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# Watershed Solutions: Collaborative Problem Solving for States and Communities

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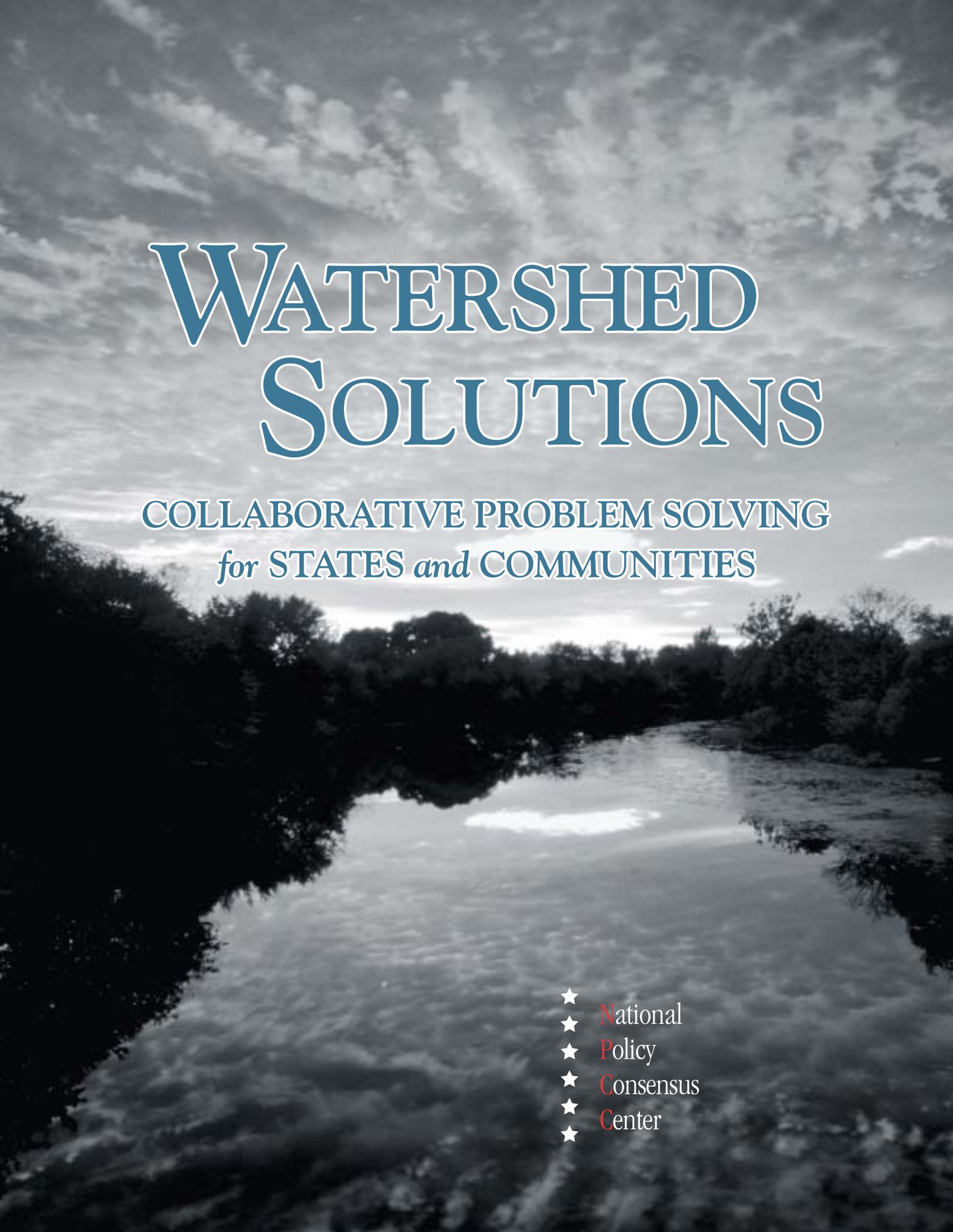
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# WATERSHED SOLUTIONS

COLLABORATIVE PROBLEM SOLVING  
*for STATES and COMMUNITIES*

★ National  
★ Policy  
★ Consensus  
★ Center  
★

*In July 2002, the National Policy Consensus Center (NPCC) hosted a colloquium for people involved in watershed collaborations, academics, and other experts from government and non-profit organizations. Its aim was to identify lessons learned from successful watershed initiatives, and to develop recommendations for governors and other state officials on ways to enhance the use and effectiveness of watershed partnerships. This report is an outgrowth of that conference.*

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The **National Policy Consensus Center** assists public leaders and state dispute resolution programs in establishing and strengthening the use of collaborative practices to address difficult public policy issues.

**Greg Wolf, Director**  
National Policy Consensus Center  
Portland State University  
720 Urban Center  
506 SW Mill St.  
P.O. Box 751  
Portland, OR 97207  
503-725-9077  
gwolf@pdx.edu

[www.policyconsensus.org](http://www.policyconsensus.org)

**Text by**  
Langdon Marsh, NPCC Fellow  
jlmarsh@pdx.edu

**Cover photograph**  
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**Design by**  
Dan Abeln Graphic Design  
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## FOREWORD

**John A. Kitzhaber, M.D**  
*Governor of Oregon, 1995 – 2002*

In my tenure as Governor of Oregon, some of the most important work I was able to set in motion involved encouraging and facilitating a new form of governance for problems like watershed management. Helping diverse interests to collaborate in finding solutions to shared problems became one of the most satisfying and productive uses of my time, energy, and clout as governor.

State officials, from the governor to field staff in state agencies, face major challenges in addressing complex problems. Conflicts arise over growth management, environmental quality, restoration of natural resources or habitats, and scores of other quality of life issues.

Locally and regionally based collaborations represent an emerging tool that is available to address these issues. Collaborations involve state government participating in partnerships with citizens, local elected and other officials, as well as interested businesses and civic groups.

Typically, someone such as a governor, local elected official, or respected citizen, convenes a group of diverse stakeholders around a problem or opportunity. The group then jointly identifies common interests, works to resolve conflicts and find solutions everyone can live with, and reaches agreement on what each stakeholder will do to implement the agreement.

The most well-known and widespread example of collaborative problem solving is in the area of watershed management. Watershed partnerships have existed for more than 30 years, and have antecedents dating to the 19th Century.

Watershed collaborations deal with diverse and interconnected issues: water quality, endangered species, water resource allocation, flood and drought management, habitat restoration, and other environmental and natural resource issues. These issues are often intimately tied to maintaining or increasing businesses and jobs, sustainable agriculture and forest management, urban vitality, or other quality of life and economic values.

Governors and state agencies have a range of traditional tools available to assist local authorities, businesses, organizations, and citizens to achieve satisfactory results in watershed management. These include proactive tools like financial and technical assistance and direct intervention to overcome obstacles. They also include heavier tools like permitting, regulatory enforcement, and litigation. Each has its place under a given set of conditions.

Yet none of these traditional tools alone, nor even in combination, is sufficient to address the complexity of issues involved in watersheds. Collaborative problem solving offers an effective way to complement more traditional approaches.

This report—an outgrowth of a colloquium sponsored by the National Policy Consensus Center for experts involved in watershed collaborations—offers important recommendations on what states can do to enhance and further the use of collaboration as a powerful governance tool in watersheds.

In addition to benefiting watershed collaborations around the country, this review of what has worked and what hasn't in watershed management will help other kinds of partnerships achieve success, particularly in the areas of environment and natural resources management, growth, siting of controversial facilities, economic development, and social justice.

I believe the collaborative approach deserves a great deal more attention and encouragement than it has received to date. I strongly encourage you, as leaders, to take a good look at ways to help expand the use of these tools as you carry out your term of office. It is both good government and good politics.





## WHAT IS WATERSHED COLLABORATION?

Watershed management has increasingly been accomplished through collaborative approaches. The body of experience with watershed collaborations is valuable for a number of reasons. Most watershed partnerships address some legal, regulatory, or policy gridlock. Many different models of collaboration have been tried, resulting in an extensive record of accomplishments, lessons learned, and best practices. And there is a growing body of independent research to help evaluate what works and what doesn't.

It is generally recognized that a supportive and often active role by government is essential to the success of watershed partnerships. Grassroots efforts undertaken without government involvement are much less likely to succeed. Nor can collaborative watershed partnerships replace legal, regulatory, and other programmatic government tools. Rather, collaborative partnerships can become the vehicle through which these traditional tools can be more successfully applied.

Studies on watershed collaborations are beginning to identify what makes them successful and what some of the barriers are to greater success. For example, contrary to the fears of some observers, successful collaborations do not shy away from controversial issues.

Drawing on a growing list of best practices and lessons learned from experiences across the country, state officials and local partners can be better assured of successful outcomes in collaborative watershed management initiatives.

Watershed management is a human activity with deep roots. The Romans practiced it by carrying water from distant watersheds for urban kitchens, public baths and clean streets. In the United States' early history, basin management involved diversion, irrigation, flood control and other projects constructed in large-scale watersheds from the Delaware to the Colorado to the Columbia.

Watershed health as a primary focus for watershed management is of more recent origin. The idea emerged nearly 30 years ago, with the formation of groups like the Charles River Watershed Association in Massachusetts. Similar groups have formed since then in every state in the country. It is estimated that there are now more than 3,000 multi-stakeholder watershed groups in the United States.

The objective of managing for watershed health is to assure that use and modification of water resources and land-based activities (i.e., development of roads, highways and subdivisions) does not undermine the capacity of the waters—both surface and underground, the wildlife habitats, and other natural resources, to sustain themselves over the long term.





## REASONS FOR STATES *to* SUPPORT WATERSHED COLLABORATIONS

**P**articipants in the NPCC Watershed Colloquium helped identify a number of compelling reasons for state governments to increase their support for watershed collaborations:

1. **Collaboration is a successful way to address a complex set of issues.** In watersheds large and small, stakeholders and governments have reached agreements addressing complicated, interrelated issues.

In the **New York City watershed**, the governor convened a process that reached an agreement to protect watersheds that deliver water to more than 8 million people, avoiding a \$6 billion expenditure for filtration facilities.

To restore and protect the sensitive waters, habitats, and resources of the **San Francisco Bay-Delta** ecosystem, and to improve the quality and reliability of California's water supplies, the CalFed BayDelta Program—a collaborative consortium of state and federal agencies—worked with stakeholders and reached agreement on a variety of complex projects and actions.

On a smaller scale, **Montana's Big Spring Creek** faced issues of agricultural runoff and development that compelled local citizens and representatives from a number of agencies to form a stakeholder partnership to work on a range of projects that benefited both people and the creek.

2. **Collaboration helps leverage scarce resources.** Bringing all of the players with their individual resources and knowledge to the table creates the opportunity to combine and meld technical and financial capacities from a variety of private and public sources. Often, the partners and the watershed coordinator are in a better position than state and federal agencies to see opportunities for blending these resources across program and agency lines.

In the **Conasauga watershed** in Georgia and Tennessee, a partnership brought together a variety of foundation and public funding sources to fund agreed-upon projects to benefit the watershed.

3. **Collaboration reduces conflict and litigation.** Disputes over natural resource issues, both in and out of court, can go on for years and consume time





and energy of agency and gubernatorial staff. They often result in unsatisfactory, narrowly based decisions that don't address all of the underlying problems. Successful partnerships that reach comprehensive agreements avoid the unproductive diversions of litigation and address the foundation issues, even some of the most divisive ones.

The **Santa Fe Watershed** Association managed to head off potentially divisive litigation by bringing all groups together to agree on a plan to thin and burn portions of the municipal watershed and reduce the potential of catastrophic fire.

- 4. Collaborations promote innovation and integration of state agency programs.** When state agency staff members participate in watershed partnerships, they often find innovative ways to bring state technical, financial, and regulatory resources to bear on the problems identified by the partnership. Watershed partnerships can often play an important role in getting state agencies to coordinate their own programs more effectively.

In the **New York City watershed**, the health and environmental agencies cooperated with each other and blended their resources to help achieve resolution of water and land issues.

- 5. Collaborations can turn apparently inflexible federal or state mandates into opportunities.** Watershed partnerships often form as a reaction by local citizens, landowners, businesses, and officials to threatened or actual imposition of a regulatory or judicial one-size-fits-all requirement to a local stream or habitat. Those most affected understand better than most government officials or judges the problems that need to be addressed and the range of solutions that can be used effectively without harming the local economy and quality of life.

The **Oregon Plan for Salmon and Watersheds** was, in part, a response to the listings of some species of salmon as threatened or endangered by federal agencies. It utilizes the grassroots perspectives of local watershed councils to bring together the programs of state agencies to address multiple problems, including water quality and quantity, fish habitat and passage, and management of agricultural and forest lands.

- 6. Significant, measurable watershed improvements can be achieved by collaboration.** Almost all of the watershed collaborations studied to date have achieved agreement on needed projects and have either implemented them or made progress toward implementation. Measurable improvement in ecological and other goals has been documented in many of these cases, illustrating both that beneficial achievements are possible, and that more investment needs to be made in measurement—an area that tends to be overlooked by enthusiastic participants eager to get something on the ground.

In the **Umatilla Basin Project** in Oregon, tribes, landowners, and fisheries agencies achieved success in restoring native salmon runs in the Umatilla River nearly 100 years after dams had eliminated them.



7. **Collaborations can integrate economic, environmental, and community objectives.** Unlike single-focus regulatory or legal solutions to problems such as declining water quality or fisheries, or project-specific economic development assistance, partnerships can provide the forum to integrate the available solutions in a way that makes simultaneous progress on economic, environmental, and community fronts.

The **North Fork Pheasant Branch Watershed** Committee near Madison, Wisconsin, successfully negotiated agreements that allow for both future development projects and preservation of the environmental health and integrity of the watershed.

8. **Collaborations don't shy away from controversial topics.** Research shows that watershed partnerships don't just tackle the easy issues, contrary to the assumption that they tend to concentrate on the least common denominator. This is especially true when the watershed is facing some sort of crisis.

The **Johnson Creek** Citizen Planning Committee in Arlington, Texas, addressed the heated issue of buying out homes in a flood prone area. The committee was able to develop a long-range, multi-objective plan for preservation of the creek and a creative floodway mitigation solution.

The **New York City watershed** partners resolved a highly charged set of issues involving rural upstate residents and their counterparts in the metropolitan area.

9. **Watershed collaborations produce direct benefits to state agency programs and goals.** Watershed groups help agencies achieve their goals in some very direct ways. Through monitoring and other activities, they provide data and information that give agencies a better picture of what is going on in the watershed. They can also influence policy decisions and priorities, help agencies gain legitimacy for actions taken in coordination with the partnership, and help agencies make better arguments for obtaining funding for watershed related programs.

The **Charles River Watershed** Association has influenced the adoption by local governments and private parties of storm water and cooling water practices in ways that helped the state realize its groundwater conservation goals.

10. **Collaborations provide an alternative form of governance for conflicts that don't lend themselves to traditional governmental approaches.** Many government programs and institutions are not well suited to deal with problems that cross boundaries among agencies or levels of government, or that need a blend of public and private resources for resolution. Collaborative partnerships provide an alternative way of approaching problems that avoids the gridlock often associated with traditional governmental approaches. Partnerships also build relationships that can carry over to addressing other problems in the same locale.

The **Applegate Partnership** in southern Oregon has collaborated to resolve many problems and institute many projects. As a result, the partnership is now an important institution of governance in its region, complementing and helping integrate many of the traditional institutions.





## LESSONS LEARNED: WHAT STATES CAN DO to LEAD TO SUCCESS

A substantial body of literature containing lessons learned, best practices, and recommendations, has emerged in the 30-plus years since watershed partnerships first began to form. This information has been of primary interest to local watershed councils and other groups. But it is increasingly relevant for state leaders considering an increase in state support and involvement in watershed collaborations.

For state officials, some of the principal lessons learned include:

1. **Conveners of collaborative groups are extremely important.** The convener of a collaborative process may be a state official, such as a governor or agency head, but many agree that the best convener is often a respected local leader who will be able, by her or his position and networking ability, to bring all the

needed stakeholders together. The person may be a local official, academic or business leader, landowner, or dynamic citizen. The convener will gain more ability to bring people together if appointed or requested to take on the role by the Governor or another state leader. Sometimes, as when there are jurisdictions in conflict or all the logical leaders have taken sides, an outsider may be required. Occasionally, field staff of state or federal agencies will play this role. Collaborations work best where the convener is a passionate, natural leader.

The **North Fork Pheasant Branch Watershed** Committee in Wisconsin was initiated by a dynamic citizen who shared her vision and concerns with all involved interests, and got champions of those interests to the table.

2. **A diverse, inclusive group of stakeholders is required to achieve success.** Usually it is not difficult to get many of the most interested and committed players to the table. These include affected landowners, especially when new legal or regulatory mandates are about to be implemented. Public land managers and some agency regulators, especially fish and wildlife staff, are often among the first to join or even initiate a watershed group. Local civic groups, often representing environmental or natural resource interests, are likely to be among the early participants, especially where there are diminished species or declining water quality. Municipal officials, either elected or representing public works or economic development agencies, are typical participants. Special districts for water and sewer management or irrigation may also be represented.



The **Rockfish River Project** in Virginia consisted of a robust group of diverse stakeholders that came to agreement on proposals that sailed through the state legislature.

- 3. Be wary of under-represented interests in watershed collaborations.** A number of collaborations have not reached their full potential because of the absence of key parties. Developers and builders, financial institutions and other businesses, some agricultural and forestry interests, certain nonprofit groups, and local governments have in many cases not been willing to join partnerships for watershed health. Occasionally, this was because they did not perceive their interests being affected or because they believed they had other avenues available to influence decisions favorable to their interests.

In the **Upper Klamath Basin** in Oregon, some parties have at certain points believed their interests would be better advanced through traditional processes, and their absence has limited the effectiveness of watershed collaboration.

- 4. Watershed groups usually need commitments from appropriate state and federal agencies.** Since the essence of partnership is a shared desire to solve important problems not within the power of any single entity, watershed collaborations work best when the parties include everyone with an ability to contribute to solutions. While agency officials usually are important partners in individual watershed partnerships, they are not always required to be formal members, nor is their presence necessarily needed at every meeting. However, groups need agencies to make serious commitments to lend their expertise and experience at appropriate points, even if the agency cannot commit or deliver the funding or technical assistance the group ultimately needs. This is because final agreements need to be based on data or requirements within the knowledge of the state agency. A critical role for state and other governmental personnel is the contribution of technical and analytical assistance.



State agencies in the **New York City watershed** were key players, providing technical and regulatory services, even though most of the funding to implement the agreement came from the City of New York.

- 5. Leveraging of funds and other resources for meeting critical watershed needs increases with collaboration.** Watershed agreements or plans usually identify a number of projects and other actions necessary to make progress toward their goals. Existing federal or state programs often cover much of what is needed, although the levels of funding may not be sufficient to fund all needed watershed projects. Watershed groups are becoming increasingly creative at finding ways to leverage scarce dollars. Their methods have included attracting funding from foundations and local businesses; tapping into non-traditional federal and state sources; and combining funds from a variety of government sources such as economic development, agriculture and transportation with traditional water or fisheries grants. Even low-interest loans are creeping into the financing picture. Funds that require local effort to match are considered to be of high value.





The **San Miguel Watershed** Coalition in Colorado has been successful in leveraging federal funding to receive matching grants from towns, counties, and others in the watershed, and has also received substantial in-kind contributions.

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6. **Modest investments of state funds in organizational capacity building have a big payoff.** Researchers and practitioners agree that investments in assisting collaborative processes once the stakeholders have been identified and convened are likely to increase the chances of success dramatically. Funds are usually required to hire a coordinator; to train one or more of the group in facilitation or running meetings, or in some cases to hire a professional facilitator; and to cover other operating, legal, and capacity building costs. These are among the most difficult funds for a group to find, since most governments don't have "soft money" to invest in these important, inexpensive costs. Still, they can be critical to success.

**Growing Greener** is a Pennsylvania program that provides funding for organization of grass roots watershed groups as well as for assessment, planning, implementation, and outreach.

The **Oregon Watershed Enhancement Board** gives grants to watershed groups for coordinators and technical assistance as well as for monitoring and projects.

7. **States play a key role in assisting with scientific information, including the development of new data, to provide the factual basis for agreements.** Although separate funding is not always available for agencies to gather critical scientific information for watershed groups, there are key roles that government can play. Agencies often have data from past public and private scientific data gathering enterprises. Agencies can provide access and some analytical and interpretive assistance to watershed groups. State land grant and other public and private universities can also help gather necessary data. Businesses and citizen volunteers may be enlisted, as long as the state agencies provide clear protocols for the collection, custody, and analysis of privately collected data.

In the **Santa Fe River Watershed**, a scientific report on the severely stressed forest was an important first step in getting the players to understand what was going on, and led to an agreement on prescribed burns and thinning.

In the **Conasauga Watershed**, provision of good scientific data on sediment contamination helped convince landowners to be concerned about their drinking water, not just the health of the mussels that were impacted.

8. **Monitoring and measurement of results and systematic evaluation are critical to ultimate success.** Funding and staff assistance from state and federal agencies is difficult to obtain, even though agencies have a huge stake in the successful outcome of watershed partnerships. Measuring the results of activities that are part of watershed management plans is often key to successfully meeting requirements like clean water, water conservation, endangered species, coastal and estuary management, sustainable fisheries, and forest management. State agencies can assign resources for monitoring in watersheds that are subject to Total Maximum Daily Load requirements of the Clean Water Act, coastal and estuary management plans, habitat conservation plans, and similar requirements of state and federal law. A number of state programs provide funding for monitoring assistance.

**9. States can assist local groups in developing needed watershed assessments and plans so that projects and actions address priority watershed problems.**

Most watershed partnerships start out with an assessment—a clear problem statement of what the current conditions and threats are. Regulatory and other legal hammers in the control of the state can play a significant, and sometimes necessary, role in framing the problem statement. If watershed plans do not contain clear goals, objectives, actions, and timeframes, there is a high degree of risk that projects may fail to meet watershed objectives efficiently. States can help fund assessments and plans, as the [Massachusetts Watershed Initiative](#) and a number of other states do. Or they can assist watershed groups to identify other funding sources, such as using a portion of project or grant funding to do assessment and planning.

**10. States can be part of agreements reached by consensus.** Consensus agreements are preferred by most watershed collaborations. This may be a challenge for regulatory agencies that must meet legal requirements. Usually, this can be handled by informing all the participants of the requirements and participating in the group process to find innovative means to meet them.

State agency participants in the [Oregon Plan for Salmon and Watersheds](#) work with watershed councils to find agreements on how to best meet requirements of state and federal programs through accomplishing the groups' objectives.

**11. Written agreements are essential, including commitments from state and federal participants.** Partnerships need written agreements covering actions, projects, practices, and other activities and containing commitments from the individual partners as to what they will actually do to implement the agreement. State agency participants will be expected to sign these agreements when commitments relating to data, technical or organizational assistance, or funding are needed to implement the agreement. This sometimes presents a dilemma for the state official, since she or he may be unable to commit these resources.

Creativity is needed in making these commitments so they require clear obligations by the agency but don't make promises that can't be kept.

In the [New York watershed](#) agreement, the state agencies made commitments relative to decisions they had to make in support of the objectives of the agreement.

**12. Partnership agreements complement and help implement regulatory requirements rather than supplant them.** Some fear that reliance on partnering in watersheds and other contexts will lead to the watering down of requirements of state or federal law or even ignore them. These fears appear unfounded, since most watershed partnerships have been created in part to find alternative ways to come into compliance with these requirements.

Many agreements, as in [Calfed Bay-Delta](#), are explicitly designed to meet federal clean water, drinking water, or endangered species requirements, or state laws or regulations.





## OBSTACLES to OVERCOME

**C**ollaboration in watershed partnerships is not a panacea for all intractable problems, nor is it appropriate in every case. Sometimes parties are not ready to collaborate because they are too divided or set in their positions, or believe they can get more out of the political or legal process. In such cases it may be necessary for them to proceed on another path until the problems are resolved in that forum, or they perceive they cannot gain what they thought they could there.

There are other important considerations that potential participants, including state agencies, should be aware of before committing their time and energy to a partnership:

- 1. Successful watershed collaborations take time and energy.** Most successful watershed collaborations are more than four years old. State agency officials must be cognizant of the potential for staff time expenditure over extended periods of time, measured often in years. One implication is that the agency may not be able to commit its field staff to be available for every meeting of the group. Time commitments need to be adjusted depending on budget and travel constraints, for example, and these need to be clearly communicated to the group. The individuals assigned to the partnership, insofar as possible, need to be able to stay involved for long periods of time so that the partnership has an agency representative who is knowledgeable about their issues and needs. Constant shifting of agency personnel has frustrated watershed groups who lose their sense of connection to the government and often have to invest in bringing new staff up to speed.
- 2. Failure to include relevant stakeholders can scuttle even the best process.** A key stakeholder who never joins the group can prevent success, even after months or years of effort have been put into reaching an agreement. A governor or state agency head can use the convening authority associated with the prestige of the office to encourage reluctant stakeholders to join or to stay at the table.
- 3. Some circumstances are not ripe for collaboration, even if parties appear to be willing.** Congressional, legislative, or court-imposed deadlines may make it impossible to achieve consensus within the time available. If one or more parties are pursuing alternative pathways to get their way, it will be necessary to wait until that party is convinced their pathway will be unsuccessful. It is often possible and in everyone's interest to get parties to agree to suspend litigation during a collaborative process. And the governor or state agency official can often encourage and assist a party seeking an alternative avenue to return to the table.
- 4. Collaborations can be messy, even though most of them manage to pull off something.** Sometimes things go wrong and bring unwelcome publicity to some or all involved. On the other hand, regulatory, litigation-driven, and political solutions can be even messier. Governors and state agencies need to weigh these risks in initiating or participating in any partnership.
- 5. Collaborative agreements may be constrained by existing laws and regulations.** Another factor to weigh in deciding whether to participate is the degree to which success of the venture relies on a change in law or policy. There is limited opportunity to change overarching federal requirements. Advocates will not support results that erode existing



protections. Other participants may see little value in engaging in a process that cannot move beyond existing requirements. Alternatively, if it seems worth pursuing a collaborative approach, the agreement can include commitments by government parties to seek changes in laws or rules, or in application or interpretation of federal laws or rules.

6. **Resource limitations may be a major obstacle for some watershed collaborative processes.** Priorities have to be set within and across agencies. Not all watershed partnerships need intensive or even occasional state participation. Field staff and managers can sometimes provide generic assistance like technical manuals, publicly available data, and access to financial assistance programs to all watershed groups. The lack of available assistance for organizational support or monitoring and measurement may, at least for the time being, indicate that a particular watershed partnership is unlikely to succeed.
7. **Scale is critical; choosing the wrong one may preclude agreement or lead to unsatisfactory results.** Sometimes it may make sense to join a partnership for an entire basin, even if it crosses county, state, or international borders. In other cases, differences between upstream and downstream interests may indicate that only a portion of a small watershed is ripe for the collaborative process.
8. **Coordination across agencies, programs, and different professions can be a major challenge.** Coordination of technical assistance, multiple grants, monitoring programs, and analysis of assessments and plans will be difficult for agencies who are used to doing things their own way. Biologists may have difficulties understanding engineers and vice versa. On the other hand, watersheds provide an excellent foundation for agencies and programs to make these connections and even restructure themselves along geographic lines.
9. **Many key actions for watershed health ultimately require actions by local planning authorities.** Over the long term, the health of watersheds will depend in part on land use decisions affecting stream banks and beds, vegetative cover, quantity and quality of runoff, loss of habitat for native species, and groundwater recharge. States have generally



Bob Queen, Wisconsin Dept. of Natural Resources

delegated authority to local government to make those decisions. Local authorities can be encouraged to participate in watershed partnerships and to make land use decisions in concert with watershed plans. The state can provide incentives to local authorities to make it easier for them to do so.

10. **Overlapping agency programs, lack of integration of programs at a watershed level, unnecessary red tape, and confusing and uncoordinated grant, technical assistance, and permit procedures can deter or frustrate watershed partnerships.** State agencies have developed programs over time to address specific issues, usually without geographic entities like watersheds or relatively new governance institutions like watershed collaborations in mind. Watershed partnerships often report frustration over the rigidities and complexities of processes for getting permits, technical assistance, and grants. Some states have reorganized their programs to enable them to be carried out more efficiently at the watershed level.





## RECOMMENDATIONS for GOVERNORS and OTHER STATE LEADERS

The following recommendations are directed to governors, their staffs, and agency heads. They also will be useful for agency staff members and those seeking the involvement of agencies in watershed collaborations.

These recommendations are drawn from a number of reports and studies, and from participants who attended the 2002 National Policy Consensus Center Watershed Colloquium.

### Leadership

1. **Governors, their chiefs of staff, agency heads, and other key state players should treat collaboration as a significant tool to address complex problems such as watershed issues, and as a complement to traditional problem solving techniques like**

**litigation, regulation, and investment.** However, it may require a significant shift in thinking to give equal attention to collaboration as a tool, especially for state officials with significant experience in traditional techniques. Training for staff at all levels may be necessary, including plenty of opportunity to listen to concerns of experienced people about changing the way they do business. Collaboration won't work in every case, and staff members need to be able to tell when it is more likely to succeed than not.

2. **Governors can use their convening authority to bring all essential players to the table, including some of the hard-to-get participants like agricultural interests, developers, some interest groups, and financial institutions.** In the relatively few cases in which the governor's office will be directly involved in a collaboration, the convening authority will be direct and powerful. In the majority of cases, the governor will be able to clothe others with that authority. The Governor can directly delegate it to staff members or agency heads. Another way to ensure full participation is to request that respected local officials or others with standing in the community serve as local conveners, and to encourage and assist them in achieving necessary diversity in the group. The governor or agency head can also recognize, foster, or enable on-going efforts by local watershed groups that are already convened under a skillful leader.
3. **State leaders should encourage agency field staff to participate in local/regional watershed collaborations and empower them to reach and implement agreements with local groups.** Agreements to participate actively in the group and to undertake actions decided upon by the group are both important. Empowering state staff to be



innovative is also needed to break through traditional program rigidities. Staff should also be encouraged to build and nurture good personal relationships with all collaborating partners.

4. **Governors and agency heads should ask for periodic progress reports on the use of collaboration in their agencies and programs.** Presentations to state leaders will help staff members who are advocates for collaboration come to the fore, and will empower those who have not been advocates to consider its expanded use.
5. **Governors and agency leaders should create new opportunities for demonstration projects in selected watersheds, especially where some early successes are likely.** Demonstration projects are valuable means for agency staff to explore the benefits and perils of collaboration without changing their entire program precipitously. In some cases, recognition of outstanding existing collaborations will be equally effective.
6. **States should develop policy statements or executive orders describing expectations and providing guidance on best practices for collaboration in watersheds, including:**
  - When collaboration is appropriate and when it is not;
  - How to achieve balance between protecting or furthering state interests and reaching necessary compromises with the group;
  - Restructuring or reorienting programs along watershed lines, where appropriate;
  - Developing a strategic plan for watershed management;
  - Assuring that outcomes of collaboration will be better than those achieved by traditional tools, and demonstrating to potential critics that there will be no backsliding in environmental, economic, or social results.
7. **States should create or expand awards or other recognition for successful watershed collaborations both within and outside state government.** The governor or agency head should be present at significant watershed meetings and events to recognize participants and emphasize the importance of the collaborative group's process and accomplishments.

8. **States should bring together business, local government, non-profit, and other leaders to encourage their colleagues to participate openly in collaborations.** The state should host an annual event where participants in watershed partnerships can get together to learn from each other.
9. **When watershed collaborations are working toward agreement, the state should, where possible, encourage participants to continue to use the collaborative process.** Within legal, practical, and political constraints, leaders should use their persuasive powers to keep people at the table.
10. **States should look for opportunities to expand existing watershed collaborations to encompass additional economic or quality of life issues where that will help ensure success.** A watershed partnership may be faced with failure because an overarching economic or social issue, beyond the partnership's control or influence, prevents agreement. The state can often assist by helping the partnership deal with these other issues. The consensus process may then produce a comprehensive set of solutions for all issues that is better than what may have been achieved separately.

## Appointments

1. **In hiring key policy staff advisors and appointing cabinet officers, governors should seek those who have knowledge and experience in collaborative problem solving.** If people with experience are unavailable, those who have demonstrated good listening skills and who have a problem-solving orientation should be hired. Knowledge and experience in these skills should not be limited to candidates for posts in natural resource management (environment, fish, wildlife, marine, forest, extraction), but also in areas of growth management (transportation, housing, and economic and community development).
2. **Agency heads should look for collaborative knowledge and skills in the appointments they make.** These skills are especially useful in candidates for positions with oversight of programs affecting watersheds.



## Funding

- 1. The state should consider establishing a trust fund or other on-going appropriation to assist in funding collaborations and agreed upon projects.** With tight budgets, there is no easy way to fund watershed or other collaborations. Still, in putting together the state budget, the question should be asked whether other expenditures have as good a chance of producing long-lasting benefits and are as fully supported by the involved constituents. States should consider providing the following kinds of support that are crucial to the success of partnerships:
  - State dispute resolution offices, which not only can provide direct services in selected watershed disputes, but can train local participants in watershed partnerships in the fundamentals of collaboration;
  - Organizational and operational support for watershed partnerships, including coordinators, training in facilitation, assessment and planning, and outreach;
  - Monitoring of watershed conditions and evaluation of project success, including work performed by state agency staff.
- 2. States should seek innovative ways to fund collaborations, including use of federal and state funds as leverage for local, foundation and partner-generated sources.** The number of potential funding sources for watershed projects is increasing. The state can assist local partnerships in finding out about and blending these sources.
- 3. States should consider funding circuit riders to provide technical assistance to multiple collaborations to help leverage resources.** Circuit riders would provide a relatively inexpensive way of making available to a large number of watershed partnerships both scientific and engineering expertise, and also training in the collaborative process.
- 4. State agencies should allocate funding for scientific, technical, and other support for watershed partnerships.** Agencies should also develop relationships with businesses, foundations, federal agencies, and non-profits to help finance support for watershed partnerships through cash and in-kind contributions. Another source of support could be charitable sources and faith-based groups that could include watershed partnerships among eligible recipients for funding and assistance.

## Training and Demonstration Projects

- 1. The state should provide high-level training to senior policy staff, agency heads, and other key management staff on collaborative problem solving techniques and available resources.** The purpose of the training should be to acquaint these leaders with the principles of collaborative problem solving and the considerations in deciding whether and when it is appropriate in particular circumstances.
- 2. Agencies should provide training for field staff whose participation in local collaborations might be requested or offered.** Training should include assessment of appropriateness of participation, provision and use of data, facilitation skills, and fair representation.
- 3. Agencies and state dispute resolution offices should offer training sessions for potential or actual conveners such as county commissioners, other local officials, and local community leaders.** The most likely opportunity for training is when a local leader has been asked to convene a watershed partnership. A circuit rider or staff person would need to be trained in providing that assistance. The same staff could provide training in facilitation and collaboration skills for other participants in watershed partnerships.
- 4. Agencies should undertake or participate in one or more watershed partnerships as demonstration projects to expand learning about the process and what it entails for the agency to become involved.**



## Federal Involvement

**1. Governors should work with other governors and tribal leaders in the region to request increased collaboration on watershed and other issues among federal agencies and states/tribes by:**

- Requesting federal staff, as both landowners and program managers, to participate in watershed partnerships;
- Requesting the targeting of federal resources toward accomplishment of projects which are the result of collaborative agreements;
- Coordinating existing scientific and technical protocols among agencies so that they are compatible;
- Seeking relief from rigid agency priorities and accountability measures that don't focus on results or recognize leveraged outcomes possible with a collaborative approach.

**2. Governors or state agency heads should request regional administrators of key federal agencies to instruct their staff to increase participation in watershed collaborations and to give them the authority to do so effectively.** Often the active participation of federal agency staff is critical to the success of a watershed partnership. The scientific, technical, and other expertise of staff, their role as program or land managers, and their ability to connect with other federal agencies and resources makes them key players. Local watershed partners alone may not have the clout to get them to the table.



## Research

- 1. States should request universities to conduct research on collaborative problem solving, on-the-ground scientific data needs, monitoring and evaluation, and best practices for government agencies and other players.** There is already a significant body of research on these issues, but the need is growing for more. By putting a higher priority on obtaining this information, the state will help researchers gain access to research funds and other resources.
- 2. Interested states should develop a list of questions for researchers on the most critical questions that stand in the way of increasing the successful use of collaborative approaches to solving watershed and other problems.** Such a list will help focus researchers on the most important issues, and also focus agencies on their needs in order to be effective collaborators.





## OTHER AREAS *for* COLLABORATION

**T**his report has highlighted collaborative problem solving in the context of watershed partnerships. Many of the findings and recommendations are relevant to other collaborative problem solving areas as well. These include growth management, environment, siting of controversial facilities, affordable housing, and water resource allocation. The principles of collaboration are similar in these areas, but the contexts, potential partners, technical needs, and role of state agencies may be quite different. The ability of governors and other state leaders to bring parties to the table will be the same, as will the need for leadership, training, and targeted funding.





## REFERENCES

- Arthur, J., Carlson, C., & Moore, L. (1999). *A Practical Guide to Consensus*. Santa Fe, NM: Policy Consensus Initiative.
- Born, S.M., & Ganskow, K. D. (1999). Exploring the watershed approach: Critical dimensions of state-local partnerships. *The Four Corners Watershed Innovators Initiative Final Report*. Madison, WI: University of Wisconsin-Madison, Department of Urban and Regional Planning. See [http://www.rivernetwork.org/library/libriviss\\_4corners.cfm](http://www.rivernetwork.org/library/libriviss_4corners.cfm)
- Born, S. M., & Ganskow, K. D. (2001). Toward understanding: New watershed initiatives. *Madison Watershed Workshop July 20-21, 2000*. Madison, WI: University of Wisconsin-Madison, Department of Urban and Regional Planning.
- California Resources Agency (2002). Addressing the need to protect California's watersheds: Working with local partnerships. *Report to the Legislature*. CA: State Water Resources Control Board.
- Dukes, E. F., & Firehock, K. (2001). *Collaboration: A guide for environmental advocates*. A joint project by the Institute for Environmental Negotiation at the University of Virginia, The National Audubon Society, and The Wilderness Society. Charlottesville, VA: The University of Virginia. See [http://www.virginia.edu/~envneg/ien\\_projects.htm](http://www.virginia.edu/~envneg/ien_projects.htm)
- Leach, W. D., & Sabatier, P. A. (2002). *Turning the mirror on the conflict professions: Evaluating facilitators, coordinators, and outcomes*. Manuscript submitted for publication.
- National Watershed Forum (2001). Final report of the national watershed forum June 27 - July 1, 2001, Arlington, VA. *The National Watershed Forum: Building Partnerships for Healthy Watersheds*. Dillon, CO: The Meridian Institute.
- National Watershed Forum (2001, June 21). Summary of the regional watershed roundtable reports. *The National Watershed Forum: In Support of Local Watersheds*. Dillon, CO: The Meridian Institute.
- Sabatier, P. A., Pelkey, N. W., & Leach, W. D. (2002). *Watershed partnerships in California and Washington: Final report for the Watershed Partnership's Project (Grant #82145)*. Davis, CA: University of California – Davis. See <http://wpp.ucdavis.edu/EPA%20final%20report%202-15-02.pdf>
- Sommarstrom, S. (2000). Evaluating the effectiveness of watershed councils in four western states. *Proceedings of the Eighth Watershed Management Council Conference*. See <http://www.cbrc.org/SariPaperdoc.pdf>
- U.S. Environmental Protection Agency (2002). *A review of statewide watershed management approaches: Final report*. Office of Water.
- Western Governor's Association (1998). *State Watershed Strategy Guidebook*. Midvale, UT: Western States Water Council.





National Policy Consensus Center  
Portland State University  
720 Urban Center  
506 SW Mill St.  
P.O. Box 751  
Portland, OR 97207  
503-725-9077  
[www.policyconsensus.org](http://www.policyconsensus.org)