

## BEST PRACTICE

### Land in Conflict: How Planners Can Better Manage an Increasingly Contentious Public Process

A new approach to resolving conflict based on mutual gains may provide a better way.



**Patrick Field**  
Managing Director

Why do some decisions about land use go smoothly, while others generate multiple lawsuits, ruin relationships, and waste community resources? Political polarization, efforts to increase density through infill redevelopment, and tensions over property rights in the wake of natural disasters are just some of the elements that have complicated the public process. Land use disputes are taking up our time and often producing unsatisfying results.



**Ona Ferguson**  
Senior Associate

Through our years of experience, and drawing from conflict theory in other fields, we have developed an approach to minimize the destructive nature of many significant local land use conflicts. This approach, detailed in *Land in Conflict: Managing and Resolving Land Use Disputes*, recently published by the Lincoln Institute of Land Policy, encourages parties to focus on mutual interests and strive to achieve mutual gains.



**Sean Nolon**  
Professor,  
Vermont Law School

Although there are often implications at the state and national level, involving state and federal agencies accordingly, disputes over zoning, planning, and development decisions most often play out at the local level. However, communities may feel hemmed in because decisions about land use must follow specific procedures codified in state and local laws. This basic framework tends to stifle creativity and

promote differences. Most state planning statutes do little to promote effective dialogue and better citizen involvement in comprehensive planning, and only a few states — Florida, Maine, Washington, Oregon, and the District of Columbia—have adopted statutes that encourage more dialogue and collaboration in planning decisions.

The mutual gains approach has its origins in the collaborative practices used by mediators, and offers a better way to manage the most challenging situations. This approach is guided by core principles, follows a set of clear action steps, and is useful at different stages of land use decision making. It is different from, though not incompatible with, the required land use procedures. The mutual gains approach:

- is based on all stakeholder interests as well as the necessary technical information;
- involves stakeholders along with appointed and elected decision makers;
- generates information relevant and salient to stakeholders such as abutters, community leaders, and others;
- requires strong community and public engagement skills along with strong technical planning skills; and
- engages the public above and beyond sharing information and views.

The mutual gains approach to preventing and resolving land use disputes is not a single process or technique. It draws from the fields of negotiation, consensus building, collaborative problem solving, alternative dispute resolution, public participation, and public administration. The result is a more public, collaborative process designed to tease out the range of interests and criteria, compare various alternatives, and determine which of those alternatives meet the most interests.

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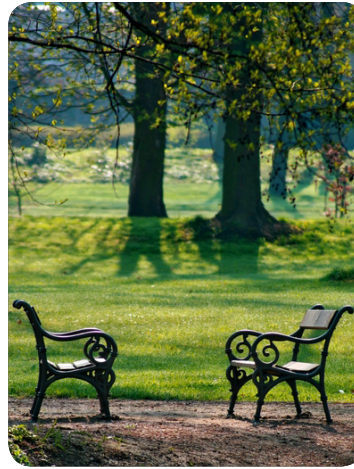
Where the new approach has been tried, the results have been positive – even in situations that look like a stalemate. When a major gravel mining company proposed an expansion near a residential neighborhood in East Middlebury, Vermont, the first meeting on the subject was confrontational. Then a mediator stepped forward to set the agenda, establish ground rules, manage communications among the parties, design a joint fact-finding process, and followed the stages of the mutual-gains approach. After months of meetings that went late into the night, a new relationship of mutual understanding emerged between the mine and the residents; the expansion of operations went forward under a set of conditions.

Similarly, a three-way standoff involving developers of the Assembly Square redevelopment site in Somerville, Mass., residents of the adjacent neighborhood, and smart growth advocates had gone on for years. A mediated agreement focused on what all parties could live with. A planned store was moved to allow better access and landscaping. All sides pushed each other towards making the area more transit-oriented.

It can be a grinding process to move from all-or-nothing. Former Interior Secretary Bruce Babbitt recalls in his foreword to the book that one of his first acts, adding the California gnatcatcher to the Endangered Species list, put thousands of acres from Los Angeles to the Mexico border off-limits to development. A negotiation framework involving varied stakeholders broadened the discussion from zero-sum confines into more innovative solutions, such as the transfer of development rights.

In our travels, we have seen that many local communities are hesitant to supplement or modify the minimal land use decision-making process. They worry that adding more steps to already lengthy processes will create more work, take more time, and cause more delays. We advise an honest review of how existing processes have worked in controversial land use decisions. Was the result satisfying to a range of stakeholders? Was the process rewarding? Were relationships improved? Did participants share valuable information about the community? Did the process contribute to the growth of the community? Chances are that few people were happy with the results, the process was long and expensive, long-standing relationships were stressed, the information shared was incomplete, and the sense of community was compromised.

If citizens and government acknowledge that the existing



process can be adversarial and stifle creativity, they are more likely to seek out and participate in more constructive approaches. State and county governments can help local governments transition to a new approach by providing training and education for local boards. Some regional planning commissions, bar associations, state and federal agencies, and civic groups already provide this kind of training

for local leaders. The Land Use Leadership Alliance in the Hudson River Valley and the Alberta Municipal Assistance Program in Canada are examples of regionally funded land use dispute resolution and education programs. In addition, groups like the American Planning Association, the Urban Land Institute, and the Lincoln Institute of Land Policy have programs and materials to help raise awareness among local officials. The Urban Land Institute's book, *Breaking the Development Log Jam: New Strategies for Building Community Support* (Porter 2006) explains how to enhance citizen participation and collaborative decision making.

In *Land in Conflict: Managing and Resolving Land Use Disputes*, we also provide a model ordinance provision to allow aggrieved parties to mediate instead of filing a legal appeal, and further guidance for nonjudicial mediation and for the review of decisions.

The website of the American Planning Association lists the “ability to function as a mediator or facilitator when community interests conflict” as one of the skills of successful planners. In addition, the APA's guidebook on planning, *Growing Smart*, notes the importance of collaborative decision making in the context of planning and development approvals. Yet there remains little in the way of guidance for planners and civic leaders to live up to those standards. It's time to equip our local communities with the tools and techniques to move from contention to consensus, and from standoff to solutions. ♦

*A longer version of this article originally appeared on [Planetizen](http://Planetizen.com).*

Contact: Patrick Field at [pfield@cbuilding.org](mailto:pfield@cbuilding.org); Ona Ferguson at [oferguson@cbuilding.org](mailto:oferguson@cbuilding.org); Sean Nolon at [snolon@vermontlaw.edu](mailto:snolon@vermontlaw.edu).

## **CBI Reports Volume XVI • Issue 2 • FALL 2013**

The Consensus Building Institute (CBI) is a not-for-profit organization created by leading practitioners and theory builders in the fields of negotiation and dispute resolution. CBI works with leaders, advocates, experts, and communities to promote effective negotiations, build consensus, and resolve conflicts.

**Managing Directors**  
David Fairman  
Patrick Field

**Founder and  
Chief Knowledge Officer**  
Lawrence Susskind

**Consensus Building Institute**  
238 Main Street, Suite 400  
Cambridge, MA 02142  
Tel: 617.492.1414 • Fax: 617.492.1919  
Email: [cbi@cbuilding.org](mailto:cbi@cbuilding.org)

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## Building a Multi-Stakeholder Forum on Oil and Gas Revenue for Development in Nigeria

Promoting effective and efficient use of Nigerian government oil and gas revenue for investments in human development.



**David Fairman**  
Managing Director



**Mil Niepold**  
Senior Mediator

CBI has been engaged in multi-stakeholder consensus building work in Nigeria for the past seven years. We've worked at the national level on development planning with the United Nations, government and civil society, and in the Niger Delta with international oil companies and communities affected by their operations. We have also advised government at the most senior levels on strategies for conflict resolution and peacebuilding in the Niger Delta. In all of this work, our role has been to offer strategies and build capacity for effective dialogue, negotiation and collaboration among very diverse stakeholders.

In the course of our work, we've experienced the absolute centrality of the oil and gas sector in driving Nigeria's political economy. Over the past 40 years, Nigeria's political leaders have evolved a complex set of oil and gas sector institutions and

bargains to maintain stability among states, ethnic groups and regions, and across the North-South divide. Oil revenue accounts for approximately 80% of federal government revenues, 70% of exports, and the majority of state and local government revenues (particularly in the oil-producing Niger Delta states).

Though oil revenue has enabled the federal system to survive, and has fueled economic growth, it has contributed little to the country's overall development. We've seen this directly in the Delta, and in our work with the UN and government on national development planning. Human development indicators remain very low; social and regional inequality remain very high; rural and urban development outside the oil sector has been limited (though accelerating in the last decade); and, a substantial proportion of extractive sector revenues has been appropriated by political and regulatory actors for private use. Consequently, Federal, state and local governments have had fewer resources to invest in education, health, roads, infrastructure, utilities, and other public goods.

There is a long-running national conversation in Nigeria about how to make oil and gas sector policies and institutions more transparent, effective, and accountable. Currently, the debate is focused on the Petroleum Industry Bill. If passed, the Bill would increase the transparency and efficiency of revenue collection, but would not directly answer the broader question of how oil and gas revenues should be invested to advance national development

priorities and address the country's major social and economic divisions.

Recently, the Ford Foundation's West Africa office approached us for a conversation about ways to promote a broader and deeper conversation on using oil revenue for development. We noted important factors that now make such a conversation more feasible. Nigeria has credible reformers in government, a lively free press, increasingly vocal civil society organizations, and some progressive business leaders. In addition, CBI has a credible and experienced Nigerian facilitation partner, the New Nigeria Foundation (NNF), with whom we've worked in the Niger Delta. Together, Ford Foundation, CBI and NNF decided that the time might be right to bring key stakeholders together to explore how to translate oil and gas revenue into greater developmental impact for Nigerians.

Our proposition is that a national, multi-stakeholder Forum on Oil and Gas Revenue for Development could be useful in changing the national conversation and influencing the course of policy reform. In this Forum, diverse, influential leaders would have the opportunity to collaboratively explore "revenue for development" issues, develop options, make joint and complementary commitments to action, and conduct outreach and engagement with government, business, civil society, and international stakeholders in Nigeria.

To test and refine that proposition, CBI and NNF are currently conducting a wide-ranging stakeholder assessment, interviewing over 100 leaders reflecting Nigeria's regional, ethnic, religious, and gender diversity. Initial responses have been positive, and have also reinforced our sense that the Forum's mandate, participants and engagement strategies will have to be very carefully designed to ensure that the Forum is constructive, credible, and influential. If the conclusion from the stakeholder assessment is that we should proceed to convene the Forum, we will begin with joint training for the participants on multi-stakeholder collaboration, and then convene a first meeting for the first quarter of 2014. ♦



Contact: David Fairman at [dfairman@cbuilding.org](mailto:dfairman@cbuilding.org); Mil Niepold at [mniepold@cbuilding.org](mailto:mniepold@cbuilding.org).



## The Uncertain Ground of Federal Wetland Enforcement Cases: Why Mediation Can Help

The conundrum of distinctly different views between the regulator and the regulated frequently make these cases good candidates for mediation.



**Doug Thompson**  
Senior Mediator

“We bought this property years ago on which to build our retirement home. Now EPA says we are guilty of filling wetlands,” reports an older couple. Another person caught up in a wetland enforcement action claims, “I haven’t done anything wrong. I got my state approval! Why is EPA harassing me and not going after real polluters?” Or in another case, the landowner asserts, “This area isn’t even a ‘wetland.’ Give me a break – I can walk on

it just fine over half the year. The government is out of control.” Vignettes such as these, where citizens feel their own government has unfairly and irrationally targeted them, have played out across the country and frequently attract the attention of elected representatives and the press.

Meanwhile, the Environmental Protection Agency (EPA) views cases like these from a different perspective. For instance, EPA may have been monitoring the deleterious effects stemming from numerous losses of wetlands and other aquatic habitats in watersheds where unauthorized activities are occurring. Each individual case may not be particularly significant but EPA believes that, if left unregulated, the cumulative effect of these and other actions will result in lasting damage to water quality, wildlife habitat, and other environmental values. As any dieter knows, it’s the number rather than the size of the bites that matters. Moreover, the law is clear: the Clean Water Act is a strict liability statute that has been in place for over 40 years and requires authorization for most wetland filling. The integrity of the regulatory program, in EPA’s view, depends in part on operating a credible enforcement program against those who do not play by the rules.

These distinctly different views between the regulator and the regulated illustrate a conundrum emblematic of environmental protection generally and that is particularly conspicuous in the context of wetland enforcement: each incremental activity might be reasonable in its own context but may constitute an insidious problem in aggregate. CBI recently assisted the parties in one such wetland case to reach an agreement and it underscored why these matters are frequently good candidates for mediation.

### Good Cases for Mediation

By far, most Clean Water Act enforcement actions involve municipalities or privately owned facilities of some kind and occur pursuant to the Section 402 (NPDES) program. These violations

can often be resolved in a straightforward manner, unassisted by a mediator.

In contrast, the small subset of Clean Water Act enforcement actions involving Section 404 (which includes wetland filling) frequently favor the use of a third party neutral. They often include factors that can complicate settlement prospects, such as:

- Parties are operating on different scales and approach the issue from very different contexts.
- The dual nature of wetlands—neither entirely land nor entirely water—make them uncertain ground when it comes to balancing ecology, regulation, and enforcement.
- There is the potential for high emotion, particularly because these cases often involve individuals (rather than corporations or municipalities) who have never been in trouble with the federal government before.
- The option of litigation may involve substantial emotional and financial costs for the respondent; the investment of significant legal and technical resources for the government; and create difficult public and political perception issues for both.

Cases like these are often good candidates for mediation. The mediator can help parties understand (not necessarily agree with) each other’s interests and, where possible, set aside legal and factual issues that need not be resolved in order find the ingredients for settlement. The mediator can assist with sizing up the potential risks and benefits of various options, including that of not reaching an agreement. In some cases, the mediator may help parties communicate more effectively. For example, with assistance, the government may be able to find ways to express empathy without being prejudicial to its own case. The respondent may be able to use the mediator to understand better where the government believes itself to have greater or lesser flexibility, as well as where trade-offs might be possible.

The case that CBI recently mediated included many of the challenges described above. The proposed consent agreement and final order contains a creative provision that illustrates the flexibility of mediation. As is typical, EPA underwrote the cost of mediation services using its existing contractual mechanisms. To reach settlement in this case the parties needed to agree on a penalty figure, something that proved elusive. In the end, the respondent agreed to pay for a portion of the mediation cost, an idea that was more palatable than paying a higher penalty figure to the government. The respondent viewed this solution as payment for a helpful service and EPA viewed it as a form of cost-recovery. ♦

Contact: Doug Thompson at [dthompson@cbuilding.org](mailto:dthompson@cbuilding.org).

## Reflections on 10 Months at Harvard's Kennedy School of Government

Gaining “big-picture” clarity around global governance, corporate responsibility, and public policy — and using it to guide CBI's future work.



**David Plumb**  
Director,  
Latin America  
Practice

The opportunity was too good to pass up — spend 10 months immersed in a mid-career masters program at Harvard's Kennedy School of Government (HKS) and have the entire university's resources at my disposal. I jumped, and CBI graciously let me go on leave.

My plan was simple. I wanted to put a bigger frame around the project work we were doing at CBI, particularly our efforts to support meaningful engagement between communities, companies and governments in places like Nigeria and Latin America. How could I see more clearly the big picture around global governance, corporate responsibility, and public policy, and use this clarity to guide our future work?

With John Ruggie and Jane Nelson at HKS's Corporate Social Responsibility Initiative I dove into the big challenges around global governance and corporate behavior. Ruggie's Guiding Principles for Business and Human Rights, developed during the past five years under his United Nations mandate, are an important step forward in creating a clear set of international norms around the responsibilities of governments and companies. They are also a call to action for a variety of actors — including CBI — to help ensure that global business translates into enhanced protection of the rights of all communities, rather than a race to the bottom.

*Standing with Harvard Professor, Michael E. Porter, a leading authority on competitive strategy, its application and approaches to social needs such as health care and corporate responsibility.*

class on competitiveness and the way that a variety of private and public actors can come together to create prosperity in a country, region, or even city.

As a student I also had the space to experiment in ways that might be trickier with a client. In a class called “Solving Problems Using

Technology” I found myself spray painting texting instructions on sidewalks (with chalk paint!) so that urban Boston residents could have a voice in designing much-needed streetscape upgrades in Dorchester. The class also opened my eyes to the incredible work being done by cities, states, and the White House to harness data and technology to provide innovative solutions to public policy challenges, and create new ways for citizens to interact with government.

The 10 months did, in the end, help me take perspective on CBI's work. More importantly, they inspired me to take greater amounts of leadership in shaping our future focus, particularly as I direct our initiatives in Latin America. I'll also stay involved with colleagues at Harvard as a Research Fellow at the Corporate Social Responsibility Initiative.

CBI has a particularly important role to play at the intersection of communities, companies and governments, assisting all actors to have a more meaningful interaction amid a rising tide of social disputes. And as Ron Heifetz and Dean Williams teach in their “Adaptive Leadership” courses, my role as a facilitator should not be about just making things easier, but rather assisting people to have the courage to walk through the really difficult conversations. ♦

Contact: David Plumb at [dplumb@cbuilding.org](mailto:dplumb@cbuilding.org).

### CBI ANNOUNCES...



CBI is pleased to announce the promotion of **David Plumb** to Director of our new Latin American Practice. A new regional office, based in Chile, will be the first-ever foreign outpost for CBI and

is an exciting opportunity to build work and presence in a developing region that shows substantial need and opportunity for our services.

In addition to his new role, David will continue to work globally on projects in Corporate Stakeholder Engagement and other practice areas.

## Helping Coastal Communities Prepare for Climate Change

Using role-play simulations to build the capacity of at-risk towns and cities to adapt to climate change risks.



**Danya Rumore**  
NERRS Project  
Facilitator

Preparing for climate change presents a largely unprecedented and increasingly urgent planning challenge for communities throughout the world. This is particularly true for towns and cities along coastlines, which are likely to experience some of the earliest and most severe effects of a changing climate.

Large cities, such as New York, Boston, and San Francisco, have begun to take climate change risks seriously. However, most towns and cities in New England and throughout the U.S. have hardly begun the conversation about what climate change impacts might mean and how to prepare for them. There are a number of possible reasons for this. Municipalities have a lot of other issues to think about and concerns to juggle. Many local officials, whether or not they are concerned about how climate change will affect their towns and cities, don't feel climate change adaptation is a priority for their citizens. Decision-makers and agency personnel often feel constrained by budget limitations or lack of technical capacity. Even where there is commitment to addressing climate change risks and capacity to take on the challenge, planning for an uncertain climatic future amid differing ideas about whether and how to adapt remains a daunting task—one that will likely require new, more flexible approaches to planning, development, and ecosystem management.

How can we support at-risk communities in effectively planning and preparing for climate change? CBI doesn't have a silver bullet, but we do have some ideas about how we can help.

### The New England Climate Adaptation Project—Using Role-Play Games to Get the Adaptation Conversation Started

Decision-makers are unlikely to gain support for the investments, tough choices, and trade-offs that adaptation will likely entail without widespread public concern about climate change risks. Therefore, raising awareness about climate change threats and building public support for managing these risks is a key first step in supporting effective climate change adaptation. A second, and related, step is to introduce tools and resources that at-risk communities can use to move forward with adaptation despite the many challenges they may face in doing so.

CBI is currently working with partners from the MIT Science Impact Collaborative and the National Estuarine Research Reserve System (NERRS) to test an innovative public engagement technique for generating widespread awareness of climate change threats and introducing possible ways of moving forward with adaptation. Building on CBI's use of role-play simulations in a variety of other complex decision-making contexts as well as

a growing body of research indicating that “serious games” can provide a powerful way of educating and engaging adult learners, we believe that science-based climate change adaptation role-play simulations, when run with a large and diverse cross-section of decision-makers and the general public in at-risk coastal towns and cities, can stimulate conversation around climate change risks and catalyze adaptation action.

To test this hypothesis, we have undertaken a two-year research effort, known as the New England Climate Adaptation Project (NECAP). Funded by the NERRS Science Collaborative and led by Professor Lawrence Susskind from MIT and Patrick Field from CBI, NECAP was explicitly designed to include the “intended users” of our research—local officials, decision-makers, and others working on climate change adaptation outreach and education—in developing and implementing the study. To achieve this goal, we are working closely with the NERRS Coastal Training Program and have partnered with four coastal New England towns and cities: Barnstable, Massachusetts; Cranston, Rhode Island; Dover, New Hampshire; and Wells, Maine. Another key intent of the project is to do “action research:” we are not only conducting research on the effectiveness of our public



engagement approach, but are also actively trying to stimulate adaptation action on the ground in our partner municipalities throughout the process.

During the first year of the project, which began in September 2012, our NECAP team worked with climate change consultants at the University of New Hampshire to generate localized climate change projections for our four partner municipalities and to translate these projections into Summary Risk Assessments. At the same time, CBI staff worked with MIT graduate students to conduct a stakeholder assessment in each town, using in-depth interviews with key stakeholder to develop an understanding of local attitudes about climate change risks and perceived opportunities and barriers for adaptation.

The findings from our risk assessments and stakeholder assessments for each municipality were then used to create a tailored, science-based role-play simulation game for each site. Each game focuses on climate change risks most relevant to that site. For example, the game for Wells, Maine, focuses on risks related to sea level rise and coastal storms. The game for Dover, New Hampshire, centers on stormwater-related risks. Each game is



also designed to reflect stakeholder dynamics and the political context of its town or city.

Additionally, our adaptation simulations were created with the intent of getting participants thinking and talking about some key ideas, including:

- Decisions communities make today will affect their resilience to climate change in the future. Shortsighted decisions that don't take into account climate change could have considerable long-term costs.
- Credible scientific and technical information about climate change risks and possible adaptation strategies is available and should influence the decisions communities make today.
- We can't predict what the climate will be like in the future with certainty, but there are "no-regrets" actions towns and cities can take that are likely to be beneficial no matter what the climate brings.
- Climate change is a collective risk problem that requires collective problem solving and coordination among different stakeholders, groups, agencies, and jurisdictions.
- Stakeholders have different interests, levels of risk tolerance, and ideas about what, if anything, should be done to address climate change risks.
- There is no "right" or "best" way to adapt. At-risk communities will have to work together to decide what adaptation strategies they want to pursue.

#### LEARN MORE:

**New England Climate Adaptation Project:** [necap.mit.edu/necap/](http://necap.mit.edu/necap/)

**MIT Science Impact Collaborative:** [scienceimpact.mit.edu](http://scienceimpact.mit.edu)

**National Estuarine Research Reserve System:** [www.nerrs.noaa.gov](http://www.nerrs.noaa.gov)

*Collective Climate Adaptation: Can Games Make a Difference?*

<http://thesolutionsjournal.com/node/2021>

- The consensus building approach might help at-risk communities move forward with collectively planning and preparing for climate change despite uncertainty, resource constraints, and differing perspectives about what should be done.



As we enter the second year of the project, we are in the midst of running role-play simulation workshops in our four partner towns. Working with our MIT, NERRS, and municipal partners, our goal is to engage 150 to 200 people in each town through roughly

ten workshops by the end of this year. We will also hold debriefing sessions with our town partners and other key stakeholders in each site later this year and again toward the end of the project to assess whether our workshops are generating greater public awareness and concern about climate change risks and to explore ways of helping our partner towns move forward in actually implementing adaptation.

Will our role-play simulations and related efforts help our partner communities begin a conversation about managing climate change risks and catalyze collaborative adaptation efforts? That remains to be seen—we'll have a better answer next summer, once our MIT partners have finished collecting and processing research data.

In the meantime, CBI will continue to use our skills in capacity building, stakeholder engagement, and consensus building to help at-risk communities in New England and elsewhere plan and prepare for climate change. ♦

Contact: Danya Rumore at [drumore@MIT.EDU](mailto:drumore@MIT.EDU).

## New Faces at CBI

*CBI is pleased to welcome these talented practitioners to our growing staff!*



**Catherine Morris** joins us as a Senior Mediator in our Washington DC office. Catherine specializes in climate change, air qual-

ity, energy production and planning, and renewable energy. She holds an M.R.P. in Environmental Planning from the University of North Carolina-Chapel Hill, and a B.A. from the College of William and Mary.



**Doug Thompson**, a Senior Mediator in our Cambridge office, specializes in water quality issues, regulatory policy issues, interagency

negotiations, and wetland issues, among many others. Doug received his Master's in Biology and his and a B.S. from Northwestern University.



**Carri Hulet** joins our team as a Senior Associate in Cambridge. Carri previously consulted with CBI and specializes in climate

change adaptation, energy, transportation, and water resource issues. Carri holds a Master's in Urban Studies and Planning from MIT and a B.A. from Tufts University.

## CBI in Action || A snapshot of recent and ongoing work

### INTERNATIONAL DEVELOPMENT PRACTICE

More information: David Fairman, [dfairman@cbuilding.org](mailto:dfairman@cbuilding.org).

>> The Ford Foundation's West Africa Office has awarded CBI a major grant to assess, design, convene and facilitate a national forum on ways to improve the use of oil and gas revenue for development in Nigeria.



>> CBI is currently working with a new Tanzanian leadership institute (the UONGOZI Institute, supported by government of Finland), to design and pilot a set of negotiation skills training courses for the most senior levels of Tanzanian government

involved in natural resource and infrastructure negotiations with multinational corporations and multilateral agencies. David Fairman, and senior consultant Vicki Assevero, will lead this initiative.

>> CBI continues to work with Oxfam America across its major programs and thematic areas. David Fairman is facilitating planning for the Extractive Industries and Humanitarian programs, Mil Niepold has built a strong internal facilitation practice with the Gender team, and Catherine Morris recently facilitated an OA internal workshop on agribusiness issues in Africa.

>> CBI is hard at work creating a global grievance mechanism for UNDP, and helping UNDP pilot that mechanism in countries where UNDP is supporting REDD+ (a pilot program to create carbon credits for countries that reduce their rate of deforestation). David Fairman did grievance mechanism assessment work in Cambodia earlier this year. He along with David Plumb will be doing additional assessments in Suriname and Honduras this fall.

### COMMERCIAL AGREEMENTS PRACTICE

More information: David Fairman, [dfairman@cbuilding.org](mailto:dfairman@cbuilding.org).

>> Patrick Field, Rachel Milner-Gillers, and Senior Consultant Hal Movius, completed a negotiation lessons-learned document and set of tools with Pfizer based on a new drug launched last year.

>> David Fairman and Bennett Brooks completed a 10-day series of training and coaching assignments for Pfizer vaccines' "Emerging Europe, Russia, India and Turkey (EURIT)" group; and a 1-day training in the Netherlands with the Poland and Romania teams.



>> CBI has moved from the pilot phase to full implementation of our groundbreaking Art of Negotiation virtual training partnership with CorpU (Corporate University Xchange).

### ENERGY, ENVIRONMENT & LAND USE PRACTICE

More information: Patrick Field, [pfield@cbuilding.org](mailto:pfield@cbuilding.org).



>> CBI is pleased to announce the publication of Land in Conflict: Managing and Resolving Land Use Disputes. Coauthored by Sean Nolon, Ona Ferguson and Pat Field and published by the Lincoln Institute for Land Policy (LILP), this book is the culmination of a decade's research, training, and practice begun by CBI founder, Larry Susskind, and funded by LILP.

>> Catherine Morris, along with Raab Associates, just launched a new project to review New Hampshire's energy siting processes and its Site Evaluation Committee, to engage stakeholders and the public, and to produce a final report with recommendations by January 1, 2014.

>> Stacie Nicole-Smith is leading a CBI team to assist the Cape Cod Commission in creating 11 watershed groups across the Cape with a goal of developing watershed-specific approaches for a Cape Cod regional wastewater management plan. Carri Hulet, Doug Thompson, and former CBI Associate, Kate Harvey, are also working on this intensive effort.

### CORPORATE STAKEHOLDER ENGAGEMENT PRACTICE

More information: Merrick Hoben, [mhoben@cbuilding.org](mailto:mhoben@cbuilding.org).

>> In January, CBI partnered with a research team from MIT and Universidad Austral de Chile (UACh) to host a Devising Seminar in Santiago, Chile with high-level representatives of various interests in hydropower development, including government, indigenous and other affected communities, and business interests.

>> Merrick Hoben recently facilitated a WWF Forests Meeting in Panama. Discussion focused on shifting from successful but independent forest interventions to an integrated Forest Sector Transformation program that unites WWF's private sector engagement with policy advocacy and standards



work to multiply WWF's conservation impact. The overall goal is "ZNDD": zero net deforestation and forest degradation in WWF priority places by 2020.

>> Merrick Hoben led consensus building capacity building for the leadership of the Peruvian Ombudsman Public Defenders Office – representing all 21 of Peru's provinces. In September, he extended training to the Peruvian National Water Authority involved in serious national scale hydro disputes and water management issues.