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Research Note

The Conflict Resolution Case Study in Urban Life: Bull Run Watershed Case

Chang-Yu Hong¹

The City of Portland and the United States Department of Agriculture (USDA) Forest Service are working together, along with citizens, to formulate a comprehensive new policy to guide joint management of the Bull Run watershed at Mt. Hood National Forest. This process has brought about four decades of conflict, resulting from differences between the federal view of multiple use and the local view of exclusive use for producing high quality water. The new policy is being formulated by the City of Portland and the Forest Service through negotiation of a comprehensive Memorandum of Understanding that structures the parties' roles, responsibilities, business processes, and working relationships. In this research project, I will examine the roles of planners as either being mediators or negotiators on the conflict issue. More specifically, planners' roles toward collective conflict issues in urban affairs will be reviewed and evaluated in my research.

The two agencies are creating policy and administrative process through negotiating a Memorandum of Understanding (MOU) that replaces an outdated 1979 one. Also, this policy framework operated with existing legislation adding to new administrative frames and mutual agreements need to new decades. Both agencies recognized that the primary purpose of each organization is different and each meets an important need. The common ground is the role as stewards of the Bull Run's resources to protect public benefits and ensure public and community values.

This paper will provide a brief overview of how the negotiation process can be used by governmental advocacy groups to promote and facilitate the accomplishment of between stakeholders and negotiation parties. The conditions needed for commencing negotiations will be described, as well as the stages and activities that define negotiation behavior. Furthermore, moving from confrontation to achieving results and desired reforms requires a "culture of negotiation" on the part of both advocacy groups and government agencies. The involvement of these interests can produce balanced solutions to policy questions that represent the perspectives of many stakeholders. However, they can also incite battles among interest groups that feel threatened and can bring about conflicts between government agencies, the public, and external organizations.

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The research materials used in this study primarily focus on secondary data—such as published literature reviews, and field interview data (including interviews with staff members of USDA Forest Service and Water Bureau of City of Portland—to detail the nature of the negotiation problems, to evaluate existing policies related to the problems, to review alternative policies and compare them to existing ones, and to present a recommended approach. Furthermore, I will provide comparative analysis on between the Bull Run Watershed case and the Korean Four Major Rivers Restoration case including several personal observations, which I made through an interview with officials who were in charge of the negotiations.

Conceptual Approach in Understanding Bull Run Watershed Conflicts

Management of municipal watersheds located on national forest lands is an important issue in the West Coast of America. Increasing demand for exploitation of natural resources in federal-municipal watersheds has caused conflicts between municipalities, the Forest Service, and community interest groups (Burby 1983). Better understanding of watershed management process is needed to help resolve these conflicts.

The Bull Run Reserve

The city of Portland is blessed with a water supply of unparalleled purity and abundance (City of Portland, 1983). The excellence of Bull Run water was taken for granted by area residents. This valuable resource did not come easily to the city. Portland's volunteers and founders thought of the water supply for the city and their concern could be resolved with Bull Run watershed. Since the selection of the Bull Run watershed in the 1880's as a source of Portland's municipal water supply. However, there has been controversy over its managements between city and other stakeholders.

In 1891, the Bull Run reserve area was included as part of a national forest reserves of the United States. The reserve is five miles west of Mt. Hood and 26 miles east from Portland. In 1904, Congress passed the Bull Run Trespass Act for the protection of Bull Run Forest Reserve and the sources of the water supply for the City of Portland. After 1958, a number of non-water resource management activities began in this area, including recreation in outlying areas of original reserve boundary, and timber management. Public Law 95-200 (Bull Run Watershed Management Act 1977) established the Bull Run Watershed Management Unit with an objective approaching to products of the watershed (Larsen, 2005). In 1977, the year after the successful court challenge to timber harvesting in the watershed, the U.S. Congress repealed the Trespass Act and reopened the Bull Run to multiple use. Approximately 90 percent of the watershed became designated as a Late Successional Reserve (LSR) for the protection of Northern Spotted Owl in 1990, and adopted as part of President Clinton's Northwest Forest Plan. Also, timber harvest and salvage operations were severely restricted in the LSRs. However, concerns about timber harvest persisted and Bull Run interest groups worked with the City to initiate efforts in 1993 to further limit timber harvest from this watershed area.

In 1996, additional protection for part of the watershed was accomplished by the Oregon Resources Conservation Act which generally prohibited timber harvest on all Forest Service lands within the 65,500-acre water supply drainage. These congressional actions, along with

substantially changed policy direction, and it established land management direction for the Bull Run Management direction (Larsen, 2005). The city of Portland and Forest Service have managed the watershed for the following purpose:

1. Production of pure, clean, raw potable water
2. Compliance with the requirements of the Safe Drinking Water Act
3. Protection of forested ecosystems under the 1994 Northwest Forest Plan
4. Protection of terrestrial and aquatic species under the Endangered Species Act

About one century of conflict driven by divergent missions and priorities gave way to convergence between and the City and Forest Service. At the same time, the residents and community also have been in the center of this conflict. To understand this conflict issue on Bull Run watershed, some theories of negotiation should be defined and considered before the conceptual analysis.

What is Conflict Resolution?

“Conflicts grow out of diverse values, perceptions, and interests that exist within a community or organization (Elliott, 1999).” Conflict resolution is a range of methods of eliminating sources of conflict. The term "conflict resolution" is sometimes used interchangeably with the term dispute resolution or alternative dispute resolution. Processes of conflict resolution generally include negotiation, mediation, and diplomacy. The processes of arbitration, litigation, and formal complaint processes such as ombudsman processes, are usually described with the term dispute resolution, although some refer to them as "conflict resolution." Processes of mediation and arbitration are often referred to as alternative dispute resolution. At the center of any negotiation is conflict. The parties do negotiation to resolve the conflict. Even in integrative bargaining, while conflict may be transformed into a more malleable and muted form, there is still conflict. Generally speaking, both parties in negotiations want to actively contribute to the joint outcome and gains. At the same time, they consider their benefit from the negotiation. However, it is extremely difficult to get to having mutual benefits to both sides, so tensions in negotiation exist and mistrust to their opponent. If the negotiation parties cannot recognize these dynamics as they are occurring, conflicts might grow and threaten to destroy the negotiated agreement they are seeking. Before understanding conflict resolution, it is a basic step to study a term, ‘arbitration.’

Arbitration

Arbitration has been as extremely popular form of dispute resolution. Arbitration can be either voluntary or mandatory (although mandatory arbitration can only come from a statute or from a contract that is voluntarily entered into, where the parties agree to hold all disputes to arbitration, without knowing, specifically, what disputes will ever occur) and can be either binding or non-binding. Non-binding arbitration is, on the surface, similar to mediation. However, the principal distinction is that whereas a mediator will try to help the parties find a middle ground on which to compromise, the (non-binding) arbitrator remains totally removed from the settlement process and will only give a determination of liability and, if appropriate, an indication of the quantum of damages payable. In negotiation theory, arbitration is a consensual process; a party cannot be

forced to arbitrate a dispute unless he agrees to do so. In practice, however, many fine-print arbitration agreements are inserted in situations in which consumers and employees have no bargaining power. Moreover, arbitration clauses are frequently placed within sealed users' manuals within products, within lengthy click-through agreements on websites, and in other contexts in which meaningful consent is not realistic.

Convening

According to Elliott, convening is the initiation point and designing process of an appropriate consensus building structures in a particular negotiation. During the convening phase, practitioners typically help disputants assess the sources and characteristics of the conflict, the relationship between the parties, the barriers to resolution, and the issues that need to be resolved. Also, the practitioners work with disputants to identify parties with a stake, design and appropriate decision making process. Conveners need to ensure appropriate representation of the stakeholders, build the capacity in negotiation, facilitate more effective communication process, and initiate the negotiation process (Elliott, 1999).

Facilitation and Mediation

“Facilitation is the impartial management of meeting designed to enable participants to focus on substantive issues and goals (Elliott 1999).” Meanwhile, mediation is the intervention by an impartial party into a negotiation and conflict. Mediations can be defined structured negotiation steps. In negotiation process, facilitators remains neutral concerning the content of the group’s work and typically does not have decision-making authority within those stakeholders (Schwarz 1994). As facilitator do, mediators remain neutral concerning the content of a group’s work and has little or no decision-making authority in negotiation (Gray 1989). However, mediators work explicitly to manage not just the interactions that occur within meetings but also the dynamics that occur outside meetings. Thus, they require supporting an explicit relationship-building process implicating an interest-based bargaining process.

Understanding Bull Run Watershed Conflicts between USDA Forest Services and City of Portland

The Executive Director of the Bull Run Heritage, a citizen action group suggested engaging the community in discussing the kind of future that could be jointly created by the parties. His proposal catalyzed the policy formulation process and the City and Forest Service had hired Resolve Inc. to conduct a convening process among stakeholders to assess issues, concerns, interests and public values related with Bull Run watershed. In other words, this negotiation process symbolized a concept that develops by the Bull Run Heritage Foundation as well as other interested public groups and individuals (Larsen 2005).

To begin this negotiation process, they had a three day working retreat of identifying and evaluating interests and addressing challenges on this conflict with City and Forest Service in

2001. The important product of this retreat was a Joint Statement of Intent that implicates mutual commitment between both parties to articulate their joint interests, to achieve mutual gains, to restructure and improve their administrative relationships, to codify principles, roles and responsibilities, and to work together to develop an agreed-upon action plan toward agreeing MOU.

MOU Framework

The goal of the MOU would be defined the structure and processes to guide the related interactions of the City and the Forest Service. According to the MOU report, there are four basic strategies:

1. Realignment of land ownership patterns to simplify and focus each party's efforts on those activities necessary to accomplish its mission
2. Creation of collaborative planning, business process, coordination structures
3. Assignment of roles and responsibilities based on an agreed business model
4. Provision for separate implementing agreements and plans that provide a structured framework for the both parties' continuing work.

These strategies were established to conduct the flexibility and adaptability needed by the parties over the long term and were intended to help the parties create and sustain the relationships required to successfully co-manage this important resource over time with new changing staffs in the future.

Scope and Purpose of MOU

Both agencies understood that the primary purpose of each organization is different and each meets an important community need. The common thoughts can be the vital role as stewards in this conflict that can benefit in protecting resources and ensuring public and community values (Larsen, 2005). The MOU, in addition to federal, state, and local regulations and policies, guides the use and management of the Bull Run watershed. Moreover, it is intended to provide an enduring frame work below:

- 1) Expressing joint and several interests
- 2) Coordinating joint and individual actions undertaken by the both parties

More particularly, this MOU is aimed at clarifying respective roles and responsibilities and streamlining the joint and individual administrative and management functions of both parties. At the same time, the term of the MOU is 50 years, the maximum allowed by the existing policy, and both parties intended to extend the term 50 years at each review.

Process

According to Dr. Larson (2005), there are two stages on planning this convening process. The first stage was negotiation of a final draft MOU and the second stage is vetting the draft with a broader audience and working out some of the more complicated issues such as water rights and deciding on an appropriate National Environmental Policy Act process. The negotiation parties agreed to hire the mediating group, Resolve Inc. A core negotiation team was set and both

negotiation parties were comprised of the negotiation staffs including Forest Supervisor and Director of the Water Resources Management Group. In addition to this core groups, additional joint Forest Service/ Water Bureau staffs were commissioned to make recommendations in specific sectors in emergency planning, transportation and surface water management systems, road decommissioning, fire planning, water monitoring, and national resources and conservation issues.

The output of the process was the signed MOU. From a qualitative standpoint, MOU defined a new working relationship between the city and Forest Service, and community sectors. The business of stewardship of the natural resources and running of the water utility for the residents of Portland was complicated issue. It was hard to get it right and making all the pieces run appropriately in accordance with all the laws, regulations and policies that pertain to both parties. Furthermore, second order effects included functional plans derivative to the MOU, a land exchange between the Forest Service and City of Portland within the watershed, and a new Forest Service permit for administering the City's use and occupancy of National Forest System lands. The negotiation teams' desired second order effect was institutionalization of a harmonious federal and city partnership involving citizen participation.

Forming Intent

The beginning of forming intent was marked by the date that the Executive Director of the Bull Run Heritage Foundation, approached the executives with a proposal that the City and the Forest Service begin a process of engaging the community (Larsen, 2005). As an interesting aside, the three actors including the Bull Run Heritage Foundation made plans for community engagement that did not materialize for the better part of a year. Each of the players struggled with being overcome by each negotiation item. Recognizing that despite good intent, no headway was being made, the executives decided to contract out the first effort at community engagement. That was the point that the services of Resolve Inc. were procured to explore the feasibility and develop recommendations for public involvement and consensus building processes to define roles and responsibilities for the long term administration, protection and stewardship of the watershed. Participants in the convening process overwhelmingly supported having the City of Portland and Forest Service work together to develop roles and responsibilities for the long-term relationship based on stewardship. Also, people and citizens in the area wanted the City and the Forest Service to get their respective acts together, and then find meaningful opportunities through public engagement process.

Throughout this convening process, it became clear that the building consensus based on mediating and negotiating with their interests to the value and importance of the Bull Run watershed. There are issues and interests from each stakeholder group (Resolve Inc, 2001):

- 1) A premier protected source of pure, clean, high quality drinking water for all citizens at a reasonable cost
- 2) Sufficient water for threatened and endangered species of fish
- 3) To study, understand and create a framework for the long-term protection of the watershed; be good stewards to protect the incredible resource, treasure, mystique, public understanding and pride, provide a healthy sustainable watershed and forest as a legacy to others, and to protect against disasters

- 4) To manage the watershed with people as part of the environment/ landscape
- 5) To provide environmental and human health protection and reliability; protect against bacteriological impacts, microbes and toxicology effects
- 6) To cultivate a motivated, educated, informed public constituency
- 7) To engage in a healing process to overcome past events, develop respect and common understanding, and improve relations with public and between agencies

A convening process assessment provided the opportunity for a group to collect data and information, learn about each other's interests, better understand the varying perspectives on critical issues and concerns regarding the anticipated barriers, and begin to develop a range of ideas and suggestions for addressing the identified issues and topics.

Role of RESOLVE Inc. (Mediator/ convener)

RESOLVE designed and prepared the convening protocols, process, and schedule for this project. RESOLVE Senior Mediator (convener) spoke to representatives from the City of Portland Water Bureau, the Forest Service and the Bull Run Heritage Foundation to recognize hopes and expectations for the convening process and identify topics to cover during the convening process and public interview. RESOLVE crafted a draft interview protocol framing questions to elicit participants' perspectives and a proposed list of interviewees. After circulation for review and comment, the convening process format, content and public interview analysis was finalized. During the interviews, the conveners were interested in identifying the similarities and differences of opinions on the topic, looking for areas of commonality and convergence as well as areas of divergent or polarized opinions. The process also helped RESOLVE understand and analyze the likelihood of sufficient threshold interest in designing and implementing a process that could address the widest range of interests in a fashion that would achieve the highest common denominator of success. Finally, RESOLVE proposed recommendations based on the summary and analysis for consideration by all interview processes.

Comparative Case Studies: Characteristics and Conflicts between Governments during Four Major Rivers Renovation Project in South Korea

The Four Major Rivers Restoration Project of South Korea is the multi-purpose green growth project on the Han River, Nakdong River, Geum River and Yeongsan River. This restoration project will provide water security, flood control and ecosystem vitality. This project was first announced as part of the "Green New Deal" policy launched in January 2009. It was later included in the South Korean five-year national plan released by the government in July 2009 and its funding, a total of Approximately 17.3 billion USD, is reflected in the five-year plan total investment.

The overall project consists of three sets of projects:

- 1) Main projects – the Han, Nakdong, Geum and Yeongsan rivers revitalization projects;
- 2) projects on the 14 tributaries of the four major rivers; and
- 3) refurbishment for other smaller-sized streams. The Four Major River Restoration

Project has five key objectives:

- 1) securing abundant water resources against water scarcity;
- 2) implementing comprehensive flood control measures;
- 3) improving water quality and restoring ecosystems;
- 4) creation of multipurpose spaces for local residents; and
- 5) regional development centred on rivers.

More than 929 km of national streams will be restored as part of the Four Major River Restoration Project. A follow-up project will be planned to restore more than 10,000 km of local streams. More than 35 riparian wetlands will also be reconstructed.

Conflict between the South Kyongsang-do (Provincial Government) and the Central Korean Government

Governor Kim, Dookwan of the South Kyongsang Province has argued against the Central Korean Government's four major rivers restoration plan. Korea's mammoth project to refurbish its four major rivers faces yet another setback as conflict grows between the central government and provincial authorities over development rights. The Ministry of Land, Transport and Maritime Affairs announced in October that it's retaking the helm of the refurbishing efforts for the Nakdong River, the biggest river in the country's southeast region, forcing it out of the hands of the South Gyeongsang Provincial Government. South Gyeongsang Province Governor Kim Doo-gwan has been a frequent critic of the "Four Major Rivers Restoration" project because of ecological and cultural heritage issues in the province. Meanwhile, the ministry (central government) has been accusing South Gyeongsang regional authorities of foot-dragging, pointing out that the progress of work has been much slower in the Nakdong River sections than those of the other rivers.

The ministry announced that their decision follows the non-compliance by South Gyeongsang Province of its commitment to progress in the construction on the Nakdong River's 13 related sections. According to their public briefing, the progress of work in the Nakdong River sections are only 16.8 percent complete, compared to the 32.3 percent average for the other rivers. The construction sections from No. 7 to No. 19 have averaged just 1.6 percent. The announcement by the ministry triggered an angry response from the Gyeongsang Provincial Government, which has repeatedly claimed it should maintain oversight of the Nakdong River development efforts to protect the "life and health" of the local residents and minimize any damage to the environment.

The dispute could turn into a lengthy legal battle as South Gyeongsang Province officials threatened to take the matter to court should the government cancel their development rights. Opposition party lawmakers and NGOs (some civic groups) denounced the ministry's decision. The Democratic Party (Opposition Party) recently said they will try to reduce \$5.9 billion from the budget earmarked for the four rivers project next year. The province officially announced

that they will consider all means possible, including legal action, to prevent the government from pushing forward with the Nakdong River development project. It's not usual that the government chose to make this an issue of dispute. Also, the province goes to process on cancelling their remodeling approval of the 30 sections of farm land near the construction areas, which will prevent builders from piling up the dredged sand.

The Lee Myung-bak government (Central Government) claimed that the controversial project is crucial to preventing future water shortages and improving water quality, enabling better flood control and boosting tourism. However, the project has been facing fierce opposition from urban development experts and environmentalists both locally and internationally over its vague economic effects and the added stress it could put on the country's wildlife. The project calls for constructing 16 new dams on the rivers, rebuilding 87 existing dams, dredging 570 million cubic meters of sediment to deepen nearly 700 kilometers of riverbed, and buttressing several hundreds of kilometers of riverbanks in concrete. Among the 170 construction sections of the four rivers, the government had handed the development rights to regional governments for 54 of them, including the 13 sections that had been managed by South Gyeongsang Province.

Negotiation Process

In the conflict between the Central Korean Government and the South Kyongsang Province, nobody could not find any solutions toward mutual agreement. Thus, the Central Korean Government tried to push the lower-level provincial government by their fiscal power because provincial government gets a fiscal support by the central government every year. However, the governor disagreed to any kind of pushing from central authority. Their conflict seemed to be more serious because they did not want to do negotiation between both parties.

At this point, civic groups also were divided into two sides around this conflict, but they wanted to have negotiation for residents and local communities. Thus, both governments hired the K-water Corporation as a mediator group. This K-water Corporation is a public company that is in charge of all of the water resources in Korea. Thus, they have been working with the central and provincial government for a long time. They tried to find the different interests on this conflict with civic groups:

- 1) The Central Korean Government wanted to have well-organized water resources management system
- 2) The Provincial Government wanted to have ecological conservation and cultural heritage preservation without any artificial environmental destruction (construction)

The K-water Corporation led to have public hearing session with local leaders and NGOs in 2010. Local leaders (representatives of counties) had a little different view because they were concerned about local economy, so they wanted to have beneficial solutions by the negotiation. Since March, 2010, after both parties had monthly negotiation meeting with K-water and local leaders, they could approach to mutual and joint interests:

- 1) Proactive response against climate change
 - Secure water resources in various ways to deal with droughts
 - Convert from investment centered on disaster recovery into investment focused on prevention

- 2) Diversification of ways to secure water resources
 - Dredging sediments, Elevation of banks around agricultural reservoirs
 - Expansion and connection of existing water resources facilities
 - Continuous development of new water resources
- 3) Paradigm shift in river management policies
 - River management policies such as dredging sediment will expand the flood spilling capacity
 - Initial investment for prevention measures to minimize flood damages will be augmented.
- 4) Utilization of river areas as multipurpose spaces for the co-existence of the people and environment
 - Gradual adjustment of riverside farmlands
 - Creation of new areas for leisurely activities utilizing rivers
 - Improvement of the access to waterfronts
 - Enhance the value of the riverside as scenic areas
 - Pursue regional development centered on rivers that elevates regional culture, ecological landscape, and quality of life.

They have had several times negotiation meeting with public citizens and NGOs. As a result of this challenge, the provincial leaders requested an official EIS investigation to K-water Corporation. The K-water undertook a full study of the potential impact of the project on water quality, the ecosystem and environmental pollution, all areas in which experts have raised concerns. At the same time, both parties were asked to have public voting process by local residents. According to local leaders, both governments have been aiming their benefits not effective local development for the residents. This is on the process to have official and political voting for county residents. Even though both parties could not make agreement yet, they stepped forward toward mutual gains through consensus building with mediator group and public engagement.

Role of Mediators (K-water Corporation)

K-water Corporation has had successful mediating role in the conflict so far. Nobody could expect having mutual joint interests between both governments before they started to mediate this issue in the early 2010. They tried to have consensus building process between parties by seeking joint interests. At the same time, public representatives including NGOs and civic groups could be involved into this negotiation process. During the mediating process with public groups, the mediators established to identify the similarities and differences of opinions on the topic, looking for areas of commonality as well as areas of divergent opinions. However, some critics said K-water gave advantages the Central Government because the CEO of K-water is commissioned by the Korean President.

Resolution

Negotiation representatives agreed to the resolution based on items below:

- 1) Fundamental resolution of floods and water scarcity

- A. 1.3 billion m³ of water secured will strengthen our capacity to respond to future water shortage and droughts.
 - B. Increased water storage thanks to dredging sediment and building reservoirs will equip us against droughts.
 - C. Ministry of Land, Transport and Maritime Affairs can be able to secure river maintenance water and strengthen flood control capacity even during droughts by building small sized multipurpose dams and expanding existing agricultural reservoirs.
 - D. Flood control capacity increased by 920 million m³ will enable us to fight climate change and keep our rivers safe even upon 200-year floods.
- 2) Flood damage and recovery expenses will decrease by dredging sediment.
- A. The down-streams will be protected by retention and riverside reservoirs.
 - B. The reinforcement of old levees will raise the safety in flood control
 - C. Contribution to sound restoration of the ecosystem
 - D. Secure swimmable water quality (level two, Biochemical Oxygen Demand 3ppm) by 2012, earlier than the originally scheduled 2015.
 - E. Improvement of the environment through restoration of ecological rivers and development of waterside belts
 - F. Readjustment of farmlands in riversides will reduce non-point pollution sources and improve the ecological environment.
- 3) Increased quality of cultural and leisurely activities, and lives
- A. Local residents will enjoy culture, relaxation, and sports in redeveloped waterfronts
 - B. The promotion of water sports and the construction of bicycle lanes will increase the opportunity for leisurely activities.
- 4) Local economies revitalized through the Green New Deal
- A. The real economy will be recovered by stimulating domestic demand and creating new jobs.
 - B. As part of the Green New Deal, the rivers restoration project will be utilized as a new growth engine.

From this conflict resolution process, people expects the benefits on the four major rivers areas which account for 70 percent of our territory will contribute to regional development. Also, regional economic growth will be accelerated through the river-oriented development. Overall, it is expected that the project will create 340,000 jobs and generate an estimated US\$ 31.1 billion of positive economic effects.

Comparative Evaluation between the Bull Run Watershed Case and the Korean Case

	Bull Run (OR)	Four Rivers (Korea)
Main Conflicts	Differences between Local and Federal Views -Multiple use -Exclusive use for high quality water resources	Different Views toward Environmental Impact Statement -Cultural Heritage Issues -Ecological Approaching
Joint Interests	-Protect natural resources, ecosystem -Screening Public Interests -Stewardship and Citizenship	-Proactive response against climate change -Flood Control -Ecosystem Protection
Role of Mediators	Resolve Inc. – Professional Convening Process (Public Involvement)	K-water Corporation Local County Leaders NGOs (Voting and Public Hearing)
Resolution	Establishing a strong and responsible relationship based on Natural Resources Conservation in the Bull Run Watershed	Diversification of ways to approach to mutual gains: Water resources storage improvement and local economies revitalization

Table 1. Comparative Analysis of Negotiation Cases

There are similarities and differences between the Bull Run case and the Korean Rivers Restoration project. Both cases have conflicts between upper government and local government surrounding policy making issues. Also, they hired third party as a mediator or convener. These cases gave a great example of mediator’s role because they could have a mutual gain on the negotiation through finding joint interests by mediators. Gensberg (2003) states that mediators should not only advocate for a fair process, but also, if the mediator believes an outcome is patently unfair or unconscionable, the mediator may or even should make this known by communicating this view to the parties or withdrawing from the agreement. In those case studies, RESOLVE and K-water had a very neutral position as a mediator. As a result, public engagement was easy and positive from civic groups. After public and civic groups are regarded as a stakeholder, negotiation parties could recognize their joint interests and Best Alternative to Negotiated Agreements (BATNAs).

The Bull Run Watershed case had only one mediator group, but the Korean Major Rivers case had multiple mediators led by the K-water. In other words, it can be defined as RESOLVE

has more professional mediating and convening characteristic, while K-water could role a mediator because of K-water's position between local government and central government in the major rivers restoration project. Also, they could approach to understanding joint interest and resolution by informing, educating, increasing awareness and motivating the range of citizens to engage into the negotiation process. Thus, both negotiation parties could clearly delineate the significant challenges, barriers, and obstacles to addressing the identified list of complex issues and concerns for the conflicts.

Discussion and Conclusion

This case study was a good discipline to understand conflict between governments. The City of Portland and the USDA Forest Service are working together with citizens to formulate a comprehensive new policy to guide joint management of the Bull Run watershed at Mt. Hood National Forest. This process brought about serious conflict which resulted from differences between the federal view of multiple use and the local view of exclusive use for producing high quality water. Nobody welcomed the both parties had harsh relationship failure due to this conflict.

However, the negotiation staffs after convening and mediating process were forthright and open about their hopes and expectations toward mutual gains as well as the fears and concerns. Public goals and interests can be a catalyst to have mutual agreement to reach conflict resolution. For having conflict resolution processes, mediators' role was extremely significant with diverse resolution approaches on joint interests. Also, the information gathered provided significant challenges for synthesizing, analyzing and recommending process options. There was no simple approach for addressing this complex set of topics for the Bull Run Watershed over the time, but it appears that stakeholders were very motivated and interested in participating in a multi-faceted approach, importantly increasing the possibility of the success. Moreover, Conflicts can build and improve a futuristic urban working relationship between governments and group. Finally, it was available to assist in providing useful options and alternatives for considerations based on joint interests and consensus building through professional and focusing convening process.

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