

**Western Governors Association
Wildlife Corridors Initiative
Land Use Working Group**

**D R A F T
Protocols**

I. Purpose

In February 2007, the nineteen Governors of the Western Governors' Association adopted a resolution that instructed WGA to develop and conduct a process to "identify key wildlife migration corridors and crucial wildlife habitats in the West and make recommendations on needed policy options and tools for preserving those landscapes." This process will generate policy recommendations from four working groups focusing on the following areas:

- Energy
- Transportation and infrastructure
- Land use
- Climate change

Each working group will meet from late 2007 through the spring of 2008 to prepare recommendations that will be compiled into a report presented to the Governors for adoption at the June 2008 WGA Annual Meeting in Jackson, WY. Additionally, a science committee will be established to provide a science-based framework for all policy recommendations, and to improve states' understanding of corridors by identifying gaps in data and proposing methods for filling those gaps.

Land Use Working Group Scope

The Land Use Working Group (LUWG) will make recommendations relating to how wildlife corridors and crucial habitat can be integrated into land-use planning at the local, county, state, and federal levels. The LUWG will develop recommendations on needed policy options for implementing and utilizing wildlife corridors as part of a comprehensive planning framework and highlight the special role that states can play to promote wildlife values in land use, zoning, regional planning, growth, and cases of the urban-wilderness interface. The recommendations will be compiled in a report to be written by the LUWG that will also discuss:

- The special circumstances of land use and growth in the West as they relate to wildlife habitat and movement needs;
- Barriers that are posed to the full incorporation of wildlife values into land use planning at all levels – including federal land management agencies;
- The special role that states can play in integrating wildlife values into decision making; and
- Key examples where wildlife values were successfully integrated into land use, growth plans resulting from effective cooperation between stakeholders, effective avoidance and mitigation strategies, and/or other positive results.

The LUWG will work with the Science Committee to establish maps and other illustrative tools as necessary to describe areas of significant land-use change where land-use planning will be

particularly important in the next twenty-five years and those areas' relation to wildlife corridors and crucial habitat.

II. Working Group Composition

The Land Use Working Group (LUWG) is intended to represent a cross-section of interests. The Western Governors Association has sought to bring together LUWG members who are knowledgeable of land-use planning processes and its potential impacts on wildlife corridors and crucial habitat. WGA has also sought to convene a group that is familiar with the nature of state involvement in land-use planning and how it interacts with entities at the local and federal levels as well as with the private sector. Moreover, WGA has sought to assemble a group that can represent the expertise and interests of various perspectives including:

- State wildlife agencies
- State planning entities
- Local governmental entities including counties, conservation districts, and association
- Federal agencies
- Academics and foundations
- Industry: housing and commercial development

Some members of the group have multiple affiliations, interests, and areas of expertise. In addition, the group includes biological, legal, regulatory and operational expertise relevant to the issues under discussion.

III. Process and Schedule

The Land Use Working Group is part of the second phase of the Wildlife Corridors Initiative. This first phase provided governors with quick turnaround of recommendations specifically relating to oil and gas development. The Oil & Gas Working Group produced its report during the late summer and produced a final draft in October. This report was presented to the governors in early November.

In the second phase, four policy working groups (including the LUWG) and a science committee will draft comprehensive recommendations to be submitted to the governors in spring 2008 with the expectation of eventual adoption by the governors at the June 2008 annual meeting in Jackson, WY.

The third phase will be implementation of recommendations. This activity is expected to initiate after June 2008.

The LUWG will meet two to three times as necessary in the first half of 2008 to prepare its report and recommendations. The group will have coordinating conference calls between the meetings and up to the finalization of its recommendations around May 15th, 2008.

The Steering Committee and governors' lead counsel will review and comment on drafts and the final report submitted on May 15th. Feedback from the Steering Committee and lead counsel may extend the work period for the LUWG as it makes the changes to align the report with the intent of the originating resolution.

IV. Roles

PARTICIPANTS

Participants in the Working Group will be expected to:

- Attend all face-to-face meetings;
- Adhere to the protocols adopted by the group;
- Meet deadlines for drafting and commenting on drafts;
- Proactively engage in collaborative problem solving to address the range of interests brought to the table; and
- Work with their own groups, organizations, and constituencies to understand and articulate their interests, to secure their on-going input and, as appropriate, to build support for the final recommendations.

CHAIR

A chair may be selected by the Steering Committee for the LUWG. The role of the chair is to ensure that the needs of all participants are met, that the WGA staff and consultants fulfill their roles, to help address conflict should it arise, and to convene and adjourn meetings.

EXPERT CONSULTANTS

The Wildlife Corridors Initiative benefits from technical assistance from a number of sources. Their expertise is principally in wildlife biology and GIS mapping. These consultants can serve as a resource for the LUWG as it is deliberating its product.

OBSERVERS

Meetings of the Working Group will be by invitation only. Members of the working group may bring a limited number of additional individuals as technical assistance with the *explicit agreement* of WGA staff. Additionally, a limited number of specific individuals may be invited to observe the meetings. Observers will be required to adhere to the same protocols and meeting guidelines (see below) that apply to members. Observers will be asked to refrain from speaking during the meetings, rather they should speak through LUWG members. Members of the working group may ask the facilitator to limit comments by observers and observers may not object to recommendations put forward for consensus adoption. Observers are expected to provide feedback through their working group member if necessary. Alternates are considered observers when the original working group member is attending a meeting or conference call.

WESTERN GOVERNORS ASSOCIATION STAFF

WGA staff's role is principally to implement the governors' directive found in the initiative's establishing resolution. WGA staff will pursue the development of recommendations according to the timeline set out by the resolution and will seek to meet the interests of the governors. WGA will

seek to ensure that the initiative's outputs are as relevant as possible to governors and their special role.

WGA staff will also provide logistical support and coordination for the travel needs and meetings of the initiative. Key WGA staff is:

Shaun McGrath, 303-623-9378 or smcgrath@westgov.org

FACILITATION AND PROCESS SUPPORT

Will Singleton, Principal of Singleton Strategies LLC, is a consultant who is providing neutral facilitation services and process planning to the initiative. In consultation with working group members, Will Singleton will assist with agenda development, convening, facilitation and drafting of the meeting summaries and final report. He will also work between meetings to ensure that the work product meets deadlines and that full agreement is reached wherever possible. Will Singleton's contact information is:

Will Singleton, 303-895-7570 or will@singletonstrategies.com

V. Discussion Guidelines and Approach

GENERAL APPROACH

The Land Use Working Group members will approach their deliberations as collaborative problem-solvers seeking to produce consensus concepts and/or recommendations that address, insofar as possible, the practical needs and interests of all participants. As necessary, the group will work jointly to educate and build understanding regarding the participants' values and interests related to the issue; while also developing a baseline understanding of essential scientific, technical, legal, economic, and political information. All working group members agree to work proactively to meet the broad objectives of the Wildlife Corridors Initiative.

Collaborative problem-solving is most successful when parties agree that their major interests have been heard, considered meaningfully, that other participants have made every effort to address their interests in any final proposals, and that the final proposals accurately characterize any outstanding differences. The group will strive for consensus; for purposes of the working group, consensus is defined as, at a minimum, "no objections" or as being able to "live with" an outcome, perhaps in light of how it fits into a larger whole.

In an effort to achieve the greatest degree of consensus possible, the group will work to build proposals by identifying, exploring and in as much as possible, satisfying all key interests. When agreement is not possible, the group will work to accurately and respectfully understand and document the different perspectives at hand. The facilitator will use a variety of techniques to calibrate and then reflect the actual levels of consensus achieved by the working group.

If it is not possible to reach agreement on a specific recommendation, the Land Use Working Group will exercise one or more of following options:

1. A narrative will be included in the report that highlights the discussion of the group and provides an explanation why full consensus was not possible;

2. The draft recommendation will be put to the Steering Committee for their determination about its relevance to the resolution;
3. The working group may decide to leave out the disputed recommendation if only one or two participants support it – in other words, recommendations that fail to have “critical mass” may be left out.

It is important for members to recognize that concepts may be discussed in an effort to craft recommendations that ultimately obtain broad support. Members may not expect to exclude concepts from being discussed. Members may work throughout the drafting process to find a recommendation that meets the consensus agreement of the group. It is also important for members to be proactive in their deliberations. If a concept of recommendation is not acceptable, members who object are expected to commit energy to finding a way to meet the needs of the whole group.

GROUND RULES

The working group’s protocols and interaction assumptions (proposed and to be ratified or modified at the first meeting) will follow a modified version of the “Chatham House Rule.”¹

Discussions are “off the record” insofar as no one will represent the working group’s collective views or positions without the agreement of the group itself.

Although it is expected that each person will be speaking on behalf of their organization, company, or agency, formal hats are off to the greatest extent possible. Individuals are encouraged to draw from both their personal and institutional experience/expertise in discussions.

Anyone attending is free to use the information in the working group’s deliberations but will not publicly represent the views of others present.

All working group members are encouraged in discussions to “explore without committing.” This further frees up the group to explore potential solutions without viewing those explorations as formal proposals.

As pertains to specific discussions, working group members agree to:

- Disclose interests
- Listen fully to understand
- Look for ways to address not only your own interests but those of others as well.
- Participate; share the floor; be concise

¹ The Chatham House Rule is used worldwide to facilitate both free speech and confidentiality at meetings. Meetings may be held “on the record” or under “the Chatham House Rule”. In the latter case, it may be agreed with the speaker(s) that it would be conducive to free discussion that a given meeting, or part thereof, should be strictly private. When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information or opinions disclosed to them, subject to two conditions. (a) Neither the identity nor the affiliation of the speakers, nor that of any other participant at that meeting may be revealed. (b) It may not be divulged that the information was received at that meeting.

- Look ahead—acknowledge the past but don't rehash it
- Be explicit and factual—ask for clarification if confused
- Let expertise fuel, not constrain, creativity (“beginner’s mind”)

MEETING SUMMARIES AND FINAL REPORT

WGA and its consultants will be responsible for preparing summaries of the meetings with an eye toward capturing key issues, conclusions, and agreed-upon next steps. Members of the working group will have the opportunity to review and comment on draft meeting summaries prior to them being considered final.

The final report will be forwarded to the Steering Committee and governors’ lead counsel on 15 May 2008 for review and comment.

ENLIBRA PRICIPLES

The Western Governors Association adopted the “Enlibra Principles” as a basis for development of policies under the association. Members are encouraged to use these principles as they formulate recommendations to the Governors.

- *National Standards, Neighborhood Solutions - Assign Responsibilities at the Right Level*
- *Collaboration, Not Polarization - Use Collaborative Processes to Break Down Barriers and Find Solutions*
- *Reward Results, Not Programs - Move to a Performance- Based System*
- *Science For Facts, Process for Priorities - Separate Subjective Choices from Objective Data Gathering*
- *Markets Before Mandates - Pursue Economic Incentives Whenever Appropriate*
- *Change A Heart, Change A Nation - Environmental Understanding is Crucial*
- *Recognition of Benefits and Costs - Make Sure All Decisions Affecting Infrastructure, Development and Environment are Fully Informed*

Solutions Transcend Political Boundaries - Use Appropriate Geographic Boundaries for Environmental Problems