

Environmental Conflict Resolution (ECR)

ECR is the systematic practice of collaborative problem solving, where all parties or stakeholders work to achieve a mutually satisfactory agreement, as applied to environmental, land use and natural resource issues, and associated economic and social concerns.

In these instances, conflicting interests, values, and information are inevitable and offer opportunities for collaborative problem solving.

The essential characteristics of environmental conflict resolution are:

1. The dispute concerns environmental, natural resources, or public lands issues and related economic and social concerns.
2. The dispute involves representatives of multiple interests and affected communities.
3. There is direct (face-to-face) deliberation and negotiation that is assisted by an impartial third-party who mediates or facilitates the process.
4. All parties share relevant, broadly-based information and knowledge.

ECR is most effective when:

1. Outcomes from traditional approaches (such as litigation or extended planning efforts) are uncertain, costly, or unsuited to the problem.
2. Multiple parties or interests are involved, making it more difficult to take all the issues into account through traditional processes.
3. All parties are willing to engage (determined via an informal or formal assessment).

ECR can be applied in low or high conflict situations where mutual trust among participants varies.

ECR processes can be used during a policy development or planning process or in the context of rulemaking, administrative decision-making, regulatory enforcement, or litigation. They can address conflicts between or among federal, state, local and tribal governments, public interest organizations, citizens groups and business and industry.

Poorly managed conflict can result in social, financial, legal, environmental, and institutional costs, including:

- Protracted, costly environmental litigation
- Unnecessarily lengthy project & resource planning processes
- Escalating antagonism and hostility among engaged and affected groups and individuals

Successful ECR can produce high-quality agreements among diverse groups that can be implemented, will endure, and can reduce long-term costs.

Successful ECR can establish collective capacity among participants to manage and resolve future issues.

Successful ECR can reduce litigation and time required to settle suits, cost of settlements and penalties to parties, shared costs of implementation, and the likelihood of successful appeals.

Available Resources include the U.S. Institute's National Roster of ECR and Consensus Building Professionals, available at www.ecr.gov and the Association for Conflict Resolution (ACR) at www.mediate.com