

# THE WILLIAM D. RUCKELSHAUS CENTER

UNIVERSITY OF WASHINGTON

## Proposal for a Facilitation of the Spokane Regional Toxics Task Force

March 6, 2012

### Background

The William D. Ruckelshaus Center (Center) is a neutral resource for collaborative problem solving in the Pacific Northwest. It is a joint effort of Washington's two research universities and is dedicated to assisting public, private, tribal, non-profit and other community leaders in their efforts to build consensus and resolve conflicts around difficult public policy issues. The Center is hosted at the University of Washington (UW) by the Daniel J. Evans School of Public Affairs and at Washington State University (WSU) by WSU Extension. More information is available at <http://ruckelshauscenter.wsu.edu/>.

The 2011 Washington NPDES wastewater discharge permits issued by the Department of Ecology for facilities discharging into the Spokane River include the requirement for creation of a Regional Toxics Task Force (Task Force). These permits state that the Task Force membership should include the NPDES permittees in the Spokane River Basin, conservation and environmental interests, the Spokane Tribe of Indians, Spokane Regional Health District, Washington State Department of Ecology, and other appropriate interests. It is anticipated that similar permit requirements will be in the future permits issued by the Environmental Protection Agency to the NPDES permittees with facilities discharging to the Spokane River in Idaho.

A Memorandum of Agreement (MOA) that describes the Task Force operational and organizational concepts was finalized on November 29, 2011 and Task Force members have been requested to sign the MOA by February 1, 2012. The MOA describes the organizational structure, identification of the roles and responsibilities of the membership, and governance structure for formation of the Task Force. The goal of the Task Force will be to develop a comprehensive plan to bring the Spokane River into compliance with applicable water quality standards for PCBs.

To accomplish that goal it is anticipated that the task force functions will include:

- Identify data gaps and collect necessary data on PCBs and other toxics on the Washington 2008, Category 5, § 303(d) listing for the Spokane River (PCBs and Dioxins).
- Further analyze the existing and future data to better characterize the amounts, sources, and locations of PCBs and other toxics as defined above entering the Spokane River.
- Prepare recommendations for controlling and reducing the sources of listed toxics in the Spokane River.
- Review proposed Toxic Management Plans, Source Management Plans, and BMPs.
- Monitor and assess the effectiveness of toxic reduction measures.
- Identify a mutually agreeable entity to serve as the clearinghouse for data, reports, minutes, and other information gathered or developed by the Task Force and its members. This information shall be made publicly available by means of a website and other appropriate means.

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This proposal is for the Ruckelshaus Center to serve as a neutral facilitator and/or coordinator to the Task Force from June 2012 to June 2013 (this period of performance could be extended to include additional years by mutual agreement of the parties). The proposal includes an optional element for the Center to provide a university-based technical advisor, and technical expertise, to assist in review of data, studies, and control measures, as well as providing technical education information to the public. This technical advisor role could begin at the same time as the facilitation/coordination role, or it could be added further along in the process.

It is important to emphasize that this proposal is based on the Center's current understanding of and assumptions about the Task Force's needs and interests, based on materials currently available and conversations to date. The Center can modify this proposal if those understandings or assumptions are incorrect or incomplete.

The tasks outlined in this proposal will be conducted by Center faculty and staff and/or other WSU or UW faculty, staff, students or affiliated practitioners. The Center proposes to contract with Kelsey Gray to serve as the project manager and lead facilitator. Center Director Michael Kern will serve as a strategic advisor. A Center Project Associate (or university student working under the direction of Center staff) will provide project logistics support and coordination. If the technical advisor element is incorporated into the Center's services, the Center will identify an appropriate university-affiliated technical advisor/coordinator.

Subject to the availability of funding and the execution of a standard MOA which defines the level of activity preferred, the Center will provide the following services:

1. Coordinate agenda development for Task Force meetings in consultation with Task Force members. It is likely the group will establish an executive or management subgroup to aid the facilitator in functions such as agenda development.
2. Facilitate monthly meetings of the Task Force. It is important that the facilitator maintain a neutral stance in facilitating discussions to achieve group consensus and advance the Task Force's purposes and goals. The facilitator should not have anything directly at stake in the outcomes of the group. The Center will facilitate the Task Force implementation of the MOA with attention to the relevant roles and responsibilities of the various participants and in developing strategies related to the Task Force goals.
3. Ensure Task Force meetings and activities are consistent with implementation of the MOA.
4. Assist in planning and facilitating up to two public meetings or technical workshops sponsored by the Task Force.
5. Coordinate with the Task Force Technical Advisor. Whether or not the Task Force chooses to retain the Ruckelshaus Center to provide the technical advisor function, it will be critical for the smooth functioning of the Task Force that the Facilitator and the Technical Advisor work closely and in a coordinated fashion. This will include ensuring that technical information is available when needed by the Task Force and in an appropriate and understandable form.

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6. Perform administrative duties including writing up and distributing meeting summaries, meeting scheduling and logistics, and providing content for the Task Force website.
7. Coordinate communication activities through the distribution of materials among the task force and to the public. Coordinate with the task force to ensure that information and notices are up-to-date.
8. (Optional) Serve as Task Force technical advisor(s). The Center can provide a technical advisor to assist in review of data, studies, and control measures, as well as assist in providing technical education information to the public.

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**Budget (facilitation only)**

Salary/Benefits	\$47,811
Good/Services	200
Travel	2,750
<b>Total Direct Costs</b>	<b>50,761</b>
F&A	13,198
<b>Total Costs</b>	<b>\$63,595</b>

**Budget (facilitation and technical advisor)**

Salary/Benefits	\$99,086
Good/Services	1,000
Travel	3,850
<b>Total Direct Costs</b>	<b>103,936</b>
F&A	27,024
<b>Total Costs</b>	<b>\$130,960</b>

*\*Center staff will work closely with the Department of Ecology and the Task Force in the development of materials and agenda for stakeholder meetings and provide consultation on appropriate venues. But all expenses regarding the venue, food, and rentals are to be paid for by the Department of Ecology or the Task Force (unless these tasks are added to the Ruckelshaus Center's scope and budget).*

*NOTE: These are preliminary estimates only, and have not been reviewed by WSU or UW contracting or finance offices. As such, they are subject to modification as part of the formal contracting process. These estimates include a good faith assessment of the appropriate Facilities and Administration (F & A or Indirect Cost) recovery rates (26% for most activities herein), which may also be changed after formal review. These estimates are provided to facilitate discussion and negotiation, but do not constitute a formal offer or the basis of a formal contract – which may only be executed by the WSU Office of Grant and Research Development.*

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## Project Examples

Below are examples of projects conducted by the Ruckelshaus Center and/or Kelsey Gray that demonstrate experience relevant to the needs of the Task Force. More examples—and additional information about these examples—are available upon request or from the Center’s website.

### *Agriculture and Critical Areas/ Voluntary Stewardship Program, 2007-present*

Washington’s Governor and Legislature—along with agricultural, tribal, environmental and local government representatives—asked the Center to assist in resolving long-standing conflict over the protection and enhancement on agricultural lands of environmentally “critical areas” under Washington’s Growth Management Act. This conflict, more than a decade old, has spawned lawsuits, appeals, legislative battles and a voter initiative. The Center was designated to coordinate fact-finding research and facilitate the discussions. The aim was to develop solutions, policies and practices that ensure protection of environmentally sensitive areas in ways that support the preservation of farm lands and a strong farm economy. In fall 2010, the parties reached agreement on a framework for a Voluntary Stewardship Program (VSP). They turned the framework into proposed legislation, which passed the Legislature and was signed into law by the Governor in spring 2011. VSP is now in early implementation. Kelsey Gray serves as the Center’s Lead Facilitator on this project.

### *Washington State Department of Natural Resources (DNR) Collaboration Training, 2011*

As part of its efforts to build capacity for collaborative policy within the state and region, the Center provides training in collaborative problem-solving, conflict resolution and building long-term working relationships. Seasoned trainers work with agencies and organizations to tailor the curriculum to their needs. The Center teamed with the National Policy Consensus Center at Portland State University to provide a three-day workshop to staff at the DNR Aquatics Division, whose managers must be prepared with the skills necessary to work in an increasingly complex environment requiring highly developed communication, negotiation, and conflict management skills. The training received very high marks in post-workshop evaluations. The DNR coordinators wrote to thank NPCC and the Center, saying, “People are using the communication skills ... and putting their new tools into practice ... Staff who didn’t participate are saying ‘we should have it too!’” Kelsey Gray served on the Center’s team for this training.

### *Walla Walla Water Management Initiative, 2006 - 2007*

Members of the Walla Walla Basin Community are working to improve water management to support municipal, agricultural and other water uses, while also providing for the needs of federally protected fish species. In conjunction with the Washington Department of Ecology, they asked the Center to generate a report identifying existing capacities to support an effective integrated water management system for the Basin. The project also involved collecting local input and identifying areas where consensus may exist, and where concerns may need to be addressed, in order to implement watershed and salmon recovery.

*Workers' Compensation, 2004* The Center worked with business, labor and state government representatives as they struggled through issues surrounding workers' compensation policy, an issue affecting many other states. The Center provided negotiation assistance to the parties in evaluating

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whether to go forward with reform, and if so, how. Through a safe, neutral forum, the parties explored the issues and context in which progress might be made. The forum provided an opportunity to create a greater mutual understanding of the issues, obstacles and possibilities. Together with the parties, the Center helped establish a process for substantive dialogue that improved key business, labor and political relationships and preserved potential for reform in the future. Kelsey Gray served as co-facilitator.

*Lake Roosevelt Forum, 1990-1997*

Kelsey Gray established and facilitated the Lake Roosevelt Forum to provide a locus for discussion directed toward the consensual coordination of member actions to ensure the resolution of significant regional issues affecting Lake Roosevelt. Outcomes included the development of both a vision and interlocal agreements among agencies responsible for the management of the resource; increased understanding of environmental mediation issues; and better working relationships among the following management entities: Spokane Tribe of Indians, Colville Confederated Tribes, Upper Columbia River Counties (seven counties), National Parks Service and Bureau of Reclamation.

**References**

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