

The settlement "ensures that the responsible parties will pay for an effective and sensible cleanup, and it compensates for the past damages to natural resources that were caused by poor management of hazardous wastes," EPA regional Administrator John DeVillars said in a statement. "Equally important, it is a victory for common sense and community involvement."

Appendix D

PARTICIPANT COMPETENCIES IN DELIBERATIVE DISCOURSE: Cases of Collaborative Decision-Making in the Superfund Program

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Collaboration is being employed more frequently in U.S. environmental policy decision-making, particularly in contentious public decisions. Collaborative decision-making consists of broad participation among stakeholders, in a sustained dialogue on a wide range of issues. All participants have a role in defining the problem and the solution, and share information freely. A facilitator is often present, as the participants seek consensus. Case studies were conducted on two highly collaborative processes to select Superfund cleanup remedies -- New Bedford Harbor, MA and Pine Street Barge Canal, VT. An analytical framework was developed from deliberative democracy and discourse to assess the participatory competencies of individuals. Competencies are an inter-related set of skills, cognitive abilities, and social behaviors that enable individuals to function in deliberative democracy and discourse. The competencies in these cases were identified using content analysis of interview and case documentation and dramaturgical analysis of videotaped and observed meetings for the time period December, 1993 - December, 1996.

The results showed all participants needed key **problem-solving skills** and **human engagement capabilities**. Problem-solving provided the ability to devise many options to solve social and technical problems, while human engagement capabilities supplied the civic will to deliberate. ~~Problem-solving skills included several *communicative, learning, and knowledge and resource use skills*. Three communicative skills were required. All participants needed to express their thoughts and ideas in a manner that got issues on the table for deliberation. Many different communication styles were used, but all lead to deliberation among the group. Second, it was essential for someone among the government officials or consultants to be able to express sophisticated technical, scientific, and legal information in a manner understandable to lay persons. Third, it was essential that someone in the group have the communicative skills to capture emerging consensus. This person needed credibility across most of the others participants, and as such was not always the parties in the middle of past conflicts, i.e. government officials or citizens.~~

~~Learning skills were core skill required by all competent participants. This was particularly important for community members unfamiliar with the Superfund process, although government officials too had to acquire locally relevant information. With time and effort community members adequately learned sufficient technical, scientific, and legal information to participate effectively. All participants needed to learn about each other and how the collaborative decision-making process would function. They learned these features quickly and in generalities. The generalities provided sufficient behavioral predictability, although it occasionally produced misperceptions and premature judgment.~~

The third problem-solving skill related to the use of knowledge and resources -- it was not only what someone knew or resources they possessed that was important, but how they used what they knew and possessed. All participants had to use the knowledge they possessed or had acquired, while a subset of participants linked ideas in new ways, showing creativity. The way resources were used proved important in getting creative ideas implemented. It was essential for someone among the government participants to articulate and define an authority-sharing arrangement in an acceptable manner -- authority was not relinquished by government, although it was shared. Finally, it was essential for community participants to demonstrate new leadership skills to maintain community members' legitimacy. The nature of leadership changed from the adversarial days before employing collaborative processes. The new leadership tasks were shared

among several community participants. The skills maintained participation and engagement among the members of the community groups and involved networking for information and resources. The skills were also used to maintain old coalitions and/or build new ones, as well as retain and demonstrate leadership among increasingly less-interested constituencies.

Two types of human engagement capabilities were needed to enable participants to engage other people in public dialogue and stay at the table until a resolution was found -- ~~motivation~~ and the ability to cope with frustration and fatigue. How a participant achieved ~~motivation and adequate coping abilities~~ varied greatly, although all needed to do so. First, multiple motivations were present, including self-interested and community-interested concerns. In other words, a participant needed to be motivated by more than one interest; a single motive was not enough. In the order of their observation frequency in the data, motives included: suspicion of others; importance of tasks being conducted to the broader Superfund program; importance of individual's contribution to the decision-making process; personal enjoyment and satisfaction; opportunity presented by problem to the local community; and the hope and faith that an answer would emerge from the decision-making process.

Coping skills were needed by all participants. Collaborative decision-making takes time and resources. It can be fraught with aggressive and abrasive behavior and other frustrating challenges. Versatility was by far the most frequently observed means of coping, although patience was also widespread among participants. Versatility was the ability to wear different hats, serve multiple roles, as well as demonstrate the flexibility to try the unfamiliar. Patience was demonstrating resilience and perseverance during hard times, all the while working toward solving the problem. Finally, government participants, in particular, needed a non-defensiveness ability, in part because they and their ideas were often the target of other participants' concerns. While different techniques could be employed to not take things personally, those most effective government officials exhibited a sense of humor.

Together, problem-solving skills and human engagement capabilities produced competent participants who were committed and able to solve the problem in a deliberative manner. They gained the necessary skills to perform and would not give up in the collaborative decision-making process. The problem-solving skills enabled the group to derive an array of options to solve the problems, meeting social, technical, scientific, and legal demands. The human engagement capabilities provided the civic will and commitment to deliberate.

