contract to the U.S. Institute, will interview as many stakeholders as possible within the time constraints. We will include all decision-making and consulting agencies in the project's NEPA review process, all governing bodies with decision-making or advisory authority affecting the project, and all other groups who

may be affected by the project. We will attempt to capture as many perspectives as possible. The assessment team's findings and recommendations will be communicated through an assessment report, and discussed in a public meeting.

The RSIQ and the contract

The RSIQ was intended to provide enough information on tasks, schedule and level of effort to enable candidates to make informed decisions on whether to respond. More detail on each of these is provided in the negotiated contract.

Selection process and criteria

We worked closely with members of the selection committee (representatives from key federal and state agencies and local governments involved in the project) to select a facilitator to conduct the assessment. The committee developed the list of criteria, one of which was no familiarity with the project or the involved stakeholders. As you probably have heard, the committee selected the Osprey Group from Boulder, CO. The two principals of Osprey, John Huyler and Dennis Donald, will both be involved.

One final note about the RSIQ – it was sent out on January 30 via e-mail to the candidates. I'm at a loss to explain the February 21 date on your copy as the original did not have a date. The RSIQ was sent to members of the U.S. Institute's Transportation Roster – a roster of environmental conflict resolution professionals with significant experience as neutrals in transportation cases.

Sincerely,

Dale L. Keyes, Ph.D.  
Senior Program Manager

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