

**GRAND CANYON TRUST, NATIONAL TRUST FOR HISTORIC PRESERVATION,  
GREAT OLD BROADS FOR WILDERNESS, CANYONLANDS WATERSHED COUNCIL,  
UTAH ENVIRONMENTAL CONGRESS**

Honorable Rob Bishop  
123 Cannon House Office Building  
Washington, DC 20515  
[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)

March 14, 2013

Dear Representative Bishop,

The undersigned groups that received them thank you for your letter inviting our participation in developing comprehensive land use legislation for eastern Utah. This purpose of this letter is to address process; separate correspondence with regard to our priorities will be addressed separately. We believe that consensus on these issues, as noted in your letter, is possible. Reaching consensus among the stakeholders in the public lands debate will require deliberate steps toward that end. In the past several years, many in the conservation community have engaged in discussions in various Utah counties around land use issues that lacked good process. These processes have faltered. On the other hand, there have been several successful Utah collaborations that have succeeded in reaching consensus on formerly divisive land management issues. We'd like this effort to succeed as those have, and we strongly believe that the key to success is time-certain consensus collaboration guided by a neutral mediator/facilitator.

We believe the following factors are critical to success:

**1. Skilled Neutral Facilitation**

Any effort to draft agreeable legislation must include professional, neutral facilitation – someone with no stake in the issues at hand and a track record of having successfully led consensus collaborations – ideally in Utah. The importance of a well-respected, experienced and professional facilitator is paramount. The right facilitator can help the group design the process, help identify who should be at the table, help stakeholders design ground rules for the process and make sure all participants are feeling the process is working.

**2. Issue (Conflict) Assessment**

A thorough assessment of what interests exist, where there is broad agreement and disagreement is an essential first step in a robust process. An experienced, neutral,

professional third party should conduct the issue assessment and make process recommendations based on confidential interviews with the full range of stakeholders.

### **3. Representation and Ground Rules**

Consensus decision-making should, by its nature, be as inclusive as possible. Adequate representation in the process is essential. All key stakeholders should be identified and be invited to participate from the beginning. Once the collaboration is convened, the group should consider whether any remaining stakeholders need to be present. All stakeholders should help to define a mutually agreeable set of ground rules for participation at the front end of any process.

### **4. Consensus**

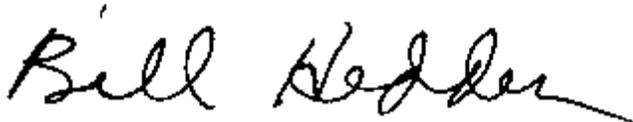
Rather than simple “collaboration,” which can mean different things to different people, consensus should be used as a vehicle to obtain a durable outcome. Consensus, in this case, means the agreement of all. If one or a few stakeholders cannot agree to a given proposal which otherwise has broad acceptance in the collaboration, such stakeholders should offer an alternate proposal they believe would meet agreement by all. The use of consensus is vital when highly divergent views must be reconciled in order to move forward, as is the case with public lands issues. Under consensus, everyone can agree to the proposal as developed after every reasonable step has been taken to meet outstanding interests. Given that the passage of legislation is dependent on many different interest groups cooperating, a proposal developed using consensus offers the greatest promise of legislative passage.

### **5. Timetable and Benchmarks**

In the interest of producing results efficiently, meetings of the consensus body should be frequent and regular and benchmarks for progress should be established. This consensus body’s explicit goal should be to draft and pass legislation during the 113<sup>th</sup> Congress.

The groups represented here enter this dialog in good faith and with anticipation of success. In the interest of developing a product that can result in legislation agreeable to all stakeholders, design of a robust consensus process is a key consideration. Recognizing that the scope of our discussions may be large, land use and tenure issues are complex, and drafting legislation is time-consuming, we believe time-certain consensus collaboration with skilled neutral facilitation is the most efficient way to reach our goal. In fact, it may be the only way to do so.

Sincerely,

A handwritten signature in black ink that reads "Bill Hedden". The signature is written in a cursive, flowing style.

Bill Hedden

Executive Director  
Grand Canyon Trust

Barbara H. Pahl  
Regional Vice President  
National Trust for Historic Preservation

Shelley Silbert  
Executive Director  
Great Old Broads for Wilderness

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Canyonlands Watershed Council

Kevin Mueller  
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Cc:  
Representative Jason Chaffetz  
Representative Jim Matheson  
Chairman Ron Wyden  
Ranking Member Edward Markey  
Ranking Member Raul Grijalva