

# Situation Assessment of the Coeur d'Alene Restoration Partnership

Conducted for the Trustee Council  
on Behalf of the Restoration Partnership  
by the William D. Ruckelshaus Center

December 9, 2016

*Introductory Note Added January 3, 2017*

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## **DISCLAIMER**

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*The following report was prepared by the William D. Ruckelshaus Center, a joint effort of the University of Washington and Washington State University whose mission is to act as a neutral resource for collaborative problem solving in the State of Washington and the Pacific Northwest. University leadership and the Center's Advisory Board support the preparation of this and other reports produced under the Center's auspices. However, the key themes contained in this report are intended to reflect the opinions of the interviewed parties, and the findings are those of the Center's assessment team. Those themes and findings do not represent the views of the universities or Advisory Board members.*

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**TABLE OF CONTENTS**

I. INTRODUCTION .....	2
A. The Center .....	2
B. Assessment Team .....	2
C. Project Context .....	2
II. COMMONALITIES AND DIFFERENCES .....	3
A. SHARED INTERESTS & BUILDING BLOCKS .....	3
1. Advance Shared Goals and Work Collaboratively .....	4
2. Engage the Public .....	4
3. Improve Environmental Conditions.....	4
4. Achieve Efficient and Effective Restoration to Provide Best Possible Benefits to Natural Resources and Services.....	4
5. Show Strong Outcomes for Significant Investments (time, funding, reputations, commitments) ..	5
6. Capitalize on Vast Professional Expertise and Experience .....	5
7. Build on Important Mission and a Shared Belief in Quality of Draft Plan.....	5
B. CHALLENGES & DIFFERENCES .....	5
1. Agency Differences: Cultures and Politics; Regulatory/legal roles & Authorities .....	6
2. Interdisciplinary Coordination and Respect among Agendas, Cultures, and Histories .....	9
3. Personalities and group dynamics.....	12
4. Communication and Coordination .....	12
C. Moving Forward.....	15
1. Leadership .....	15
2. Stewardship.....	15
3. Commitment to Improved Functioning:.....	16
a) Communication and Coordination .....	16
b) Settlement Funds: Entitlement to and Responsibility for Project Selection, Implementation .....	16
c) External Relationships: Politics, Partners .....	17
III. RECOMMENDATIONS—IN PRIORITY ORDER.....	17
1. Conduct an Honest, In-Person, Review of Where the Partnership Stands.....	17
2. Resolve Full-Time vs. Part-Time Staffing Differential .....	18
3. Consider and Adopt Basic Principles of Collaboration .....	18
Work Together to Develop a History of the Basin, Including a Timeline of Events and the Core Elements of a Shared Story .....	20
4. Determine Specific Roles of Members .....	20
5. Address Budget Issues.....	20
6. Communications Training.....	21
7. Ad-hoc Facilitation.....	22
IV. CONCLUSION.....	22
Appendix A: Situation Assessment Protocol and Interview Questions.....	23
Appendix B: Interviewee Names and Affiliations .....	25

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**INTRODUCTORY NOTE:**

*The Ruckelshaus Center distributed a first draft of this report attempting to balance perspectives among thirteen respondents from the five entities in the Restoration Partnership. That draft synthesized those perspectives and provided steps for the Partnership to consider. The review period for the draft report produced strong responses from multiple Partnership members. As a result, the Assessment Team adjusted its prognosis for the final report, reflecting more of a divergence among core parties than first articulated, related to the Partnership and how it should operate moving forward.*

*The final report, below, retains the verbiage from the original draft (in light-gray font), with only the revised sections in regular black type. The intent is for this document to preserve the initial analysis and recommendations, which the Assessment Team believes still have merit for consideration, while calling attention to the issues highlighted during the review of the draft report—and suggesting immediate steps to address those issues.*

**I. INTRODUCTION**

This revised report reflects corrections and clarifications provided during review by interviewees. The draft report verbiage is included in gray-scale font for reference, with revisions provided in this (black) color.

**A. The Center**

The William D. Ruckelshaus Center (Center) is a neutral resource for collaborative problem solving in the state of Washington and the Pacific Northwest, providing expertise to improve the quality and availability of voluntary collaborative approaches for policy development and multi-party dispute resolution. The Center is a joint effort of Washington's two research universities, the University of Washington (UW) and Washington State University (WSU). For more information, see attached overview (see Appendix A) or visit [www.ruckelshauscenter.wsu.edu](http://www.ruckelshauscenter.wsu.edu).

To improve collaboration, consensus, and successful shared outcomes, the Trustee Council of the Coeur d'Alene Basin Restoration Partnership (the Council) engaged the William D. Ruckelshaus Center (the Center) as a neutral third party to conduct a situation assessment. The assessment examined the history, dynamics, interests, challenges, and opportunities related to the restoration of the natural resources of the Coeur D'Alene Basin. The assessment mapped existing relationships and objectives among the Council's member organizations (and individuals), including the technical support body known as the Natural Resource Restoration Team (the NRRT), and here provides recommendations for the Council's consideration and possible adoption.

**B. Assessment Team**

Chris Page (Project and Development Lead) managed the situation assessment, alongside Ruckelshaus Center Associate Director Darren Nichols, with Kara Whitman providing project coordination. This team designed the assessment process, developed the protocols and guide for the interviews (see Appendix B), and conducted and summarized the interviews.

**C. Project Context****Overview**

Responding to an inquiry from the Idaho Department of Environmental Quality, the Center contacted each Council member to gauge the appropriateness and acceptability of a university-based practitioner from a neighboring state assisting with the Council's deliberations. When these initial conversations revealed interest and willingness on the part of individual Trustees, the Center prepared and proposed a scope of work and budget.

In mid-2016, the Council authorized the work, which the State of Idaho administered by a contract with Washington State University. This report represents the culmination of the work effort under that contract and includes recommendations for the Council to consider pursuing, with as much in the way of specifics as possible.

### **The Story of the Basin**

This report can only begin to tell the story of the Coeur d'Alene Basin – a story of deep complexity, history, passion, communities, individuals, and living systems. A significant part of the story centers on natural beauty and abundant resources injured over more than a century of resource extraction and mine-waste contamination. Beyond that, the story also centers on social and cultural damage to human communities that desperately need attention and restoration.

This story includes the highest levels of lead ever measured in the blood of children. It includes yearly losses of Tundra Swan as they stop and forage in the Coeur d'Alene Basin on their northward migration. It encompasses emotional sensitivities and cultural issues that members of the Partnership must consider in their planning and project decisions, in addition to science. The history behind the people, communities, and stewardship of the Coeur D'Alene Basin comprises a compelling shared experience—and a shared responsibility that connects people to the Basin, its past, and future. Each member and agency in the Partnership can benefit by knowing and telling the whole story.

***EDIT CORRECTING FIRST SENTENCE:*** This story includes some of the highest levels of lead ever measured in the blood of children in the nation.

The story includes management decisions that have compromised the effectiveness, working relationships and functioning of the Partnership, after it got off to a relatively good start. Some members of the Partnership have worked on this effort for decades, and others entered the work only recently. Some partners emphasize restoration that extends beyond natural resources to cultural and provisional services while others are more focused on restoration elements that provide enhanced ecosystem benefits to fish and wildlife.

### **Summary: Inter-Governmental Collaboration is Hard!**

## **II. COMMONALITIES AND DIFFERENCES**

The following summarizes perspectives shared by Partnership members in a series of interviews. The summary highlights areas of agreement, areas of difference, and in some cases areas of disagreement. The summary also includes recommendations that arose from the conversations.

### **A. SHARED INTERESTS & BUILDING BLOCKS**

Plenty of good news emerged in conversations with Trustee Council members (former and current) and with members of the Natural Resource Restoration Team. First, and importantly, everyone shares the same fundamental objectives and passions for restoring the Coeur d'Alene Basin, Lake Coeur d'Alene and its watershed, and the resources and communities that call this incredible place home. The Council and the NRRT are proud, as they should be, of the tremendous amount of devotion, time, and expertise that went into developing the Restoration Plan, a process that was not without emotional, personal, and physical investment from the people involved.

The Partnership has an amazing set of elements working in its favor and is working from a position of incredible strength. The Partnership has come a long way and has a long way to go, but there are resources

and help available, and allies to help advance the overall mission of the Council and NRRT *“to return our natural resources to a healthy condition by developing and implementing a restoration plan for the Coeur d'Alene Basin. We engage the public by providing ways to help shape the plan, propose specific restoration projects, and partner with us on project work”*.

The following provides more detail into the shared interests that the Partnership can build upon to improve collaboration and build capacity to fully realize this mission while moving into the implementation phase of the restoration.

### 1. ADVANCE SHARED GOALS AND WORK COLLABORATIVELY

Every interviewee stated some version of the same sentiment—that a comprehensive, collaborative, basin-wide approach holds potential to deliver significantly better outcomes for injured natural resources than any individualistic attempt of the multiple government agencies to make progress on restoration. All interviewees share the perspective that working collaboratively can and should deliver more defensible shared outcomes on the ground in the Basin.

Every interviewee stated some version of the same sentiment—that a comprehensive, collaborative, basin-wide approach holds potential to deliver better outcomes for injured natural resources than any individualistic agency attempt. Due to a number of factors, however, the group struggles to work collaboratively and respect one another. More than one interviewee stated that moving forward with the same personalities at the table will be difficult. It may represent the path of least resistance—and highest efficiency—to tackle on-the-ground restoration work agency-by-agency under the umbrella Restoration Plan, with a streamlined inter-governmental collaboration.

### 2. ENGAGE THE PUBLIC

Many interviewees expressed the need for public engagement with a unified message. This need will increase as the Restoration plan goes out for public review and as the plan moves into implementation. Restoration project selection on the ground will likely bring more public attention to the work of the Partnership and with it will bring more pressure for the Council to choose specific restoration projects.

Many interviewees expressed the need for public engagement with a unified message; however, differing views exist about the appropriate intensity and form of public outreach. Interviewees suggested that for project selection and implementation the partnership should consider adopting a communications process that involves less word-for-word editing than in the past. A communications plan or process based on previously-approved verbiage or a suite of key, agreed-on, core messages can also serve the Partnership well.

### 3. IMPROVE ENVIRONMENTAL CONDITIONS

One of the main goals of the Partnership, as expressed by interviewees, is to restore the damaged environment, and its natural and cultural resources to a healthy condition.

One of the main goals of the Partnership, and one of the objectives most consistently expressed by interviewees, is to restore the injured environment, and its natural and cultural resources to a healthy condition.

### 4. ACHIEVE EFFICIENT AND EFFECTIVE RESTORATION TO PROVIDE BEST POSSIBLE BENEFITS TO NATURAL RESOURCES AND SERVICES

All interviewees share the desire to repair the damaged environment effectively and efficiently. All expressed the shared goal to use the resources available, both human and fiscal, efficiently, not spending all of these resources on meeting and planning, but spending the majority on effective on the ground restoration work. Many discussed the need to coordinate with the Environmental Protection Agency so as not to focus on

restoration projects that may become re-contaminated. For all interviewees, this is one of the main reasons to engage in the collaborative work of the Partnership.

All interviewees want to repair injured resources effectively and efficiently, sharing the goal to use available human and fiscal resources efficiently: spending the majority on actual on-the-ground restoration work. Many noted coordination with the United States (U.S.) Environmental Protection Agency (EPA) so as not to focus on restoration projects that may become re-contaminated. Sections in the Restoration Plan go into detail about the importance of coordinating and integrating work with the EPA to achieve efficient restoration and to prevent recontamination.

#### 5. SHOW STRONG OUTCOMES FOR SIGNIFICANT INVESTMENTS (TIME, FUNDING, REPUTATIONS, COMMITMENTS)

All Partnership participants, present and past, that were interviewed have invested large amounts of time, financial resources, and their expertise and reputations on this process. There is a sense that this time has not been wasted; however, there is risk of losing momentum as a collaborative body as the plan moves into implementation.

All Partnership participants, present and past, have invested large amounts of time, and financial resources, on this process. At least one Partnership entity strongly believes that a sizable portion of this time has been spent inefficiently, as compared to an early proposal to hire a consultant to develop the Restoration Plan in service to and coordination with the Partnership.

#### 6. CAPITALIZE ON VAST PROFESSIONAL EXPERTISE AND EXPERIENCE

All members of the Trustee Council and the Natural Resource Restoration Team bring their own unique professional expertise and experience to the Partnership. There is an incredible sense that each individual respects the background and expertise of their colleagues on the Council and the NRRT, and feels that the right expertise that is needed for this process is involved. The challenge will be harnessing this talent towards developing efficient and effective on the ground projects that bring both cultural and ecosystem benefits.

All members of the Trustee Council and the Natural Resource Restoration Team bring unique professional expertise and experience. While most individuals expressed respect for the background and expertise of their colleagues, interpersonal behavior among team members has often failed to show this.

#### 7. BUILD ON IMPORTANT MISSION AND A SHARED BELIEF IN QUALITY OF DRAFT PLAN

All interviewees expressed a respect for the overall mission of the Partnership and most are willing to continue to work to fulfill this mission after the plan is complete. Everyone involved agrees that the development of the draft plan was a long and arduous process, but in the end that the draft plan is quality work and are very proud of the final product.

All interviewees expressed a respect for the overall mission of the Partnership and most are committed to fulfilling the mission via collaborative Plan implementation. While the development of the Plan was long and arduous, most expressed that the draft plan is high quality. However, the review period for this report found at least one Partnership agency taking significant issue with the quality of the Plan, finding particularly problematic the section of the EIS that pits "pure ecological" alternatives against projects with more cultural importance. Unless and until all members of the Partnership explicitly recognize the central value of the social and cultural restoration, and incorporate it into decisions and products, real and destructive conflicts will continue to arise.

### **B. CHALLENGES & DIFFERENCES**

While the Council and NRRT members share many common interests that will be vital for moving forward, they also need to overcome some challenges and differences in order to implement collaborative, publicly defensible, and effective restoration projects on the ground. The good news is that none of these challenges

are insurmountable. In fact, most of the challenges have similarities to those facing other groups and teams working on complex policy issues. These challenges tend to fall under five categories, discussed in greater detail below.

While Council and NRRT members share vital core interests, the Partnership needs to overcome sizable interpersonal and inter-agency differences if the group wishes to implement restoration with the same depth of collaboration. Put simply, for the Partnership to function optimally, each Trustee and NRRT member must decide that collaborative Basin Restoration transcends their individual agency agenda(s).

Most of the types of challenges bear similarities to those facing other groups working on complex policy issues. Generally, these fall under five categories, discussed below.

*Note: The recommendations suggested prior to the final section titled "SPECIFIC RECOMMENDATIONS ON NEXT STEPS—IN PRIORITY ORDER" indicate potential enhancements to the collaboration at a future time, beyond the immediate juncture at which this report is submitted.*

### **1. AGENCY DIFFERENCES: CULTURES AND POLITICS; REGULATORY/LEGAL ROLES & AUTHORITIES**

The member governments in the Partnership each operate within unique organizational cultures and political dynamics. They answer to different administrations with varied structures, divergent priorities, and unequal internal requirements. Turnover at the elected official level can further complicate these factors.

In addition, regulatory and legal responsibilities and rights vary among Trustee agencies. One Trustee might point to a treaty right as "the supreme law of the land;" another might state that their agency alone bears the legal responsibility and authority to oversee a given portion or process within the restoration planning effort.

This diversity in agency characteristics presents an opportunity, since diversity is an indicator of health in any system. In other words, these varied elements could conceivably complement each other and provide opportunities for synergy if viewed in the right light. The lack of agreed-on protocols or ground-rules to focus the dialogue on shared interests, respectful interactions, and mutual gains exacerbates existing differences (among budget allocations, perceptions and experiences of historical events, and inter-personal dynamics). The agreement on and commitment to a set of ground-rules (aka collaborative principles) creates opportunity for significant improvement, albeit within a complex and shifting inter-governmental landscape.

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Typical to inter-governmental collaborations, each Partnership agency brings its own culture, political dynamics, histories, rules, responsibilities, and goals and objectives, for the Restoration Plan. They answer to different administrations with varied structures, divergent priorities, and unequal internal requirements. Turnover at the elected official level can further complicate these factors. Some interviewees attributed challenges to these along with the jurisdictional scale and priorities for management:

- At the state level, to represent the interests of the people of Idaho:
  - IDEQ: focus on water quality, public health, and coordination with cleanup,
  - Idaho Fish and Game: fish and wildlife (preserve, protect, perpetuate, and manage)
- Coeur d'Alene Tribe: Restoration of lost ecosystem (cultural) services, building relationship/connection of youth to homeland, whole basin focus (includes portions of what is now Washington state) but emphasizing northern portion near Lake Coeur d'Alene
- Federal agencies represent the interests of the citizens of the United States, including Tribal trust responsibilities, NEPA, and, specific to individual departments:
  - USDA (USFS): restoration of natural resources on Forest Service lands
  - DOI (USFWS/BLM): USFWS holds responsibility for protection and management of federal trust resources including endangered or threatened species, migratory songbirds, waterfowl, eagles and other associated wildlife resources and their habitats-regardless of ownership.

In other collaborative efforts, elements as varied as these actually complement each other and provide opportunities for synergy. Review of this report in draft form revealed that at least one Partnership agency does not wish to spend time working to agree on ground-rules (to augment the existing policies and procedures) that focus the dialogue on shared interests, respectful interactions, and mutual gains in the interest of mitigating conflicts. Should that change, and all Partnership governments and individuals fully commit, the agreement on and commitment to a set of collaborative principles could offer opportunity for significant improvement, albeit within a complex and shifting inter-governmental landscape. This could be accomplished through an amendment to any one or all of the existing MOA, NRRT Charter, Policies and Procedures if the group wants to go the legal route. More likely, a new, individually-signed document could be collaboratively developed and agreed upon. The Ruckelshaus Center team can provide sample versions of such documents.

It would help if each staff person becomes open to learning more about the various governments and agencies represented, so that these differences can be recognized and accepted. All five agencies and governments cannot be expected to function the same way; the group would benefit from accepting these differences, acknowledging that each Trustee and NRRT member comes from a different place. Specific recommendations on how to improve this situation are provided below

#### **a) Discrepancies in Budget and Staffing**

There are wide discrepancies among Trustee Council governments in terms of staff resources, overhead rates, and budget allocations committed to the Partnership. It comes as no surprise to Council members that this inequity has led to repeated difficulties. [See specific recommendation 4 below.](#)

There are wide discrepancies among Trustee Council governments in terms of staff resources, overhead rates, and budget allocations committed to the Partnership. This inequity has led to repeated difficulties. In particular, multiple respondents attributed real challenges to the discrepancy between some Partnership members working full-time and others only part-time on this effort. NRRT members specifically attributed problems to having some staff on the Team working full-time on this effort and others only half-time (after the allocation by the State of Idaho of its one full-time-equivalency (FTE) NRRT position as two ½-time staff).

As of the revising of this report, the Partnership has begun to address the full-time vs. part-time differential, but only at the Council level. While this report did touch on the issue at the NRRT level, it failed to properly articulate the profound nature of the difficulties the NRRT has experienced that Team members attribute to the half-time vs. full-time discrepancy. Lessening if not eliminating the difference staffing levels at the NRRT level could mitigate inter-personal and communication challenges, and should be considered.

**b) Lack of Constructive Approach to Resolving Disagreements**

Disagreements within groups can be healthy and are inevitable; how a group handles disagreement makes all the difference. Using basic principles of collaboration, participants may be able to constructively focus on interests, as opposed to positions, and “separate the problem from the person.” Without collaborative structures in place, disagreements can rapidly become conflicts and may need to be escalated to dispute resolution (in the case of the Partnership, “elevated” to the “authorizing officials”). This can cause delays, acrimony, and frustration. Partnership members share some level of professional respect, and can likely mitigate the negative impacts of disagreements by agreeing to abide by a set of basic collaborative principles, e.g. a shared commitment to mutual respect, solution-centered dialogue, respectful listening, and keeping discussion grounded in common interests.

Disagreements within groups are inevitable and can be healthy. How a group handles disagreement determines whether it becomes constructive or destructive to the function of the group. Without strong collaborative protocols and a real commitment and accountability to observe them, disagreements can rapidly become conflicts. This causes delays, acrimony, and frustration.

Partnership members need to ask themselves if they are willing to look honestly at themselves and how they have been treating each other, and decide whether the same personalities can work at the same depth of collaboration, period—much less without agreeing to abide by a strong set of basic collaborative principles (e.g. a shared commitment to mutual respect, solution-centered dialogue, respectful listening, and keeping discussion grounded in common interests). NOTE: these principles can only truly work as long as a mechanism for accountability is established and enduring, with the most common example being a neutral facilitator.

**c) Tendency to Leave Each Other out on Significant Tasks**

Multiple interviewees cited instances in which one government asserts jurisdiction over a certain process or relationship, claiming ownership or “turf” or exercising regulatory authority. Each time, this has led to challenges among the relationships and trust levels of the Partnership, as other members feel excluded. The most commonly-cited examples of this include the sense that one specific member of the Council claimed that their government had or has “Ownership” of a given regulatory or procedural process such as the public involvement required under the National Environmental Policy Act (NEPA), or the whole of the Natural Resource Damages Assessment (NRDA) framework. As with (b) above, a shared commitment to a basic collaborative principle such as inclusivity (recognizing the roles and responsibilities prescribed by existing laws and policies) can mitigate acrimony, frustration, and tangible impediments to the Partnership’s progress in restoring the natural resources of the Coeur d’Alene Basin.

Multiple interviewees cited challenging instances of one or more entities have left others out of tasks or efforts or conversations. While some of these represent strategic divisions of labor, other times this has led to challenges among the relationships and trust levels of the Partnership, as other members feel excluded. At least two causes emerged:

- One government asserts jurisdiction over a certain process or relationship, claiming ownership or “turf” or choosing to exercise regulatory authority.
- Some Partnership members are (or at least have been) required by their employers to work on this project full time. This means full-time Council or NRRT members may not be able to include teammates operating at a lower project FTE on everything.

Again, should Partnership members opt to continue working together with the same structure and staffing a shared commitment to a basic collaborative principle such as inclusivity (recognizing the roles and responsibilities prescribed by existing laws and policies) can mitigate acrimony, frustration, and tangible impediments. Under any circumstance, the Partnership members must be clear about expectations for each

member and, ideally, must reach agreement about the acceptable level of participation from each agency and from each individual team member.

**d) Differing Perspectives on EPA Ecological Remedy**

The member organizations in the Restoration Partnership approach restoration planning with substantially different time horizons. This (among other factors) leads to different perspectives on how natural resource restoration should be handled with respect to the \$700 million plus Ecological Remedy currently under development by the United States (U.S.) Environmental Protection Agency (EPA). While every respondent expressed eagerness to complete and begin implementation of the Restoration Plan, some members of the Council and NRRT voiced concern that proceeding immediately with restoration projects (before EPA completes its Ecological Remedy) would result in toxins getting flushed downstream to re-contaminate the restored resources.

***Recommendation:** Consider staging the implementation of restoration projects so each occurs after EPA completes Ecological Remedy work upstream of any given project, or in an area otherwise not at risk of re-contamination.*

Multiple respondents suggested the Partnership should seek to leverage the much-larger amounts of funds allocated for the Ecological Remedy (compared to the Restoration Plan). The Partnership may even wish to consider whether or not it makes sense to invite EPA to join the Restoration Partnership. Whether via systematic regular communication, joint planning exercises, project coordination, or information-sharing, interviewees tend to think the Partnership can enhance restoration efforts by collaborating in some fashion with EPA.

The review period for the draft of this report clarified that the Restoration Plan apparently addresses EPA's Remedy in multiple sections and at different spatial and temporal scales. Nonetheless, some concern during the interview stage emerged that proceeding immediately with restoration projects—in places where EPA has not yet completed work under the Remedy—could result in toxins getting flushed downstream to re-contaminate the restored resources. Implementing restoration projects during or after Remedy work, especially in the lower Basin, will play an important role in the success of bringing back the health of the Basin.

Multiple respondents suggested the Partnership should seek to leverage the much-larger funds allocated for the Remedy. Whether via systematic regular communication, joint planning exercises, project coordination, or information-sharing, most interviewees suggest the Partnership can enhance restoration by continuing to coordinate with EPA to the extent practicable.

## 2. INTERDISCIPLINARY COORDINATION AND RESPECT AMONG AGENDAS, CULTURES, AND HISTORIES

A handful of challenges emerged in this category, closely linked to B.1 above (Agency Differences: Cultures and Politics; Regulatory/legal roles & Authorities):

**a) Ecological & Cultural Priorities and Jurisdictional Scale of Management**

Each government in the Partnership brings not only its own resources, rules, cultures, histories, and perspectives, but some interviewees observed individualized priorities for areas of focus, including:

- At the state level, to represent the interests of the residents of Idaho:
  - IDEQ: focus on water quality
  - Idaho Fish and Game: fish and wildlife habitat (preserve, protect, perpetuate, and manage)

- Coeur d'Alene Tribe: Restoration of lost ecosystem (cultural) services, building relationship/connection of youth to homeland, whole basin focus (includes portions of what is now Washington state) but emphasizing northern portion near Lake Coeur d'Alene
- Federal agencies represent the interests of the United States, including Tribal trust responsibilities and, specific to individual departments:
  - USDA (USFS): restoration of natural resources on Forest Service lands, including a procedural responsibility to conduct the NEPA process
  - DOI (USFWS/BLM): protection of fish and wildlife (including Tundra Swan) on federal lands under its jurisdiction

Related to the agency culture and roles/responsibilities above, this involves specific perceptions held by Partnership agencies. Some respondents opined, based on staff turnover, that DOI is less committed or connected to the effort. Others commented that the size of either the land area or the population their agency represents exceeds that of the other governments in the Partnership. Rather than use such differences as leverage in disagreements, the Trustees can choose to openly acknowledge the unique aspects of each partner entity and seek to find ways to use the differences as opportunities to advance shared goals, their own agency's interests, and the needs of fellow Partnership members. Mutual understanding and agreement on the ramifications of unequal governance elements offers advantages over the current climate of occasionally using differences as wedges, furthering division and disagreement.

**b) Interagency Turf Issues**

Throughout this assessment members of the Partnership identified patterns of behavior that leave each other out of key portions of the effort—without holding open dialogue about the rationale, developing a plan for regular updates and input, and gaining buy-in from fellow members of the Council and/or NRRT. Examples of a small subset of members undertaking tasks or initiatives without the involvement or blessing of all the parties go back to a series of Charrettes early in the Partnership, and extend through the Lake Management Plan, Inter-Disciplinary Plan-writing (IDP) team, and NEPA processes. This tendency also manifests via various sub-groups within the Council or NRRT, for example when the federal agencies have a side meeting, or when IDEQ & IFG “huddle” on private discussions, or when the tribe unilaterally exercises its government to government consultation rights.

Some separation and small-group execution makes good sense for collaborative efforts, yet for it to succeed several elements must be in place. These include well-established roles and responsibilities for each member and healthy protocols for information-sharing, transparency, review and input, and accountability.

**c) Institutional Knowledge (Continuity/Staff turnover)**

Staff turnover in any collaboration can impact leadership, jeopardize organizational knowledge, affect working relationships, and introduce delays. Interviewees cited wide variation in the lengths of time the staff from each agency have worked on this effort. Multiple respondents noted staff turnover on the Partnership within at least one agency as a challenge. Council members might consider requesting each government commit to a good-faith effort to maintain consistent personnel within the NRRT and Council, in the interest of restoring the injured natural resources. Recognizing that turnover is inevitable in all facets of life and especially in public policy, where elections mean new administrations, it would help if:

- All members commit to working with their successors to ensure a smooth transition, and
- The Council adopts clear, written succession policies and practices.

Staff turnover in any collaboration can impact leadership, jeopardize organizational knowledge, affect working relationships, and introduce delays. Multiple respondents noted staff turnover on the Partnership as a

challenge. This calls into question the high-level institutional commitment to the Coeur d'Alene Basin on the part of at least one agency that has frequently changed personnel. Council members might consider requesting a written statement of commitment by the highest level possible of official at each member agency—or one or more specific governments—that this restoration effort is a high priority. It could also help for the Council to establish a policy about how and when interim Council and NRRT members will be used. Better integration of alternates, or at least clarifying their roles, would also assist.

#### **d) Project Selection Criteria/Priorities**

With the Restoration Plan nearing completion, questions face the Partnership over the timing, sequencing, and selection of projects beyond the Ecological Remedy connection mentioned above. While Trustees and NRRT members share the general perception that the Plan is well-written, it appears vital for the Plan to include robust, defensible project selection criteria. As the differing priorities and focus areas might indicate, criteria for selecting projects may differ between agencies.

Having a clear process and agreed-upon criteria for prioritizing projects will play an important role in preventing (or at least mitigating) conflict over how projects get selected for implementation. Generally, Trustees and NRRT members support prioritizing “projects that make the most ecological sense,” with sound science—rather than personal or agency agendas driving the selection. In the event that scientific rationale fails to elevate one project over another, members of the Partnership suggested placing priority on projects that provide social and cultural, subsistence, and recreational benefits as well.

One idea worth discussing emerged for project implementation: can the member agencies of the Partnership commit to sharing “ownership” of every project? It sounds as if most projects will occur on lands within one or another government’s jurisdiction. If the “host” entity committed to inviting and involving the contributions and expertise of the other Partner agencies for *every project* at whatever level is appropriate, that could help mitigate the divisiveness anticipated around project selection and implementation.

At the time of the draft of this report, the Restoration Plan was nearing completion. Despite the detailed framework for project selection criteria in the Plan, more than one interviewee raised questions over the selection and implementation of projects (beyond the abovementioned connection with EPA’s Remedy). In fact, most interviewees anticipated conflict among Partnership agencies and individuals over which projects get selected for implementation.

The draft of this report presented one idea for project implementation, listed in the top bullet below. Partnership review of that draft revealed at least one other strongly-held preference for project implementation, in the second bullet:

- Can the member agencies of the Partnership commit to sharing “ownership” of every project? It sounds as if most projects will occur on lands within one or another government’s jurisdiction. If the “host” entity committed to inviting and involving the contributions and expertise of the other Partner agencies for *every project* at whatever level is appropriate, that could help mitigate the divisiveness anticipated around project selection and implementation. For this to work, the Partnership will need to make changes in the way it does business to enhance communication, mutual respect, inclusion, understanding, and appreciation all around. It would also help to clarify specific roles and responsibilities, beyond the level in the MOA, Charter, and Policies and Procedures (as described below).
- Alternately, the Partnership entities could decide to engage in a relatively streamlined, predominantly individual-agency approach to implementation, perhaps even changing the format or personnel of the

NRRT to mitigate interpersonal conflict and increase the Team's expertise and experience with on-the-ground project realization and execution.

### 3. PERSONALITIES AND GROUP DYNAMICS

#### **A. Limited Number of People Directly Involved Leads to Challenges**

Small groups allow participants to get to know each other very well over time. This can lead to well-developed understandings among team members of each other's strengths and weaknesses, preferred roles, and working styles—offering opportunities to further the group's interests and create harmonious working arrangements. On the other hand, it also allows people to know each other's "hot buttons" and weak points, creating avenues for manipulation and dysfunction.

Some collaborative groups learn to take advantage of varied styles and personalities, in addition to diverse areas of expertise and specific skillsets. Within the Partnership, relationships between certain individuals have become polarized over time. Too often, this has led to a significant amount of time spent in conflict. This, in turn, results in negative impacts to decision-making, inefficient use of resources, and declining trust. With a strong commitment to mutual respect, non-judgmental listening, and other principles of healthy group function, the Partnership can reap significant benefits. To help enable this commitment to manifest in healthy group behavior, below recommend a specific option for training around communications and relationship-building.

Small groups usually allow members to get to know each other well; this can bring benefits via understanding and covering for (complementing) each other's strengths and weaknesses. It also creates avenues for manipulation and dysfunction, when healthy interpersonal "getting-to-know-you" time and activities (personality tests, informal time, field/site visits) do not occur enough—as has been the case with the NRRT at least (and possibly the TC). The fact that some Team members are full-time on this effort while others are only part-time exacerbates this significantly.

According to participants in the NRRT, relationships between certain individuals have become polarized over time to the point of hostility, tears, and dysfunction. Whether based on personalities, agency agendas, working styles or norms, or other underlying or overt factors—serious behavior problems have gone unaddressed. While it might be possible to overcome this with a combination of group dialogue sessions and rigorous, targeted communications training followed by strong commitment to (and accountability mechanisms for) mutual respect, non-judgmental listening, and other principles of healthy group function, more than one interviewee believes the NRRT has passed the point of no return.

This breakdown between/among individuals is a serious threat to the function and future of the Partnership and the restoration of the Basin. At this time, it may be wise for the Partner agencies to consider offering staff members the opportunity to voluntarily step away from the effort if any feel they can no longer work collaboratively on the NRRT or TC, in good faith, toward the success of the Partnership and its members. Should Partnership members wish to consider attempting to mend fences and commit to working toward healthy group behavior, group training around communications and relationship building would likely make this more achievable.

### 4. COMMUNICATION AND COORDINATION

#### **a) Mistrust between Some Members in the Partnership**

The Restoration Partnership came about after nearly a quarter century of litigation (and resulting cleanup settlements) with mining companies responsible for much of the environmental contamination and damage in the Basin. Restoration Partners settled distinct cases in the litigation at different points in time and for varying

dollar amounts over the last 15 years. While this is not the only example of agencies repeatedly re-raising another agency's previous actions leading to disrespect or distrust, it serves as an example of the type of inter-agency behaviors that tend to undermine trust and respect.

**Recommendation:** *Hold a facilitated open conversation about this issue, allowing for the possibility of one or more governments communicating individually with relevant decision-makers (or taking other actions) in the interest of attaining closure on this topic so it can be addressed in a healthy manner and put to rest. The group(s) may need help to have this open conversation in such a way that it puts it to rest, rather than inflaming it. Therefore, we recommend facilitation.*

Multiple interviewees cited a history of mistrust between the State of Idaho and the Coeur d'Alene Tribe of Indians; past treatment of Native American tribes by federal and state agencies contributes to this, manifesting in lingering resentment. Others noted a tendency for people to make generalized statements about a given partner agency, at times using such blanket statements to cast aspersions at the individual Trustee or Team member. Committing to separating the individual from the agency (i.e. "don't kill the messenger") can help mitigate this issue.

After decades of litigation (and resulting cleanup settlements) with mining companies responsible for environmental contamination and damage in the Basin, Restoration Partners settled distinct cases at different points in time and for varying dollar amounts. This is only the most recent example of Partnership members and/or agencies repeatedly raising another agency's previous actions as responsible for a lack of trust.

**Recommendation:** *Consider a facilitated conversation to at least touch on the litigation settlement issue, but also to address other differences and impediments. The group(s) will need a real commitment and, most likely, neutral facilitation to have this conversation in a way that allows for participants to separate the person from the problem. While a government agency may carry a legacy of past mistreatment, the individual Partnership staff can still commit to make a good faith effort to bring their agency's best foot forward and operate to maximize mutual gains from this day forth.*

*This facilitated discussion would be well served to include:*

- *Articulation and mutual acknowledgement of each Trustee's main objectives for restoration,*
- *Jointly-expressed list of the challenges and opportunities currently before the group (at this time),*
- *A collective map of the best possible outcomes going forward (future), and*
- *Each Trustee's idea(s) and specific suggestions on how best to achieve those outcomes.*

*From these elements, the Partners can begin to develop and agree on the structures and protocols that will successfully achieve those highest outcomes.*

### **b) Tendency to Address Conflicts over Email**

Conflict presents opportunity, and can bring about healthy transformation and increased understanding if handled well. Electronic communications do not typically allow for healthy resolution of conflict, and in fact most often exacerbate misunderstanding. To improve group functioning, it is vital that members of the Council and NRRT commit to addressing sensitive issues or disagreements by either face-to-face conversation, or potentially by phone.

Conflict presents opportunity, and (as noted) can bring about healthy transformation and increased understanding if handled well. Electronic communications rarely provide healthy resolution of conflict, and in fact usually exacerbate misunderstanding. The pattern of addressing conflicts via email is at least in part due to the full time/half time dynamic (when full-time team members only have limited access to half-time members, email is often used as way to try to accomplish business). This points to the importance of acknowledging and

resolving the FTE differential. When two parties don't feel comfortable discussing their conflict one-on-one or when two parties are unable to resolve their conflict at the individual level, third party assistance can offer assistance (via TC representative involvement or outside facilitation/mediation).

**Recommendations to improve group functioning:**

- *Members of the Council and NRRT must commit to addressing sensitive issues or disagreements by face-to-face conversation, or by phone.*
- *In addition, the Partnership should find ways to equalize staff availability/FTE.*

**c) Lack of Clear and Consistent Documentation of Council Decisions, Meeting Outcomes, Action Items, Delegations/Expectations**

Several interviewees noted occasions when Trustees or NRRT members have left meetings with differing impressions of what the group decided on or what individuals (or small groups) agreed to do. It could assist greatly to adopt the practice of reviewing and confirming decisions and action items at the conclusion of each Council and NRRT meeting.

Several interviewees noted occasions when Trustees or NRRT members have left meetings with differing impressions of what the group decided on or what individuals (or small groups) agreed to do. While some saw this as fixable via the practice of reviewing and confirming decisions and action items at the conclusion of each meeting, others attributed this to one or more Team members leaving meetings early.

**Recommendation:** *adopt the practice of reviewing and confirming decisions and action items at the conclusion of each Council and NRRT meeting—or at least confirming decisions and action items before anyone leaves the meeting.*

**d) Lack of Consistent Universal Access to Council and NRRT Products**

In group dynamics, transparency among the members leads to trust among the groups. Multiple Partnership members noted that they did not get a chance to see certain documents until a point when it felt too late for constructive input. Reaching agreement on specific junctures for review and input on collaborative products represents the bare minimum toward full-time access to all documents for all Partnership members. Other collaborative groups use a group website for document storage and access, with either a neutral party maintaining it or one Partnership member responsible for updating it under clear, agreed-upon protocols. Multiple individuals noted that they did not get a chance to see certain documents until a point when it felt too late for constructive input. Others report that all documents were continuously available, and that this problem was due to the fact that sometimes individuals could not make meetings or left early—leaving the group needing to move forward on materials without them.

**Recommendation:** *(assuming the current staffing structure continues) in addition to using a group website for document storage and access with clear, agreed-upon protocols for updating it, the Council and NRRT must agree on document management protocols in the event of staff missing meetings or having to leave early.*

**e) Communication and Delegation between Council and NRRT: Intra-agency and Inter-agency**

The need for clear protocols around decision-making, action items, and document sharing extends to the hierarchical framework of individualized communications among Council and Team members. Interviewees conveyed conflicting perceptions of how often or appropriately a fellow government's Trustee gave task orders to that government's NRRT member. This can lead to surprise and dismay for one party when they find out another had been working to advance a product or document without their knowledge. A meeting

protocol—requiring each Trustee or NRRT member to confirm (at the close of each meeting) the tasks and actions their agency should advance—could go a long way toward addressing this challenge.

Respondents also mentioned occasional interagency Council-to-Team communications (from one TC member to a different agency's Team member). Some participants perceive this as necessary at times; others see it as inherently problematic. Again, establishing clear, agreed-upon communication protocols could greatly assist in this area.

The need for clear protocols around extends to communications among Council and Team members. Tasks can originate within both TC and NRRT, with individual initiative or internal agency direction. The Partnership would benefit from articulating an agreed-upon framework for when shared tasking occurs and when individual or agency initiative is appropriate. Allowing some degree of autonomy is healthy, as long as clear sideboards put boundaries around the need for buy-in from NRRT, TC, or both.

Respondents also mentioned occasional interagency Council-to-Team communications (from one TC member to a different agency's Team member). Some participants perceive this as necessary at times; others see it as inherently problematic. More frequent interactions among all members of the Council and NRRT would bring greater understanding and clarity on needs and wants, styles, strengths and weaknesses, and opportunities.

## C. Moving Forward

### 1. LEADERSHIP

An African proverb states: *If you want to go fast, go alone. If you want to go far, go together.* Nearly every member of the Council and NRRT stated in some way that the entities in the Restoration Partnership can accomplish more together than individually. It will take hard work and real commitment. The Partnership still has a chance to achieve great things if it takes some time to address the primary issues that were shared in the interviews, and focuses on constructive and healthy ways to work together to the point where the Partnership actually make commitments to collaborative protocols and hold each partner/individual accountable.

An African proverb states: *If you want to go fast, go alone. If you want to go far, go together.*

Every member of the Council and NRRT, at some point in this assessment, stated that the entities in the Restoration Partnership can accomplish more together than individually. The question at this point is: what are the most constructive and healthy ways to work together? The conversation should focus on each Trustee's highest objectives for restoration, the issues and tools that can help or hinder those, and the best model for efficient and effective implementation.

This juncture, with the Plan complete, provides a timely opportunity for the Partnership to take stock of its progress, its resources, its working relationships, and how to best provide the type of collaborative leadership that this Basin deserves. That includes whether (and if so, what) changes to make to the Partnership's structures and protocols.

### 2. STEWARDSHIP

Trustees and NRRT members all expressed a deep belief that the restoration of injured natural resources is a worthy, just, and needed pursuit. It appears that this higher calling would keep partner agencies and individuals at the table, even without signed documents providing additional incentive. Perhaps the time has come to put aside, or take responsibility for addressing, divisions and dysfunctions preventing the Partnership from doing its best work. The Partnership has to decide it's worth it to find ways to move past these issues and behaviors in the interest of the greater good of restoring the health of the ecosystems of the Basin.

Trustees and NRRT members all expressed a deep belief that the restoration of injured natural resources is a worthy, just, and needed pursuit. The time has come to put aside—or take responsibility for intentional actions

to address—the divisions and dysfunctions preventing the Partnership from doing its best work. The Partnership has to decide how to move past these issues and behaviors in the interest of the greater good of restoring the health of the ecosystems of the Basin.

The draft of this report outlined some specific (hard) steps toward augmenting existing policies and procedures to enhance collaboration and hold individuals accountable. However, comments received during the review clarified that some Partnership members see more benefit to simply lessening the level of collaboration: fewer meetings, less work to get every person and agency aligned on every word of every document, and perhaps fewer (or different) individuals involved.

### 3. COMMITMENT TO IMPROVED FUNCTIONING:

#### a) Communication and Coordination

Communication is the life blood of any relationship. The rotating Administrative Trustee position has potential to fulfill the duties of agenda-setting, note-taking, recording and confirming decisions and action items, etc.; however, this approach leaves the Admin Trustee subject to potential perceptions or accusations of bias in any one or more of those areas. It might be possible to establish a process whereby the Admin Trustee pledges and commits to neutrality in service of the Partnership and its goals, if that doesn't already exist. A neutral facilitator makes choreographing and coordinating the collaborative decision-making process significantly easier: it allows the Administrative Trustee to focus on his/her duties, and the members to focus on the substance by turning over the process to someone with expertise in that area and no agenda in the outcome. The rotating Administrative Trustee position fulfills the duties of agenda-setting, note-taking, recording and confirming decisions and action items, etc. Most respondents noted that having one Trustee and one Team member handle administrative duties has worked smoothly for the most part; however, more than one believe a neutral facilitator would make this less subject to question. In high-functioning collaborations, these duties and documents are rarely questioned and timely sharing of meeting notes and resolutions occurs.

#### b) Settlement Funds: Entitlement to and Responsibility for Project Selection, Implementation

Interviewees expressed support for selecting and implementing the projects most likely to further the restoration of injured natural resources, but most acknowledged that other factors come into play, such as politics and optics along with staff position funding. To address the public or political perception of the Restoration Plan and Partnership making progress, some members suggest cooperatively completing one or more high-profile projects first to build public trust by demonstrating partnership and showcasing shared results. For the staff funding, some mentioned that money for some Trustee positions could be removed if projects aren't continually getting selected/ funded/implemented. Since others want to wait to implement projects until after EPA's Ecological Remedy is complete (so toxins don't subsequently re-contaminate Basin resources), the Partnership must address this issue.

To address public or political perceptions of the Plan and Partnership, some members suggested cooperatively completing one or more high-profile projects first to build public trust. Some mentioned that money for some Trustee positions could be removed if projects aren't continually getting selected/funded/implemented, suggesting an ulterior motive for some staff to advocate for immediate and continued project implementation. Again, the Partnership would do well to address this issue and others via a conversation about:

- Each Trustee's main objectives for restoration,
- The challenges and opportunities currently before the group (present),
- The best possible outcomes going forward (future), and
- Each Trustee's idea(s) on how best to achieve those outcomes.

### c) External Relationships: Politics, Partners

Several respondents mentioned county commissioners from two Basin counties as factors to consider, specifically including those counties' desire that restoration projects promote recreation. With the State reportedly representing the counties and handling those relationships directly, some raised questions about the politics of the state-county relationship. If they have not already, the Trustees from the State should clearly communicate to the rest of the Partnership how the state would prefer to address this issue and then reach agreement among Trustees as to how to do so. There may also be issues related to the politics of the Tribal Council or federal agency authorizing officials that have not yet emerged. It would be wise to establish open lines of communication with these decision-making bodies to gauge their perceptions and desires related to implementation of the Restoration Plan.

## III. RECOMMENDATIONS—IN PRIORITY ORDER

Based on the dialogue at the end of the Center's presentation of findings on November 3, 2016, the following is a set of suggestions for the Partnership to consider as near-term actions, as an a la carte menu or a full suite.

Comments submitted during review of the draft of this report showed that before considering specific tools and approaches for improving the *function* of the Partnership, it may be necessary to reconsider the *staffing and structure* of the Partnership. Members have expressed varying levels of fundamental distrust in the ability of the Partnership to rebuild to a functional, holistic collaboration. This low level of confidence among some members of the team may indicate an unwillingness to truly try to resolve problems – an unwillingness that would mean the Partnership as currently staffed cannot reach its full potential.

### 1. CONDUCT AN HONEST, IN-PERSON, REVIEW OF WHERE THE PARTNERSHIP STANDS

Regardless of the Partnership's decision on a final direction, all of the Partnership agencies (and other interests) will continue to coexist and will need to continue to find ways to work together within the Basin. The group and its members must collectively take a hard, honest look at themselves and at one another to determine whether and how to make substantive changes in the staff and structure of the teams. As noted earlier, this needed hard look will not be an easy conversation and will best be conducted carefully with the help of a skilled facilitation team.

It would help for the Council, with the NRRT present in the room, to map out options for working together and separately, and carefully consider how restoration decisions could best be made in the absence of the current Partnership structure. To evaluate the best potential for successful restoration of Basin resources, the TC (with NRRT input as needed/appropriate) should conduct an "alternatives analysis" prior to any decisions about whether or how to restructure the Partnership.

In short, the Center suggests that you look hard at yourselves, each other, your agency, and the team—you all understand the interpersonal chemistry. Do you feel that continuing the same staffing will lead to effective working relationships? Or do the past dysfunction and mistreatments lead to a situation where it simply would not be fair to ask these individuals to continue working together?

As noted, the basic questions and sequencing might begin with asking "What are the main objectives of the TC and its member governments?" Then together list the challenges and opportunities currently before the group, the best possible outcomes going forward (future), and each Trustee's idea(s) on how best to achieve those outcomes.

You all know better than the Assessment Team, or anyone, what the unique opportunities and challenges the coming months and year(s) hold. The core question is, *“How can the Partnership best move into implementation? Can and will every individual on the Council and NRRT commit in good faith to find forgiveness, address misbehavior and dysfunction, and elevate your treatment of each other to the level of true mutual respect and appreciation? Or does it make more sense to develop a new model for working together, based on those main objectives of the Partnership agencies and the Trustees?”* Again, to be clear this could provide a voluntary off-ramp for one or more individuals.

The outcome of this session should be:

- a collective decision on whether to change the staffing structure and the protocols for working together (meeting frequency and purpose, document sharing, internal and external communications, etc.),
- OR --
- to commit to doing the difficult interpersonal work that would be required in the event the current staffing structure is carried forward into restoration.

In the event of the former, the Council will likely need additional conversations to determine the specifics of how future collaboration can best serve restoration. Should the Partnership choose the latter path, the group would be well-served to consider Recommendations 2-8 below.

## 2. RESOLVE FULL-TIME VS. PART-TIME STAFFING DIFFERENTIAL

As noted, this discrepancy emerged during report review as a core challenge, especially problematic for the NRRT. Somehow, if the current staff members stay involved, they either need to:

- Accept that higher-level officials determined the limited availability of those part-time staff and that other agency demands may at times outweigh some Partnership responsibilities, or
- Have the time they are tasked with spending on this effort equalized (or aligned as closely as possible).

## 3. CONSIDER AND ADOPT BASIC PRINCIPLES OF COLLABORATION

The most time- and cost-effective first step may be for the Partnership to develop protocols to ensure clear, consistent communication and decision-making. Sometimes a group has to go slowly in order to be able to go fast, in that functional group norms will allow much more efficient decision-making and collaborative work. At least as important is establishing a process to document and agree on decisions and action items at the end of each meeting.

In the alternative, the group may choose to draw from rules developed and used by other successful teams. Abbreviated sample collaborative principles, for reference, often consist of some assortment of the following:

- No Surprises
- Inclusive, Not Exclusive. (Example: for issues/processes where one entity has “ownership,” look for ways fellow TC entities can provide complimentary activities, messages, or ideas.)
- Flexible
- Egalitarian
- Transparent
- Respectful
- Accountable

- Time Limited
- Achievable
- Purpose-driven
- Educational
- Voluntary
- Self-Designed
- Shared accountability, shared credit/recognition/success, shared outcomes

Ground-rules or group norm documents often contain a purpose statement and details on the commitments each group member is making by agreeing to the set of principles.

*This might consist of a half-day facilitated session, and should include both the Trustee Council and NRRT. Several options exist for facilitation services including private firms, sole practitioners, and university providers—including practitioners to choose from that live and work both inside and outside of Idaho.*

The current governing documents (Policies and Procedures, Charter, and MOA) do not commit and hold Partnership staff to a high standard of behavior. Stating that decision-making shall occur by consensus does not provide a mechanism for interpersonal accountability to show basic respect, not to mention more sophisticated behaviors that characterize high-functioning collaborations). The Partnership may choose to draw from rules developed and used by other successful groups. Abbreviated sample collaborative principles, for reference, often consist of some assortment of the following:

- No Surprises/Transparent (each member commits to strive toward full and perpetual transparency, avoiding springing unexpected issues or work products on the others)
- Inclusive, Not Exclusive (example: for issues/processes where one entity has “ownership,” look for ways fellow TC entities can provide complimentary activities, messages, or ideas)
- Flexible
- Egalitarian (each member within a group has equal authority within the group)
- Respectful
- Accountable
- Time Limited
- Achievable
- Purpose-driven
- Educational
- Voluntary
- Self-Designed
- Shared accountability, shared credit/recognition/success, shared outcomes

Group norms often contain a purpose statement and detail the commitments each group member is making by agreeing to the set of principles. These agreed-on protocols are most often called ground-rules, but other names exist (norms, operating protocols, or a covenant). They can get added onto one or more of the existing documents OR adopted less formally/legalistically; either way they need firm commitment from everyone and a mechanism for accountability. Such ground-rules often contain explicit, step-by-step guidelines for anticipating, preventing, and handling conflict when it arises at the relevant levels (NRRT, TC, governments).

Specific to external communications: the draft report review raised issues around the Communications Specialist. Noting that this role has functioned well for the most part, but lacks a clear framework for oversight and input, and has the potential for the public to conflate Tribal and Partnership interests and messages. Again, the Partnership has an opportunity to establish clear expectations and guidelines for this role, including

a mechanism for constructive feedback. These guidelines can also get agreed upon and codified in a set of operating protocols or ground-rules.

*The development of ground-rules might consist of a pair of half-day facilitated sessions, and should include both the Trustee Council and NRRT. Several options exist for facilitation services including private firms, sole practitioners, and university providers—including practitioners to choose from that live and work both inside and outside of Idaho.*

#### WORK TOGETHER TO DEVELOP A HISTORY OF THE BASIN, INCLUDING A TIMELINE OF EVENTS AND THE CORE ELEMENTS OF A SHARED STORY

At the Ruckelshaus Center's presentation of draft findings on November 3, 2016, may recall, interest was expressed related to the idea of jointly mapping out a timeline of the Basin. This can allow the Partnership to build a shared story members can all tell. This Basin has an amazing story to tell, and that story is getting better and better as the partners work together. By developing the shared timeline and story together, the Partnership can work through and make progress resolving historical wrongs along with raising the awareness and understanding of social, cultural, and historical factors that influence the group's decision-making (as noted, it is impossible to completely escape this influence, even as some try to keep the decision-making focused strictly on science).

*This could be accomplished in one or two facilitated sessions of 4-6 hours each. For the good of the whole, again it would make sense to include both the Trustees and NRRT members.*

#### 4. DETERMINE SPECIFIC ROLES OF MEMBERS

It could do wonders for the Partnership to clearly codify roles and responsibilities, agreeing on them in writing. If desired, the Spokane River Regional Toxics Task Force (SRRTTF) Memorandum of Agreement has a table the Partnership could use as a template and adapt.

*This may be a combined TC/NRRT session to consider Charter/MOA/Policies & Procedures in light of SRRTTF MOA matrix, then have NRRT do its own roles/responsibilities and TC do its own). It may be possible for the group(s) to accomplish this on their own, though it would help to do #5 below beforehand.*

It could do wonders for the Partnership to better define what people do. Specific, itemized, agreed-upon roles and responsibilities (beyond the MOA, NRRT Charter, and Policies and Procedures—via addendum or, more easily, a new document), would help Partnership members to be accountable to each other. (If desired, the Spokane River Regional Toxics Task Force (SRRTTF) Memorandum of Agreement has a table the Partnership could use as a template and adapt.) This may be a combined TC/NRRT session to consider Charter/MOA/Policies & Procedures in light of SRRTTF MOA matrix, then separate sessions to have the NRRT develop and agree on its own specific roles/responsibilities and TC do its own). It may be possible for the group(s) to accomplish this on their own, though it would help to do #6 below beforehand.

#### 5. Address BUDGET ISSUES

As noted, a repeated theme emerged that the Partnership can get better outcomes together than individually—especially if and when the Partnership has an agreed-upon strategy for coordination with EPA's Ecological Remedy. However, first the partners all must address perceived inequalities in budget and staffing. This was repeatedly cited as a source of major tension and difficulty between personnel and between organizations. Agencies can work to level the playing field if they want to do so. At a minimum, each member's allocation of resources and contribution of expertise must be clearly understood and supported by all members of the team.

Several issues influence this challenge and are rolled into this recommendation, including:

- Unequal allocation of settlement funds across the different governments
- Differing overhead rates
- Differing staffing rates - some staff members work only half-time while their peers work full-time on the Restoration
- Staffing levels vary widely—need to resolve .6 vs .25 FTE issue (a specific suggestion emerged for high-level resolution involving the Boise manager for DOI and one or more Tribal Council members)

It may be possible to use creative approaches combining in-kind resource commitments, staff time, and adjusting overhead rates to achieve balance in what each Trustee agency contributes (whether pro-rated or balanced against the differing settlement amounts or not). A multi-step process may make sense, e.g.:

- a) Clarify, justify, and document each member's unique resources, expertise, commitment, and contribution to the success of the overall effort;
- b) Use shared history/story as context for shared and cooperative agency commitments to overall outcomes; and
- c) Incorporate into an open conversation about roles and responsibilities: a work session and strategy (with specific commitments and action items) to resolve differences and allocate contributions among annual financial, staffing, and other contributions to the Partnership—focused on equity, mutual gain, and taking advantage of the different types of resources and tools available to each Trustee.

This could be accomplished in two facilitated sessions, 4-6 hours each. For the good of the whole, again it would make sense to include both the Trustees and NRRT members.

The partners all must address perceived inequalities in budget and staffing. With the agencies having taken at least one step to equalize FTE levels at the Council level, this must occur ASAP at the NRRT level (as noted in #2 above). Beyond FTE levels, other issues influence this challenge and are rolled into this recommendation, including:

- Unequal allocation of settlement funds across the different governments
- Differing overhead rates

Creative approaches (e.g. combining in-kind resource commitments, staff time, and adjusting overhead rates) might help to achieve balance in what each Trustee agency contributes (whether pro-rated or balanced against the differing settlement amounts or not).

***Recommendation:*** *Work with the entire team to assess and understand the investments currently being made by each organization. Then, starting from a shared understanding of each organization's contribution, work to develop an agreed-upon expectation and commitment for each organization to the Partnership going forward. This could be accomplished in two facilitated sessions, 4-6 hours each. For the good of the whole, again it would make sense to include both the Trustees and NRRT members.*

## 6. COMMUNICATIONS TRAINING

Consider hiring a skilled group communications trainer to work with the Trustee Council and the NRRT to develop a set of shared communications tools to improve mutual respect among team members and improve the efficiency and effectiveness of the groups' communications and decisions. One-day training modules from experts in the field of interpersonal communications can provide useful feedback, context and constructive tools to help members understand each other better, resolve past incidents, build trust and respect, and gain awareness of how to raise and work through differences and challenges without falling into dysfunction.

***Recommendation:*** *Consider hiring a skilled group communications trainer to work with either or both the Trustee Council and the NRRT to develop a set of shared communications tools to improve mutual respect*

*among team members and improve the efficiency and effective of the groups' communications and decisions. One-day training modules from experts in interpersonal communications can provide useful feedback and transformative tools for members to understand each other, resolve past incidents, build trust and respect, and learn how to productively raise and work through differences and challenges.*

## 7. AD-HOC FACILITATION

More than one respondent expressed interest in having a neutral party facilitate meetings of the Council and/or the NRRT. Others think the current makeup of the Council has a high level of mutual respect and good interpersonal dynamics, opining that facilitation would not make much of a difference. Most seemed to think that facilitation would make some sense for the NRRT which has struggled with interpersonal conflict over roles and responsibilities, and non-constructive conflict between disciplines among other issues.

***Recommendation:** Consider procuring a contract for strategic advice and on-call facilitation services. Those services can provide simple tasks such as agenda development, meeting structuring and coordination, note-taking and recording of decisions and action items—or much higher-level guidance working through sensitive issues, conflicted situations, and crux points in project selection and implementation. Costs TBD.*

More than one respondent expressed support for a neutral party facilitating meetings of the Council and/or the NRRT. The majority of the 13 interviewees especially think that facilitation would make some sense for the current composition of the NRRT. Certainly this would not have to involve an outside party at every meeting, hence the terms “on-call” and “ad hoc.”

***Recommendation:** Consider procuring a contract for strategic advice and on-call facilitation services. Those services can provide simple tasks such as agenda development, meeting structuring and coordination, note-taking and recording of decisions and action items—or much higher-level guidance working through sensitive issues, conflicted situations, and crux points in project selection and implementation. Costs TBD*

## IV. CONCLUSION

This report highlights significant challenges facing the Restoration Partnership and its members, but the Assessment Team urges readers of this report to remember the outstanding mission, the shared interest and commitment, and the common ground underpinning the efforts of the Partnership. Like all groups and teams, the Partnership has tough decisions to make, but there are many reasons to remain optimistic and to invest together in the optimal shared outcomes that the partners desire, that the Basin urgently needs, and that can set an example for the nation.

The William D. Ruckelshaus Center is pleased to submit this report to the Coeur d'Alene Basin Restoration Partnership, and hopes these results help the Trustee Council and the Natural Resources Restoration Team determine how best to proceed with a collaborative process. For any questions, please contact the Center at [ruckelshauscenter@wsu.edu](mailto:ruckelshauscenter@wsu.edu), 509-335-2937 or 206-428-3021.

## APPENDIX A: SITUATION ASSESSMENT PROTOCOL AND INTERVIEW QUESTIONS

WASHINGTON STATE UNIVERSITY

# THE WILLIAM D. RUCKELSHAUS CENTER

UNIVERSITY OF WASHINGTON

### Coeur d'Alene Basin Partnership Situation Assessment

#### Introduction

The William D. Ruckelshaus Center (Center) is a neutral resource for collaborative problem solving in the state of Washington and the Pacific Northwest, providing expertise to improve the quality and availability of voluntary collaborative approaches for policy development and multi-party dispute resolution. The Center is a joint effort of Washington's two research universities, the University of Washington (UW) and Washington State University (WSU). For more information, see attached one-page overview or [www.ruckelshauscenter.wsu.edu](http://www.ruckelshauscenter.wsu.edu).

To improve collaboration, consensus, and successful shared outcomes, the Council has engaged the Center as a neutral third party to conduct a situation assessment. The assessment will examine the history, dynamics, interests, challenges, and opportunities related to the restoration of the natural resources of the Coeur D'Alene Basin. The assessment will help to "map" existing relationships and objectives among the Council's member organizations (and external organizations as relevant), and will provide recommendations for the Council's consideration and possible adoption.

The Center will reach out to a balanced cross-section of parties over the next several months to capture a range of perspectives. The assessment will articulate the major issues and key parties involved, and document their interests and perspectives. It will also analyze and explore the prospects for adjusting the current collaborative process to address those issues.

You have been identified, via the Center's selection criteria and/or referral, as an interview candidate. We hope you will agree to participate. Participation is completely voluntary. You can choose at any time during the interview to decline to answer a question or end the interview. To encourage you to be as frank as possible, and to be consistent with university research protocols, responses from these interviews will not be attributed by name or organization. We will share a list of who was interviewed and key themes that emerged, but names will not be associated with any of the statements. You will have the opportunity to opt out of having your name included on the list of interviewees if you wish.

The Center's research and study design is being conducted according to human subject research procedures and protocols that have been reviewed by the WSU Office of Research Assessment. If you have any questions about your rights as participants you can contact Chris Page, the Principal Investigator, at 206- 770-6060 or [ruckelshauscenter@wsu.edu](mailto:ruckelshauscenter@wsu.edu).

Below are the questions for the interview, which is expected to take 45 minutes to one hour. You do not need to prepare responses to these questions ahead of time. They are provided in advance so you have the opportunity for reflection, if you wish. Prior to proceeding with the interview questions, we will confirm that you are willing to continue.

#### Interview Questions

1. Please tell us about your background, affiliation, involvement, and interests with the Coeur d'Alene Basin Restoration Partnership, the Trustee Council and Natural Resource Restoration Team (NRR).

2. This effort is to support and improve collaboration and working relationships among participants in the Restoration Partnership. How would you describe the Partnership, its members and the effort?
3. What are the most important objectives in the Coeur d'Alene Basin? Who is responsible for achieving those objectives? What or who do you believe may be key to accomplishing them?
4. What would you describe as major challenges associated with the restoration planning effort? What do you see as ways to address those challenges and what are the benefits? What might be the risks or barriers to addressing those issues?
5. What additional information, tools, or resources (if any) would you find helpful in achieving the objectives of the Restoration Partnership? Other objectives?
6. Can you describe the dynamics among the entities and individuals involved in the Trustee Council? What about the dynamics among members of the NRRT?
7. What other relationships or entities influence the functions and relationships in the Partnership? How? What suggestions if any do you have for improving working relationships?
8. If the Restoration Partnership could make just one change, what would that be? Why is that important and when should that be accomplished? What is the risk of not making the change?
9. Do you think adjustments to the current collaborative process might be appropriate to address any of these issues? (Adjustments might include exercises to clarify common interests, development and adoption of more explicit ground rules, or the addition of a neutral facilitator to the Trustee Council and/or NRRT). What adjustments would you suggest, and what would you hope could be accomplished?
10. What other changes do you think could help the Partnership finalize a Restoration Plan and begin implementation? What role would you/your organization be willing to play, if agreeable to other involved parties? What issues or rules should be part of the conversation? Which ones should not?
11. Do you think information-sharing (for example, about organizational culture or protocols, would help increase understanding, communication, and interpersonal dynamics? If so, what information should be shared and why?
12. If a meeting facilitator is not appropriate, what (if anything) do you think should happen next?
13. Who do you think it is important that we interview as part of this assessment? Why is it important to speak to him/her/them?
14. What should we have asked that we did not?
15. Do you have any questions for us?

**APPENDIX B: INTERVIEWEE NAMES AND AFFILIATIONS**

	Name	Category	Affiliation
1.	Karen Cathey	Federal	U.S. Fish and Wildlife Service
2.	Phillip Cerner	Tribe	Coeur d'Alene Tribe
3.	Jo Christensen	Federal	US Forest Service
4.	Chip Corsi	State	Idaho Department of Fish and Game
5.	Jeff Johnson	Federal	US Forest Service
6.	Bob Kirkpatrick	Federal	Retired/Former US Forest Service
7.	Tim Kiser	Federal	U.S. Fish & Wildlife Service
8.	David Leptich	State	Idaho Department of Fish and Game
9.	Caj Matheson	Tribe	Restoration Partnership/Coeur d'Alene Tribe
10.	Kathleen Moynan	Federal	US Fish and Wildlife Service
11.	Dan Redline	State	Idaho Department of Environmental Quality
12.	Rebecca Stevens	Tribe	Coeur d'Alene Tribe
13.	Kajsa Van de Riet	State	Idaho Department of Environmental Quality