
PUBLIC INVOLVEMENT STRUCTURE FOR MANAGEMENT PLANNING

An Issues Paper for the Raritan Basin
Watershed Management Project

New Jersey Water Supply Authority

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An Issues Paper for the

Raritan Basin Watershed Management Project

Summary

The New Jersey Department of Environmental Protection (NJDEP) has established watershed management as “the primary vehicle for conducting regional water resources planning and for integrating water resource protection measures and land use development scenarios in order to achieve water resource objectives.”¹ Public involvement is fundamental to watershed management planning. In its proposed watershed management rules, NJDEP included provisions mandating that planning “ensure meaningful opportunities at key points throughout the planning process for the public to...influence the process” and “facilitate community involvement in watershed management planning.”² In the absence of extensive and effective public involvement, watershed management becomes entirely agency-driven, and might not work at all. For the public to be effectively involved – for them to participate in a way that enhances watershed management and helps fit it into the broader societal agenda – the planning process must be structured in a way that engenders trust, consensus, energy, interest and commitment. Given the nature of public involvement and government programs, that is a very tall order. However, a constant effort to reach those goals is perhaps more important than the attainment of less lofty aspirations. The Raritan River Basin is over 1,100 square miles in size and has over 1 million residents. Successful watershed management will require successful public involvement.

Effective public involvement in watershed management requires attention to several key points:

- The purposes of public involvement.
- Decision making processes.
- The roles and attributes of leaders.
- The organizational structure for long-term involvement.
- Opportunities for involvement other than committees.

This issues paper does not draw conclusions. Rather, it discusses a large number of options for addressing each of these points. The purpose of this issues paper is to provide a foundation and framework for discussion and decisions regarding public involvement in watershed management for the Raritan Basin. It provides some thoughts about the topics noted above and some additional issues that didn't fit a neat category. In addition, some alternative structures are provided from existing planning projects in and out of New Jersey. We look forward to any and all suggestions for improving this paper.

Key questions posed in this issues paper are as follows:

- Which purposes for public involvement are more or less appropriate for the Raritan Project? Which purposes have the highest priority?
- To what extent and for what purposes should the Raritan Project use multi-interest meetings (such as public meetings) or discussions with individual interests as approaches for public involvement?
- To what extent and for what purposes should multi-day, intensive workshops or multiple short meetings over a long period be used in the Raritan Project?
- To what extent and for what purposes should public involvement be sought through centralized versus decentralized approaches?
- Should the Raritan Project expect public participants to be involved in highly detailed planning, or in more general planning that relies on staff and consultants to fill in the details for public review and comment?
- Should the Raritan Project expect the writing of the management plan to be primarily a responsibility of public participants or staff?
- Which decision-making approaches should be used in the Raritan Project, and when? Is a hierarchy of approaches useful, with one approach being used whenever possible but other approaches being used when the preferred approach is infeasible?
- Which leadership roles are most appropriate for the Raritan Project and for which purposes?
- What titles if any are appropriate for participant leaders in the Raritan Project?
- Which leadership functions should be assumed by participants, staff and neutral parties in the Raritan Project?
- How should leaders be selected in the Raritan Project?
- Should a qualifications test be developed (either general or specific) and applied to the selection of leaders from the participants?
- Should the leaders for the Raritan Project be selected to ensure broad representation of interests, or should the interest they represent not be a factor?
- What training should be provided for participant leaders? When – right after their selection, after the first few meetings to allow time for issues to arise, or at several points in the process?
- What roles should the NJWSA to play in addition to those in its Scope of Work with NJDEP? Among the possible roles, are there some that should be emphasized or de-emphasized?
- When will an outside facilitator be most critical to the process? What kind of facilitation is desired? Does the facilitator need expertise in watershed management or is that not desirable? Should the same facilitator be used throughout, or will there be a benefit to having several facilitators? From a different perspective, when is it appropriate to have NJWSA staff or project participants facilitate meetings? What parts of meetings are most likely to require facilitation?

- To what extent should committee membership requirements in the Raritan Project be more detailed or stringent than NJDEP's proposed rules regarding comprehensiveness, representation of interests, and balanced membership?
- How should the Raritan Project emphasize the use of various committee types (comprehensive coverage of issues or focused on specialty issues)?
- Should the Raritan Project create committees based on geography (e.g., Watershed Management Areas, major watersheds, counties), and if so, how many and using what boundaries?
- How should the Raritan Project control the number and types of committees, if committees are used, to ensure that there is a reasonable workload for participants and a reasonable number of participants for each committee?
- What methods of communications among participants and between participants and staff should be emphasized by the Raritan Project?
- To what extent should the Raritan Project use hands-on techniques to enhance participant understanding, interaction and skills in watershed management?
- Should the Raritan Project use conference calls for small group meetings?
- To what extent should the Raritan Project rely on e-mail and the Raritan Project Web site as a mechanism for communication, outreach and participation, and what other approaches must be used to ensure comprehensive involvement?
- Which committee structures, or combination or permutation of structures, will work best for the Raritan Project, if committees are used?

Purpose of this Issues Paper

The New Jersey Water Supply Authority (NJWSA) developed this issues paper for use in the initial meetings of Phase 2 (the planning phase) of the Raritan Basin Watershed Management Project. The paper will serve as an information and idea source for alternative methods of organizing public involvement in the project, and will help guide the discussion and selection of alternatives. As such, it is meant primarily for the use of those who become involved in the project as individuals or as representatives of their organizations, agencies, governments, businesses or interest groups.

The discussions regarding the public involvement process will also involve the NJ Department of Environmental Protection (NJDEP) as the project sponsor and the NJWSA as the project manager (under contract to NJDEP). NJDEP has two roles – ensuring that the public involvement process chosen by participants meets all legal requirements, and ensuring that the process chosen is feasible within the resources available to the project. NJWSA has the role of assisting NJDEP with regard to feasibility and budgetary issues.

Once the participants and NJDEP have come to a mutual agreement on the public involvement process, this issues paper will be amended to document that agreement. From that point on, it will serve as a record of the decisions.

Introduction

The National Research Council, an arm of the National Academy OF Sciences, notes that:

“Watershed planning demands integrated thinking and a coordinated approach. Perhaps the greatest contemporary concern is to provide meaningful public involvement in the process, because experience has shown that top-down planning can create a variety of implementation barriers ground in the lack of public involvement at key points in the planning process.”³

The Environmental Protection Agency makes a similar point:

“Experience has shown that the degree of public education and participation can determine the success of a watershed project. Without public support, projects may never get past the planning stage.”⁴

Successful public involvement requires a planned approach – it doesn’t happen by accident. Most approaches make use of organizational structures to help people understand how to be involved. Organizational structures are developed for specific purposes – to provide for the involvement of individuals and to structure their interaction in a way that benefits a program or initiative. At least, that is how it should happen. Often, the reality is that an organization structure is chosen because it is “traditional” or “the only one we know” or “mandated by the regulations.” The Raritan Basin Watershed Management Project hopes to develop methods for involvement by deciding:

- What we all want involvement to achieve, and then
- What structures suit those needs.

The expectation is that no one organizational structure or involvement process will suit all needs for all participants. That is too much to expect of any large undertaking. Instead, the hope is for a process that satisfies most needs to a large enough extent that people will feel comfortable with the process, their role, and the results as reflected in the Watershed Management Plan.

Involvement

General Questions

There are many issues that we need to address. How inclusionary should the process be? In other words, do we want to include everyone in the Basin, just a select group (and how would they be selected?), or somewhere in between? What level of involvement should we consider absolutely necessary, very helpful, useful, or “good if we can get it”? How formal or informal (structured/unstructured) should the method be? How dependent should involvement be on committee meetings versus other methods such as workshops, Internet, mail, interactive kiosks and traveling displays, interactive TV, etc? These issues are explored in more depth below. An additional issue, explored in the section regarding committees, is how participants are involved – as individuals, or as representatives of organized entities, or as general representatives for public and private interests?

Purposes of Involvement

Perhaps the most-often cited reason for public involvement in governmental program development is that “it is required.” NJDEP hopes to do better than that for the watershed management process in general and in the Raritan Project in particular. Some purposes from public involvement practice include:

- To develop good solutions/answers
- To avoid bad solutions/answers
- To develop agreement among involved interests
- To build understanding among involved interests
- To build trust among involved interests
- To build trust in the eventual management plan
- To build a willingness to act (to implement the plan)
- To provide advocacy opportunities for those who want the plan to include certain ideas, components, recommendations or requirements
- To provide self-defense opportunities for interests that are concerned about potential negative impacts of a plan
- To avoid or defuse or delay contentious issues
- To meet statutory and regulatory requirements

Not only do we need to determine the purposes that should drive our involvement process, we also need to understand priorities among these purposes. Emphasis on one purpose over another may have a significant impact on the structure chosen.

Which of these purposes for public involvement are more or less appropriate for the Raritan Project? Are there missing purposes? Which purposes have the highest priority?

Interaction with multiple groups (i.e., public meetings) and interaction with peer groups (i.e., single-interest associations)

Standard planning practice strongly emphasizes the use of multi-interest public meetings, such as committee meetings, workshops, public hearings, etc. However, mediation and negotiation practice often uses a series of interactions with single interests, where the mediator or negotiator seeks out or builds opportunities for agreement before the various interests actually meet. Multi-interest meetings have the benefit of openness, interaction and opportunities for ideas to build in unexpected and unplanned ways. However, they also can pit interests against each other, allow domination by well-informed and well-organized interests, or result in some interests hiding their issues from view. Single-interest meetings allow for more thorough exploration of one interest’s views, calmer discussions, and an opportunity for less organized or knowledgeable interests to explore issues without fear of being ridiculed or over-ridden. However, such meetings clearly are less open and interactive. A mix of approaches is possible.

To what extent and for what purposes should the Raritan Project use multi-interest meetings (such as public meetings) or discussions with individual interests as approaches for public involvement?

Intensive and extensive involvement opportunities

Intensive involvement (e.g., workshops taking from one to several days in a row) and extensive involvement (e.g., multiple, shorter meetings over a longer period of time) are two options for public involvement in watershed planning. Planning practice makes use of both formats (and others), based on the nature of the issue or “problem” being addressed. Municipal “visioning” exercises are often very intense and occur over a very short period, to make maximum use of time, energy and excitement by focusing everyone on a short-term process that achieves results. Design charettes (which usually focus on physical development projects) are also very intense. Initial training efforts may also benefit from being intense, so that many people get “up to speed” quickly. On the other hand, highly technical or complex planning exercises (such as those involving a large region or number of interests, or a detailed modeling process) tend to use a series of meetings because people need time to consider new information and ideas or check with their constituencies. On the third hand, a great deal can be accomplished by intense processes that are aimed at a specific technical or planning problem; ad hoc committees or “task forces” are often used in such circumstances.

To what extent and for what purposes should multi-day, intensive workshops and multiple short meetings over a long period be used in the Raritan Project?

Centralized and decentralized involvement opportunities

“Centralized involvement” means that the primary method of public involvement is through a single process (often a committee) that addresses all issues. “Decentralized involvement” means that multiple avenues for involvement are created, all of which provide real opportunities (not just “window dressing”) to influence the result. Clearly, centralized involvement is easier to operate, but can rigidly structure involvement and therefore can frustrate participants. Decentralized involvement provides more involvement opportunities but can be extremely difficult and costly to manage. The opportunities for “system breakdown” are greater, which can frustrate participants. We will need to decide the extent to which people must attend meetings to be “heard” and how people who don’t want to attend meetings or lack the time can have real participation opportunities.

To what extent and for what purposes should public involvement be sought through centralized versus decentralized approaches?

Detailed planning and general planning by participants

Obviously, the more detail, the longer and harder the process will get but the more substantive the results could be. More detail usually means more opportunities for conflict as general concepts (for which agreement might be available) get translated into specific actions that impose costs. General planning may have more opportunities for consensus, but pose a risk of irrelevance if implementing agencies and interests can’t figure out what they are supposed to do with the results. A different way of looking at this issue is also possible. To what level of detail can we expect substantive involvement by participants, and to what extent will they want staff or specialists to fill in details due to lack of time, expertise or interest? To what extent do participants want to get involved with detailed “wordsmithing” versus general concepts? This issue is also related to the next issue on staff versus participant roles.

Should the Raritan Project expect public participants to be involved in highly detailed planning, or in more general planning that relies on staff and consultants to fill in the details for public review and comment?

Plan written by staff and plan written by participants

Some (a few) watershed management plans have been written almost entirely by participants. Many plans are written primarily by staff and consultants, with review and modification by the participants. To some extent, the choices are related to the complexity, areal size and level of detail desired in the plan, and the extent to which the participants feel comfortable writing about the issues. Time constraints are also a significant issue. Given the large size of this basin, detailed planning is unlikely basin-wide, but detailed planning at a subwatershed level is included in the project budget for up to twelve areas. For each level of planning (basin to subwatershed) we will need to determine the mix of staff/participant plan writing.

Should the Raritan Project expect the writing of the management plan to be primarily a responsibility of public participants or staff?

Decision-Making Options

One of the most contentious issues in watershed management (and many major policy-development processes) is the question of how decisions are made or ratified. This issue is easier for ratification than for recommendation, interestingly. For instance, only the Governor (usually represented by NJDEP) has the authority to approve the final watershed plans. NJDEP has the ultimate State authority for proposing and adopting TMDLs (Total Maximum Daily Loads, which essentially are water pollution control plans). For plan components not controlled by the State, the ultimate decision rests with those who will take the action or spend the money (e.g., for recreational access, farmland preservation, new local ordinances). So, ratification is a function of responsibility. The Raritan Basin Watershed Management Project will recommend a plan for adoption by the Governor and ratification by those who are expected to take action.

Deciding what should be in the Management Plan is more difficult, in part because there is no specific council or board that would be generally acknowledged as having that authority. County and municipal governments have boards, councils and commissions that make decisions. Utility authorities have boards of commissioners with the same function. Non-profit organizations and profit-making organizations have decision-making bodies or officers. Watershed management has no single, authoritative body. It relies on the creation of stakeholder involvement processes (e.g., committees) that must make decisions on plan content, format, coverage, etc. Therefore, “deciding how to decide” is a critical, early step in the watershed initiative. The following methods are described in greater detail below:

- Consensus
- Consent
- Binding Decisions
- Non-binding Decisions
- “Sense of the Committee”
- Multi-viewpoint Advice
- Variable Roles Dependent on Topic

Which of these decision-making approaches should be used in the Raritan Project, and when? Is a hierarchy of approaches useful, with one approach being used whenever possible but other approaches being used when the preferred approach is infeasible?

Consensus (All In Favor)

This approach is generally seen as the “ideal” for public participation, where a position is developed that meets all legal requirements, meets the needs of stakeholders, and gains consensus. “Consensus” is defined as “collective opinion” or “general accord” by Webster’s II. In essence, consensus is reached where stakeholders are in agreement that a specific proposal meets their needs sufficiently to allow a positive vote. The proposal may not be seen as ideal, but also is not seen as damaging or neutral. All stakeholders see positive reasons for adopting the proposal. A major advantage to consensus is that nobody is “left behind” or “left angry” by the decisions. A major disadvantage to any system that requires consensus is that it gives each participant a veto over the process, potentially leading to gridlock. NJDEP, in its proposed watershed management rules, calls for the process to “Operate in a manner that promotes consensus among the various interests.”⁵ Therefore, NJDEP does not expect to mandate consensus, but to favor it whenever possible.

Consent (Most In Favor, None Vocally Opposed)

This approach is slightly different. Specific stakeholders may actually find that they are neutral to a proposal, or even somewhat harmed by it, but decide not to oppose the proposal. Their reasons for “consenting” to the proposal may be a desire to “do their part” or “avoid stopping the process” or “get something in return” or many other possibilities. However, they allow the proposal to be adopted by those who actually favor it. Webster’s II defines “consent” as “voluntary allowance of what is planned or done by another.”

Binding Decisions (Vote-based)

This method is familiar to us all, as it is the method used by legislative bodies the world over. “Roberts Rules of Order” are often used in connection with this kind of voting; formality of vote seems to require a formality of process. A 15-14 vote means that the motion passes, regardless of how vehemently some of the 14 may feel about the issue, and is binding on the group as a whole. One question for the watershed management process is how many decisions will in fact be binding? Given that the plan will be adopted by the Governor/NJDEP and “ratified” by those asked to voluntarily commit resources, it may be that the only “binding” votes will address rules for the participation process – rules that the group imposes on itself. However, other “binding” votes may also occur that are not foreseeable. For instance, if NJDEP decides to rely on a vote by the watershed stakeholders on the allocation of funds, such votes would be “binding” because NJDEP delegated that authority. As noted above, NJDEP will be favoring but not mandating consensus-based decision-making.

Non-binding Decisions (Vote-based)

Formal votes could be taken on the inclusion of items in the management plan, allocation of funding, etc., even where the votes are not actually binding on the affected agencies, entities and individuals. Formal votes can be seen as a method to stake out positions, put all interests “on the record” for a specific issue, etc. They would formally define the positions of the group of stakeholders, but would not be binding on any specific stakeholder.

“Sense of the Committee” (Preliminary, Not a Final Decision)

Given the complexity of many issues, a “sense of the committee” allows participants to understand the current thinking without making a formal decision. Essentially, a “sense of the committee” vote allows people to indicate what their position would be if an actual decision were to be made at that time. Based on the results, the participants may decide that further research, discussion or contemplation is needed prior to a formal decision. It may also be used as a way of setting priorities or discovering whether further action is warranted at all.

Multi-viewpoint Advice (Majority and Minority Reports)

Where “decisions” are really “recommendations” for consideration by a “higher authority” it may be valuable to allow and even encourage multiple viewpoints. The majority view (if a formal vote is taken) or the proposal adopted by consent would be included in the plan. However, those who take issue with that view would provide their alternative proposal or concerns in writing, perhaps within an appendix. Alternatively, the management plan itself could acknowledge that a significant issue exists, that no consensus was attained, and then present the major viewpoints for further consideration and debate. NJDEP clearly expects to provide for majority/minority views where consensus is not feasible through the watershed process. The proposed watershed rules require a public advisory committee to “Develop policy recommendations and the procedures for presenting such recommendations to the Department. The procedures shall include provisions to identify all alternatives considered and shall acknowledge the majority and minority positions of the PAC.”⁶

Variable Roles Dependent on Topic

It isn't necessary to use one decision-making method exclusively. The method could vary depending on the nature of the decision. A more rigorous decision method might naturally fit with a decision that has major impacts, such as cost. A decision to hold a public festival might use one method, and a decision to recommend pollutant allocations might use another, for example. The key point is not “which method is best” but that participants in the process feel comfortable with how decisions are made, and by whom. The two issues below are a significant part of the mix. People will be more comfortable with any decision-making method if they trust the leadership, and if they feel that the right people have a “seat around the table.”

Leadership

Watershed management planning should not be performed by “leaders and followers” but by “leaders and participants.” Due to the nature of watershed management planning, no single person or agency can claim complete primacy over other interests. The NJDEP and the Governor face similar constraints – effective watershed management requires action at many levels that NJDEP and the Governor cannot mandate. Participants have significant authority to control their own actions – more for some issues and less for others. Therefore, they first must take “leadership” within their own spheres of influence. However, some individuals will need to take more of a leadership role within the watershed planning process itself. Questions include:

- What roles should the leaders have?
- How should leadership be organized?
- What kind of leader will participants want, trust and work with in this process?
- What support and training do the leaders need to be effective?

The ideas below are provided to help facilitate discussion of this issue. Critical to success will be the extent to which leaders of or within Raritan Project make it easy for solutions to be developed by the full group of participants. Leaders do not necessarily create consensus – the right leadership for the right issues at the right time will be needed. Also, it is important to recognize that leadership can occur at many levels within an organization or public involvement structure. John W. Gardner, in his book “On Leadership,” describes the importance of leadership from within an organization, not just from the top, in that organization’s success.⁷ Therefore, leadership can come from “formal leaders” – those with the formal positions and responsibilities of leadership, and from “informal leaders” such as committee members and subject-matter experts.

Potential Leadership Roles

Based on common practice and the literature, leaders can have a large variety of roles. These roles are very frequently split among multiple leaders or combined within a single leader. Also, some of these roles can be handled by staff or by the participants as a group. Some of the most often used are:

- **Convener** – Determines when meetings should be held, by identifying key points in the process where participation is valuable.
- **Agenda-Setter** – Determines the agenda for meetings, to ensure that key issues are covered, meetings are not too long, and the meetings are productive, so that participants will agree to attend.
- **Chairperson** or “Meeting Leader” – Handles the flow of the meeting so that the agenda is covered within the allotted time, participants have the opportunity to make decisions wherever appropriate, and the meeting is productive.
- **Facilitator** – Ensures that all participants have the ability to participate, to provide and argue for their views. Ensures that quiet people are able to speak, that vocal people don’t monopolize discussion, and that the issue debate is productive. “Productive” in this sense means that the discussions move toward decision points. Facilitators have different styles. Some focus on keeping order to the discussion, so that participants speak in turn. Others focus on spotting potential decision points and common interests and generating discussion along productive lines. Others inject “expert knowledge” as a method of generating ideas and reactions from the participants. However, the key commonality is that no facilitator will impose a decision or even a line of discussion (except to ensure that the agenda is followed) on the participants. Facilitators are present to assist discussion and problem solving. They do not replace the meeting leaders (chair or whatever) in handling the agenda, but rather focus on specific parts of an agenda that require or benefit from facilitation. Nor do facilitators serve as negotiators or mediators, which involve a “non-neutral” role. Their purpose is to help others solve problems, not to negotiate on behalf of an interest or mediate between interests.
- **Subject-matter Expert** – The scientist, technical expert, communications expert and others all can play leadership roles in the watershed planning process. Subject-matter experts may be participants in the process (i.e., stakeholders) or they may be consultants or advisors invited or hired by the watershed project.
- **Spokesperson** – Represents the participants when speaking or writing about the project to the media, elected officials and the public. Ensures that the views expressed truly represent positions taken, the status of the project, and the existence of multiple viewpoints where they exist.

- **Decision-Maker** – Determines what will be done. Possibilities range from minor decisions (e.g., type of food to have at events, which brochures to have at an educational booth) to major decisions (e.g., allocation of financial resources, management plan recommendations).

Decisions will be needed regarding which of these leadership roles will rest with the participants as a group, with chosen participants acting as leaders, with project staff, with government agencies, etc.

Which leadership roles are most appropriate for the Raritan Project and for which purposes?

Leadership Titles

Often a relatively minor point but sometimes problematic is the issue of “titles” for participant leaders in the watershed process. (It should be noted that these titles are distinct from those a person holds outside the watershed process.) Titles are most appropriate when a more formal structure is used, such as committees. The key issue should be the purpose of the leadership positions, not so much the exact titles. However, titles do affect public perception. CEO has a very different public perception than “Coordinator.” Some titles are clearly hierarchical (e.g., Chair, Vice Chair) while others are not (e.g., two co-chairs). Expectations as to a person’s role will attach to the title chosen. If the leader is not chairing meetings, the title of “Chairperson” is inappropriate. If the leader does not have authority to commit resources, then “President” is inappropriate. The use of “officer” titles is probably inappropriate in watershed planning; they usually apply to incorporated entities. Titles also have “small p” political implications – that is, they reflect assumptions regarding authority within the governmental realm. So, determining the roles of leaders, plus decisions about the structure they will lead, should flow to a selection of appropriate titles.

What titles if any are appropriate for participant leaders in the Raritan Project?

Leadership Roles of Staff, Stakeholders and “Neutral Parties”

The roles of leaders within the process are very important. The extent to which leaders are “participants/stakeholders” or “project staff” or “outside parties” may affect the roles given to them. The NJ Water Supply Authority has already decided and NJDEP agrees that no NJWSA staff person shall chair a major committee in this process, because having staff chair a policy planning process raises issues of trust and conflicts of interest that should be avoided. By definition, “staff” are not “decision makers” in public involvement – they provide assistance, support, guidance and project management functions to the public participants. They can be “leaders” through the roles of convener, facilitator, subject-matter expert and spokesperson, but all of these leadership functions are fairly narrow in definition and do not disrupt the public’s role in deciding what the management plan should include. (However, NJWSA is willing to consider staff leadership of short-term, ad hoc task groups and technical committees, and can provide temporary leadership of other committees until public leadership is selected.)

Likewise, it is extremely rare (though not impossible) for a “neutral party” to be a leader in functions other than subject-matter expert, convener and facilitator. Neutral parties often have technical roles, and sometimes are used as facilitators or mediators in a process. By chairing, setting agendas, being a spokesperson, etc., neutral parties lose their neutrality. However, they can and often do help the participants handle these roles, as expert assistants.

Finally, stakeholders will find some leadership roles easier than others. Nearly all the leadership roles have been handled successfully by stakeholders/participants. However, the first three roles (convener, agenda-setter, chair) are easier than the last three (facilitator, spokesperson, decision-

maker) for the very reason that watershed planning committees are established in the first place – will other participants trust a stakeholder to set aside their own agendas and serve as a leader on behalf of the full group? In the first three roles, the stakeholder leader is operating in an open meeting environment where other stakeholders are present and can raise issues directly. A facilitator can have a significant impact on discussion results, and a spokesperson or decision-maker must operate independently outside of the public meetings.

To address these issues, the participants must have a clear idea of the functions they want participants, staff and neutral/third parties to serve, and when. Some considerations:

- **Differentiate by Committee Level?** – It is fully possible to differentiate roles by the level of committee or process. The more review the public will have of a committee recommendation, the less concern there might be about who leads the committee. Following this reasoning, leadership for a basin committee might be of greater concern than for an subwatershed committee or an ad hoc committee on one issue. More technical/scientific committees may allow for different leadership than policy committees.
- **How to Define “Neutral Party” – Consensus or Consent?** – Professional facilitation is perhaps the most common use of “neutral party” leadership. A critical question will be how such leaders are chosen. Should full consensus of participants be required, or should “consent” be used?

Which leadership functions should be handled by participants, staff and neutral parties in the Raritan Project?

Leadership by Election, Appointment, and “Advice and Consent”

Who chooses the leaders? In a certain sense, NJDEP has already chosen NJWSA to implement the process as a whole, which in turn means that the NJWSA Watershed Protection staff will have leadership roles for some specific, limited functions including project management, contract management, public presentations, etc. However, these are typical staff functions.

More important is the issue of who chooses participant leadership, those who will lead the process of developing the management plan through the stakeholder process. Three methods are discussed here, all of which can be seen in the “real world.”

A common method for leadership selection is for the lead agency (e.g., NJDEP) to select participants and leaders (or to select leaders from among self-selected participants) to ensure broad representation and reduce the potential for conflict. This is leadership by appointment, and often is known by the terms “blue ribbon commissions,” “advisory councils” and “advisory committees.” The lead agency selects leaders in a way that satisfies needs of that agency. One concern here is that leaders chosen in this way may not be accepted by the participants or by others outside the process.

It is also common for leadership to be selected (or “elected”) from among the participants. Benefits here include the potential for leadership that isn’t too tightly tied to the lead agency and for more participant trust. However, it also raises the potential for leaders to be chosen in ways that increase distrust. If key interests are either under or over-represented, the leadership election may be skewed and those who were either left out or overwhelmed could reject the leadership.

A third method is for the participants to suggest leaders to the lead agency, which would be committed to accept those leaders unless it felt very strongly that the leadership would not be best

for the process. This method is “advice and consent.” It allows for a stakeholder-driven selection, but allows the agency to step in if the problems noted above arise.

How should leaders be selected in the Raritan Project?

The Use of Qualifications Tests or No Qualifications Test

Leaders are always chosen based on qualifications. However, the qualifications are often unstated and implicit. The issue is whether a formal testing of qualifications is appropriate for leadership. What attributes should leaders have? Do the attributes change based on different leadership roles? How detailed should the attributes be? For instance, the process of testing qualifications could be fairly detailed for a consultant, and perhaps less detailed for a committee or event chair. The implication here is that, by defining what kind of leader would best serve the function, it may be possible to actually seek out such people. Again, consultants are typically “sought out” and so a qualifications test helps potential consultants decide whether they should even bother. Participants in watershed management are generally self-selected, but it may be feasible to encourage the involvement of certain people who fit qualifications chosen by the participants.

Potential concerns with this approach mostly involve participant leadership, not the selection of consultants. The selection of qualifications criteria can open up a Pandora’s box of conflicting agendas that may not be obvious. Some initiatives have tried a qualifications test only to find that the qualifications were being developed to fit a specific person; the test was essentially “rigged” to guarantee that a known individual would be selected. The more specific the qualifications, the more likely it is that nobody or one person will fit them. Finally, it is possible to have qualifications that block leadership opportunities for people who would be excellent candidates despite their lack of “fit” to preconceived qualifications.

Should a qualifications test be developed (either general or specific) and applied to the selection of leaders from the participants?

Ensuring or Not Ensuring “Representativeness” Among Leaders

It is common in public advisory committees to see a deliberate effort to “spread the wealth” of leadership posts among the major interests involved in the process. The intent is to ensure that no one interest group dominates the process, and conversely to ensure that many interest groups feel closely connected to the process because “their person” is one of the leaders. (This intent also leads to the use of “co-chairs” instead of a single chairperson.) To what extent is this issue critical to Raritan Basin stakeholders? Should it be established as a generic policy that leadership opportunities should be spread around as evenly as possible? Should it be an informal approach, used to check whether significant imbalances occur? Should there be no policy on this issue, but rather an emphasis on the leadership abilities of each person, irrespective of the interest group to which they belong? One interesting side note is that a desire to spread leadership opportunities among the interest areas often leads to increased leadership posts – co-chairs instead of chairs, more committees to allow more involvement. Depending on one’s approach to management, this expansion of opportunities could be viewed as beneficial or not.

Should the leaders for the Raritan Project be selected to ensure broad representation of interests, or should the interest they represent not be a factor?

Training Needs

Very few participant leaders will come to this process with all the knowledge and skills they need for watershed management planning. The skills and knowledge range from technical to

procedural: What are the best ways to operate multi-interest meetings? How does watershed management planning differ from municipal planning? Why are certain pollutants of concern? What are the implications of biological monitoring for watershed management?

Many knowledge and skill needs will be common among all participants in the process. However, there may be specific knowledge and skills that will allow the participant leaders to work more effectively together and with the other participants. (We are assuming that any consultants will already have the knowledge and skills they need to operate effectively.) There may be a strong benefit to developing a sense of “team” among the leaders. Funds are available for a certain level of training for participant leaders, including the possibility of “train the trainer” programs so that the leaders can help the other participants be effectively involved and productive.

What training should be provided for participant leaders? When – right after their selection, after the first few meetings to allow time for issues to arise, or at several points in the process?

Support Needs

To a certain extent, the Scope of Work and contract between NJWSA and NJDEP establishes the nature of support functions to be provided by NJWSA staff. However, these are stated in fairly general terms. The support functions to be provided by consultants are very broadly stated. Flexibility is available in both situations, though more so for consultants.

- **NJWSA Staff Roles** – NJWSA serves as project manager for the Raritan Basin Watershed Management Project. Responsibilities in the Scope of Work include logistics and general communications for the project, news media interactions, staff and consultant selection and management (although consultant selection can involve project participants), minutes, report writing, educational materials, public outreach and education, meeting facilitation, bringing in new participants and helping them get up to speed, and a variety of other roles. One key role is working with NJDEP to ensure that the management plan addresses all legal requirements of Federal and States statutes and regulations, and to help all participants understand the technical and legal issues involved. However, NJWSA does not have the role of deciding what recommendations will be in the draft management plan – that role is given to the participants. The understanding, of course, is that the Governor, NJDEP and those who are asked to voluntarily assume implementation responsibilities have approval authority on the final plan (or relevant aspects) as provided by law.

What other roles should the NJWSA play? Among the possible roles, are there some that should be emphasized or de-emphasized?

- **Outside Facilitators** – The budget includes \$30,000 for meeting facilitation over a three-year period. This amount could be increased somewhat, but only by taking money from another category of funding (most likely from the funding for other consultants). However, the budget does not allow for regular use of an outside facilitator.⁸ As such, it will be important to use these funds carefully.

When will an outside facilitator be most critical to the process? What kind of facilitation is desired? Does the facilitator need expertise in watershed management or is that not desirable? Should the same facilitator be used throughout, or will there be a benefit to having several facilitators? From a different perspective, when is it appropriate to have NJWSA staff or project participants facilitate meetings? What parts of meetings are most likely to require facilitation?

- **Other Consultants** – The budget includes approximately \$300,000 for consultants over a three-year period. The budget does not specify the type of consulting to be contracted. Possibilities listed in the budget include: Technical Review Board for the TMDL (essentially a peer review process), public outreach, GIS, stakeholder training. Inevitably other tasks will come up that require consultants. Project participants will discuss the issue of consultant priorities during the planning process.

Committees

In prior sections, we have addressed the purposes of public involvement, the methods of decision-making, and the roles and selection of leaders. In this section, we explore options regarding one of the most widely used forms of public involvement – committees. Committees have been used well and poorly. Sometimes they are dynamic processes that lead to clear decisions and a “bias for action” that pervades a project. Sometimes they are an excuse for inaction, grinding slowly through issues without any schedule for completion. Committee meetings are variously boring, exciting, informative, repetitive, useful and time-wasters. Interesting to note is that committee meetings can be both informative and boring (or exciting and time-wasting) at the same time!

NJWSA is assuming that committees will play at least some role, and probably a major role, in the Raritan Project. It is possible to devise a management planning process that completely does away with committees, through use of the World Wide Web and mail, with staff serving to funnel information and ideas back and forth among remote participants. The product would be entirely open to the public, but not the product of meetings. However, meetings can play a very strong role in helping participants understand different viewpoints, reconciling differing interests, and developing new ideas through constructive stress (e.g., brainstorming, visioning exercises, design charettes, facilitated debate). Therefore, NJWSA is assuming a need for committees. But, just how should the committees be designed and used? Options are presented below for consideration.

Committee Membership

One of the critical issues, regardless of the committee structure chosen, is how membership in the committee will be established. Key components of this issue are whether the committee membership will be comprehensive (with membership from all affected interests), representative (where members are specifically expected to represent broader interests), and balanced (with no interest having a disproportionate share of the membership). NJDEP, in its proposed watershed management rules, included two provisions. The first provides a detailed listing of interests that must be invited to participate on a public advisory committee for a Watershed Management Area. The second specifies that the committee members must represent stakeholder interests. Under these provisions, it is clear that NJDEP is seeking comprehensive and representative membership, at least for the public advisory committee.⁹ The expectation may be that a comprehensive invitation will lead to a balanced committee, but that is not certain. The provisions also do not address the membership of any sub-committees other than the TMDL Technical Advisory Committee.

To what extent should committee membership requirements in the Raritan Project be more detailed or stringent than NJDEP’s proposed rules regarding comprehensiveness, representation of interests, and balanced membership?

Comprehensive or Specialty

Committee roles can be comprehensive or narrow in scope. There are costs and benefits to each approach. Comprehensive committees force people to think broadly, integrating their interests with the interests of others, expanding their knowledge base. However, comprehensive committees by their nature will spend a great deal of time in participant education. Further, many participants will find that they are “engaged” in the process only part of the time, when issues of personal interest come up for discussion. As with a state legislature or Congress, as the discussions get more detailed most of the members will look to a few “specialist” members for guidance.

Committees of narrow scope are common in watershed management, covering education, modeling, governmental relations, nonpoint source management, etc. People with focused expertise and interests will get the largest return on their time through involvement in these committees. However, the specialization of such committees also can lead to their isolation. Each committee operates within its own sphere of interest, and may not integrate well with others. Recommendations that move to a more general committee can then get mired in disputes among “experts” and “non-experts” that most members of the general committee can’t arbitrate, because they lack sufficient knowledge in that field.

It is common for watershed management projects to use comprehensive committees for project management and “general issues” such as goals, policies and objectives, while relying on specialized committees for more detailed work.

How should the Raritan Project emphasize the use of various committee types (comprehensive coverage of issues or focused on specialty issues)?

Geographic Focus of Committee(s)

Because of the large size of the Raritan Basin, the question of area-based committees inevitably arises. There are benefits and costs of basin-wide committees (both comprehensive and specialized) regarding ease of communication, consistency of approach, and financial constraints. However, a basin-wide committee would have a very difficult time addressing specific issues of individual watersheds. Further, many people will opt out of basin-wide committees due to travel time, the large number of people involved (which reduces available time for any one person to talk), or a feeling that the basin-wide process doesn’t address their interests.

Watershed-based committees provide for a more local and adaptable focus, allow more people to become involved more easily, and therefore may encourage greater involvement. However, the cost of this approach increases greatly as watershed size reduces (i.e., from watershed management area to major watershed to subwatershed). The potential for major conflicts among watershed committees increases, communication becomes difficult, and cost-effectiveness generally reduces because multiple committees are developing knowledge and solutions about the same issues through separate processes.

County committees don’t fit neatly into watershed management planning except for one important point – our governments are organized at and within the county boundary. County committees make it easier for county and municipal officials to be involved, because they can focus their efforts within a single area. Watershed-based committees inevitably overlap municipal and county boundaries, making attendance at the meetings of multiple committees necessary. No watershed projects in New Jersey are using the county boundary as a basis for committees as of this writing. However, several counties, including two in the Raritan River Basin (Middlesex and Monmouth) have established Water Resource Associations to coordinate water planning activities.

Finally, it may be possible to use a mix of committees, with each type (comprehensive and specialty, at the basin and watershed level) serving a specific role. Benefits involve the use of committee types that work well for specific planning and management functions (e.g., goal setting, technical analysis, watershed-specific improvement projects), more opportunities for public involvement, and more opportunities for participant leadership. Costs involve the potential “Tower of Babel” problem where people are speaking different “technical languages” at each other and the “Balkanization” problem where different geographic areas try to go their own directions with no consideration of related areas or common issues. The basic costs of logistics and communications also can increase geometrically. Participant burnout is also a significant issue, as discussed below.

Should the Raritan Project create committees based on geography (e.g., Watershed Management Areas, major watersheds, counties), and if so, how many and using what boundaries?

Balancing the number of participants and committees

The more committees, the more potential there is for each individual to have many committee assignments and multiple leadership roles. One solution is to get more people involved. However, the “transaction costs” of getting to know all the players and their agendas can be high, and certainly will increase with the number of participants. Given the nature of watershed management, it is necessary to accept those costs as a reasonable price to pay, but working with large numbers of participants will slow the problem solving process. Another solution is to minimize the number of committees, or to keep them in line with the number of participants. In the latter approach, a committee would only be formed once there are sufficient participants who have time for the work without harming the work of an existing committee.

A third solution is to keep a very flat committee structure. For example, there could be only two levels of committee at each geographic scale (i.e., basin versus watershed), consisting of a comprehensive committee and a set of specialty committees that all report directly to the comprehensive committee. However, a flat structure still will not avoid participant burnout if there are too many expectations and not enough people.

How should the Raritan Project control the number and types of committees, if committees are used, to ensure that there is a reasonable workload for participants and a reasonable number of participants for each committee?

Communications

Communications happen in many forms. The informal communications in a process are crucial but inherently uncontrollable. People will talk with people – before, during and after meetings, and perceptions will be built and changed based on those conversations. Given the nature of watershed management, these communications should be encouraged, not discouraged. It is the responsibility of the leadership to ensure that people have positive things to talk about.

More critical from the organizational perspective is how the Raritan Project will ensure integration and information flow. “Integration” addresses the need to fit pieces of information together so that people perceive a growing body of knowledge, the formation of a plan, the development of a commitment to action, and a basis for consensus among participants. “Data” are not “information.” The process of integrating facts helps the development of real “information” – knowledge that allows for problem solving. “Information flow” is the process by which information is actually delivered to the users. Meeting minutes are commonly used, but can also have too much “data” to

provide useful “information” for many people. Fact sheets, reports, abstracts, slide shows, verbal presentations, workshops, Web sites and many other techniques all are part of information flow.

Participants must determine the methods of communication that will work best for them regarding information flow and integration. The NJDEP and NJWSA cannot decide for participants what will work best.

What methods of communications among participants and between participants and staff should be emphasized by the Raritan Project?

Additional Issues/Concepts

A number of interesting ideas and information requests have been posed that didn't fit neatly into the sections above. They are addressed here, and stakeholder discussions could result in their inclusion within the public involvement process for the Raritan Project. Three of the points involve methods of communication.

Hands-on opportunities for involvement and interaction

Many watershed management projects around the country have realized a major benefit from field trips and other “hands on” or “group interaction” exercises. In many cases, people from different backgrounds are deliberately joined in exercises that help them understand the other person's point of view. Canoe trips, where each paddler has little knowledge of the other, seem popular. The process of actually touring environmentally damaged sites, pristine sites, good and bad management practices, etc., can be eye opening and foster more respect for divergent views. Workshops can be useful also, where different planning techniques are both learned and applied through group exercises. These techniques can blur the line between “education” and “training” and “planning.” The same can be said of experiential learning, where participants learn watershed improvement techniques (e.g., streambank restoration, reforestation) by doing them.

To what extent should the Raritan Project use hands-on techniques to enhance participant understanding, interaction and skills in watershed management?

Conference calls for small committees

As one suggestion for easing committee involvement, there is the potential for conference calls to conduct the business of small committees. Some committee functions will not work well by conference call because visual aids are needed, or the topic excites intense discussion that needs facilitation. However, committee conference calls can be very useful and cost-effective when focused on short business meetings and simple topics.

Should the Raritan Project use conference calls for small group meetings?

Potential use of the Web

The Web has exploded as a tool for information flow. However, it is also gaining potential as a mechanism for conducting participant surveys, encouraging idea submittals, etc. Several opportunities now exist. For instance, the Web can be used to replace the mail as a method of information flow, for those who have Web access. Second, information flow can be two-way, with participants sending in data, proposals, comments or other information to the Project. This approach might be especially useful to those who want to be involved, are willing to use the Web,

but are not interested in attending meetings. Third, it can be used as an alternative to committee meetings, where people can be involved in a “virtual discussion” on their own schedule over a period of time.

In each case, great care must be taken. There is an enormous benefit to allowing “virtual” participation instead of committee meeting attendance. But, how can people be sure that their ideas get equal consideration? Their thoughts should not be neglected just because they can’t attend a meeting. Information flow through the Web is fast and cost-effective. But, are there critical populations who lack Web access for financial reasons or skill/knowledge constraints? How accessible is the Web through public libraries? What alternatives to the Web must be maintained to reach people? And how do we ensure that the benefits of personal interaction are not lost?

To what extent should the Raritan Project rely on e-mail and the Raritan Project Web site as a mechanism for communication, outreach and participation, and what other approaches must be used to ensure comprehensive involvement?

Example Project Organizations

The examples below are drawn from a number of projects both in New Jersey and elsewhere. The examples provide a large number of options from very simple to very large, and from “traditional” (i.e., committee oriented) to “non-traditional.” Please note that the term “committee” was applied to all structures that looked like committees. However, there is no bar to using different names, such as “Congress,” “Alliance,” “Partnership,” “Action Team,” “Task Group,” or any of a large number of alternatives. Some attention should be given to names, however, as perceptions will be influenced by the chosen names. Bureaucratic names will often be perceived quite differently than friendly or action-oriented names, which in turn will be perceived differently from “antagonistic” names.

It is important to note that the NJDEP has proposed its Water Quality and Watershed Management Rules (N.J.A.C. 7:15), which speak to the issue of project organization to a certain extent. More detailed information is provided below. However, the general thrust of the rules is that a Public Advisory Committee must be formed for each Watershed Management Area (WMA),¹⁰ and is the primary mechanism for public involvement.¹¹ A Technical Advisory Committee must be formed for TMDL (Total Maximum Daily Load, or water pollution control study) projects.¹² There is no requirement for or prohibition against having additional public advisory committees at a multi-WMA level (such as the Raritan Basin) or at sub-WMA levels (such as major watersheds). The TMDL technical committees are specifically authorized to cover more than one WMA if needed for the scope of the project. NJDEP will be considering whether to make specific provisions for Basin-level coordination in the adopted rule.

Which of the following committee structures, or combination or permutation of structures, will work best for the Raritan Project, if committees are used?

Comprehensive Basin Committee

Under this option (Figure 1), a single committee would address all issues of the management plan and make all decisions regarding recommendations for action. It can be expected that a number of ad hoc meetings would be held to discuss in depth any specific topics of interest. However, no formal sub-committee or specialty committee structure would be established. It can also be expected that there would be a large staff role, where the committee discusses general approaches, requests that the staff write draft materials, and then reviews and approves the final documents.

Advantages to this approach include simplicity of structure, flexibility of the ad hoc meetings, low facilitation/support costs, and ease of communication because all participants would attend the same sessions. Disadvantages likely would include committee size (very large to cover all interests and geographic areas), an emphasis on general issues to the exclusion of watershed-specific issues, possible overemphasis on staff input and direction, and disenchantment of people who would like to spend more time on specific issues or areas.

Example: The Anacostia River Restoration Committee was established by Maryland to coordinate restoration efforts among a number of interests. Federal, state and local government agencies are members, along with a few non-profit organizations with a specific interest in the watershed. The committee apparently does not have a specific sub-committee structure, although the available literature might be missing that point.

The Manasquan Watershed Management Group also uses this model, with a single committee addressing all policy issues. However, an Executive Committee was formed to address operational issues.

Figure 1 – Comprehensive Basin Committee



Comprehensive Basin Committee (with Specialty Sub-Committees)

This option (Figure 2) uses the same single committee as before, but with formal establishment of sub-committees to explore significant issues in depth. The sub-committees would then replace some of the staff role anticipated above, and may have sufficient time to explore some but not many sub-regional (e.g., watershed) issues.

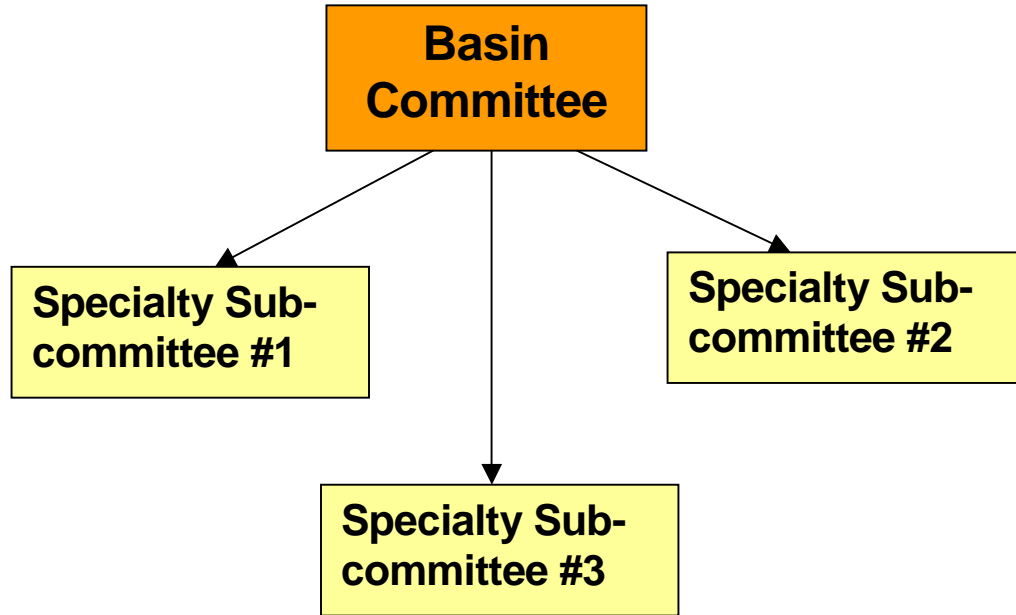
Advantages include segregation of tasks so that the comprehensive committee can focus on broad mission and project issues while the specialty committees provide details. More opportunities for public involvement and leadership will arise. The structure is still fairly simple and support costs will still be low, though higher than a single committee. Disadvantages include slightly higher support costs, a still-limited ability to address local issues, and a perhaps over-strong role for staff.

Examples: The National Estuary Program projects of the Environmental Protection Agency (EPA) are organized using this approach. A staff project manager is responsible for day-to-day management. Assisting the project manager are two committees – the Technical Committee and the Citizens Committee. An Oversight Committee of sponsoring agencies (including EPA and the chairs of the two other committees) provides general direction for the project and makes final policy decisions on the management plan. The Barnegat Bay National Estuary Program Project uses this basic model.

The Whippany River Watershed Management Project (NJDEP's pilot project for watershed management) also used this model. A Public Advisory Group provided oversight and policy decisions for the project. Specialty committees were formed to address specific issues, including:

Project Development (work plan, goals and objectives), Public Education and Outreach, Technical (TMDL), Watershed Characterization, Nonpoint Source, and Watershed Management Plan.

Figure 2 – Comprehensive Basin Committee with Specialty Sub-committees



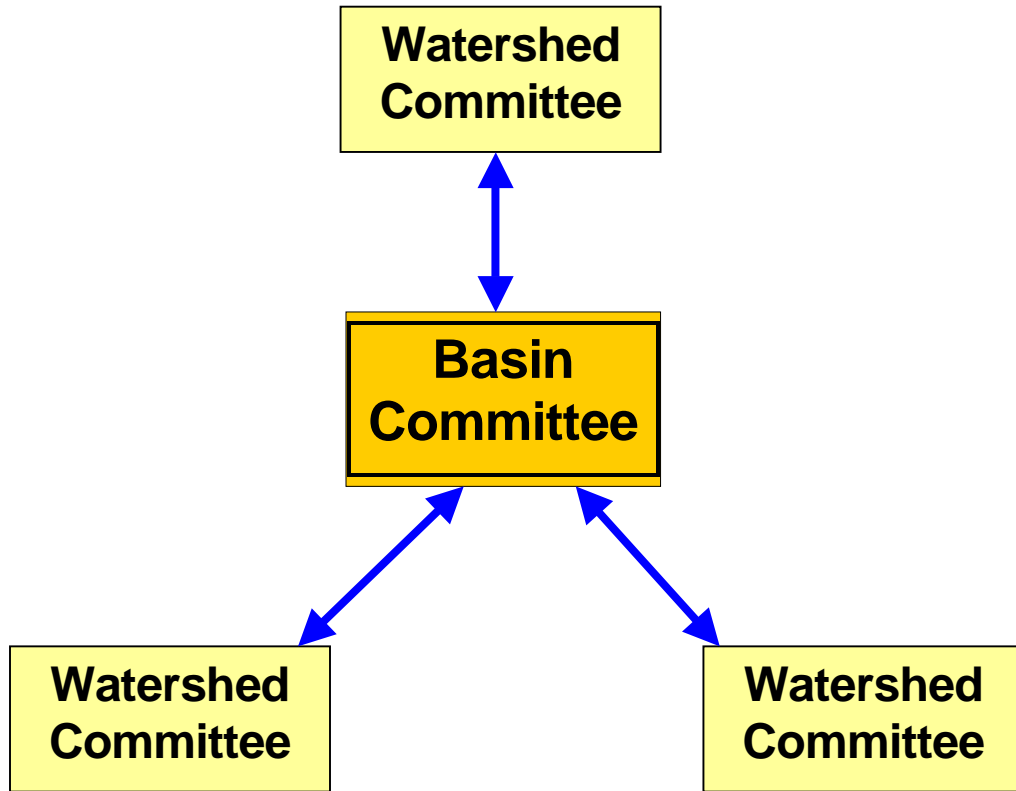
Comprehensive Basin and Watershed Committees

This option (Figure 3) introduces the use of comprehensive committees at both the basin and sub-basin level. This approach provides a geographic focus for more detailed planning, perhaps with the primary role for goal/objective/strategy development and integration at the basin level. Obviously, the comprehensive committees could make use of ad hoc meetings to address specific issues. The sub-regional committees could be on the basis of Watershed Management Area (three) or major watershed (perhaps as many as seven to ten).

The key advantage of this approach is a greatly enhanced ability to address more local issues, while maintaining a strong basin committee to address broad issues, policies, overlapping strategies, etc. Dependence on staff is reduced. Even more participants and leaders can be effectively involved. The key disadvantage, which grows with the number of watershed committees, is complexity of the process. Costs, the potential for participant burnout, overlapping functions and issue discussions, communications difficulties and the potential for inter-watershed conflicts all increase.

Example: None known.

Figure 3 – Comprehensive Basin and Watershed Committees



Comprehensive Basin, Watershed and Specialty Committees

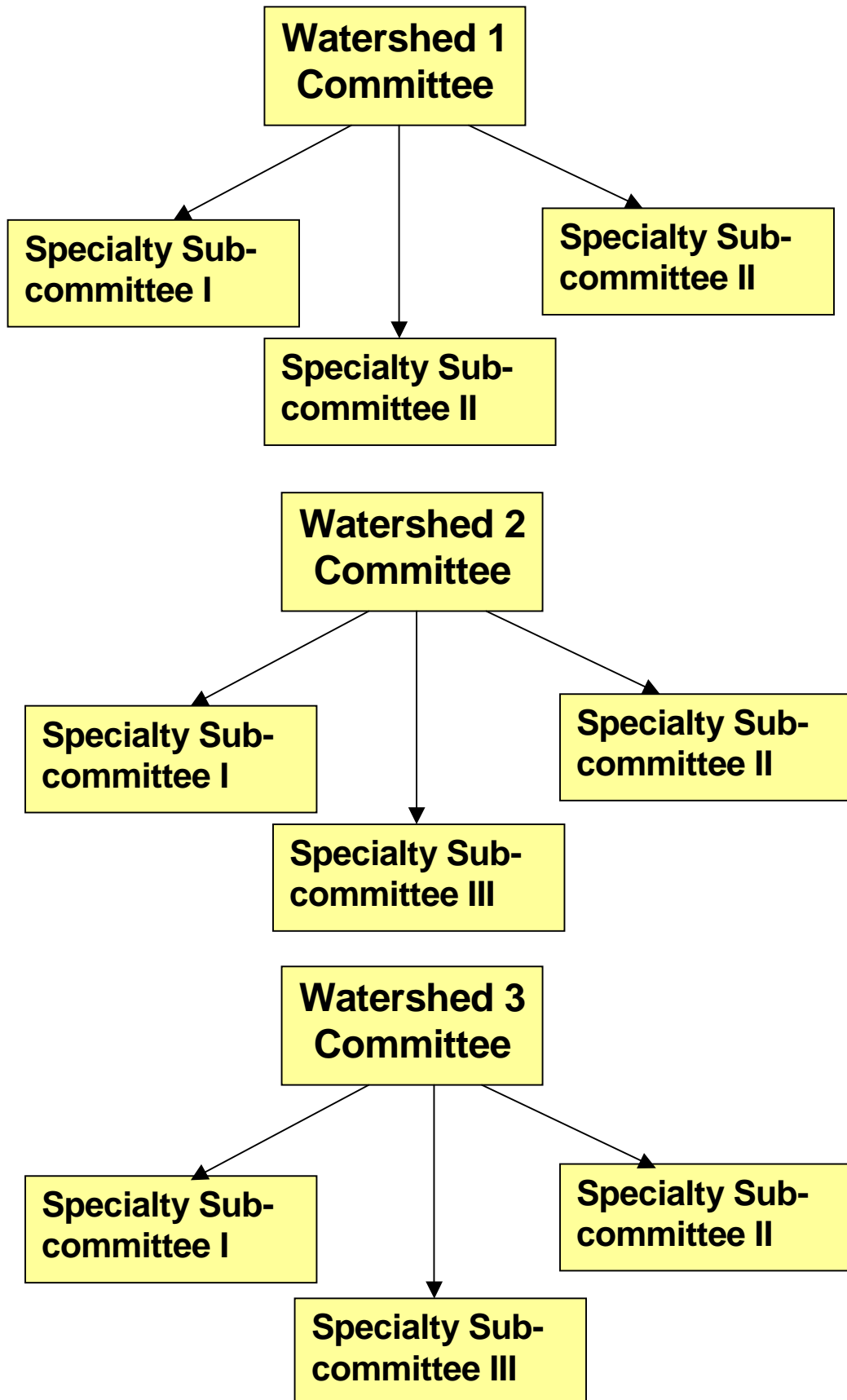
This option is a combination of the prior two, where both geographic (sub-basin) committees and specialty committees are used. The specialty committees could provide support to either the basin or sub-basin committees, depending on the issue being addressed. Advantages include the flexibility of the approach, the ability to focus talent where it is most needed, and the ability to focus on issues that occur within part but not the entire basin. The major disadvantages are the same as for the prior two options, but more so because the number of committees would likely be greater.

Example: The Monmouth Watershed Management Area (WMA 12) uses this approach. A Watershed Congress provides overall direction and policy decisions, with an Executive Committee to address operational issues. Watershed Management Councils address the issues of each specific watershed (e.g., Manasquan, Navesink/Shrewsbury). Specialty committees have been formed to advise the Watershed Congress on a variety of issues, including By-laws, TMDLs, Public Information and Education, Resource Restoration, and Watershed Management Plan and Format.

Watershed Committees

This option (Figure 4) does away with the notion of a basin-level comprehensive committee. Instead, the entire focus of the project is sub-regional, and the management plan would actually consist of several management plans, one for each watershed (whether Watershed Management

Figure 4 – Watershed Committees



Area or major watershed). Again, specialty committees could be formed or ad hoc meetings used to address specific issues. In fact, any of the four preceding options could be used, but with the Watershed Management Area or watershed being the top level, rather than the Basin. Basin-level integration would not occur, or at least not through a stakeholder process. Project staff or NJDEP might develop a basin-wide summary of the watershed-specific plans.

Advantages include a strong emphasis on watersheds that may encourage local involvement. The lack of basin-level meetings would reduce costs, communication complexities, etc. The primary disadvantage is the lack of a basin-level process to integrate watershed planning. The potential exists for watersheds to move in very different directions. Because the upstream watersheds affect the downstream watersheds, the lack of integration could be harmful to downstream interests. In addition, some watershed issues may be inherently regional, such as water supply. Finally, the costs of the process could rise significantly if a significant number of sub-watershed committees are formed.

Example: This option is essentially the model used by NJDEP in its proposed rules, with a Public Advisory Committee for each Watershed Management Area and a Technical Advisory Committee for each TMDL (water pollution control plan) project.

Watershed Committees with Basin Coordinating Meetings

This option (Figure 5) would add a formal process for basin coordination (but without decision making authority) to the process outlined just above. Leaders and participants from the watershed committees would have an opportunity to discuss common issues and interests with their peers, but no mechanism would exist (other than applicable statutes and regulations) to modify watershed planning decisions. Where common issues exist, specific watersheds might agree to investigate on behalf of all, spreading the workload. Figure 6 is an example proposed in 1998 for the Passaic River basin, with three Watershed Management Area committees, each of which would provide members to a basin-wide TMDL committee and a basin-wide Coordinating Committee.

Advantages include the provision of a formal mechanism for coordination and integration, joint training, and cost savings from joint research. Disadvantages include the potential for significant conflicts to be identified but never resolved.

Example: None known, but the Passaic River example from 1998 is still a possibility as NJDEP pursues implementation of watershed management planning for that basin.

Figure 5 – Watershed Committees with Basin Coordinating Meetings

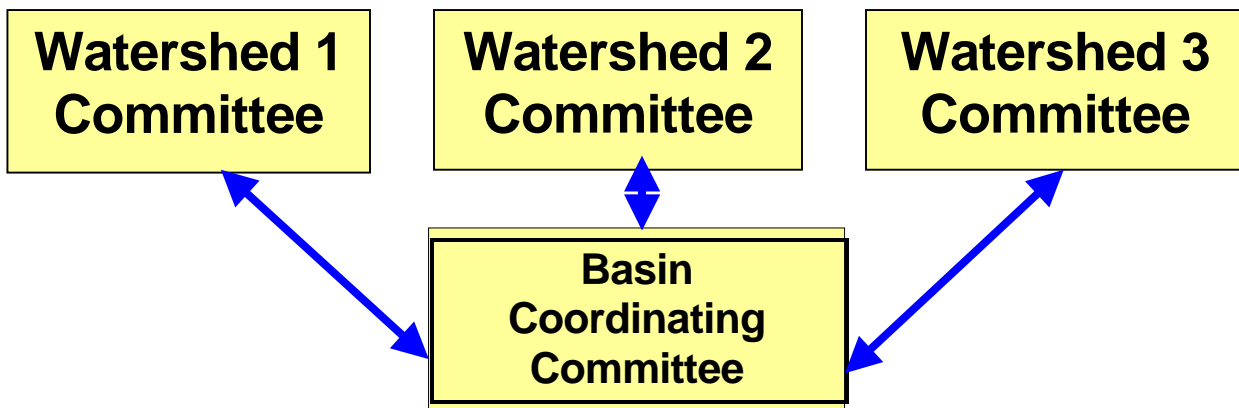
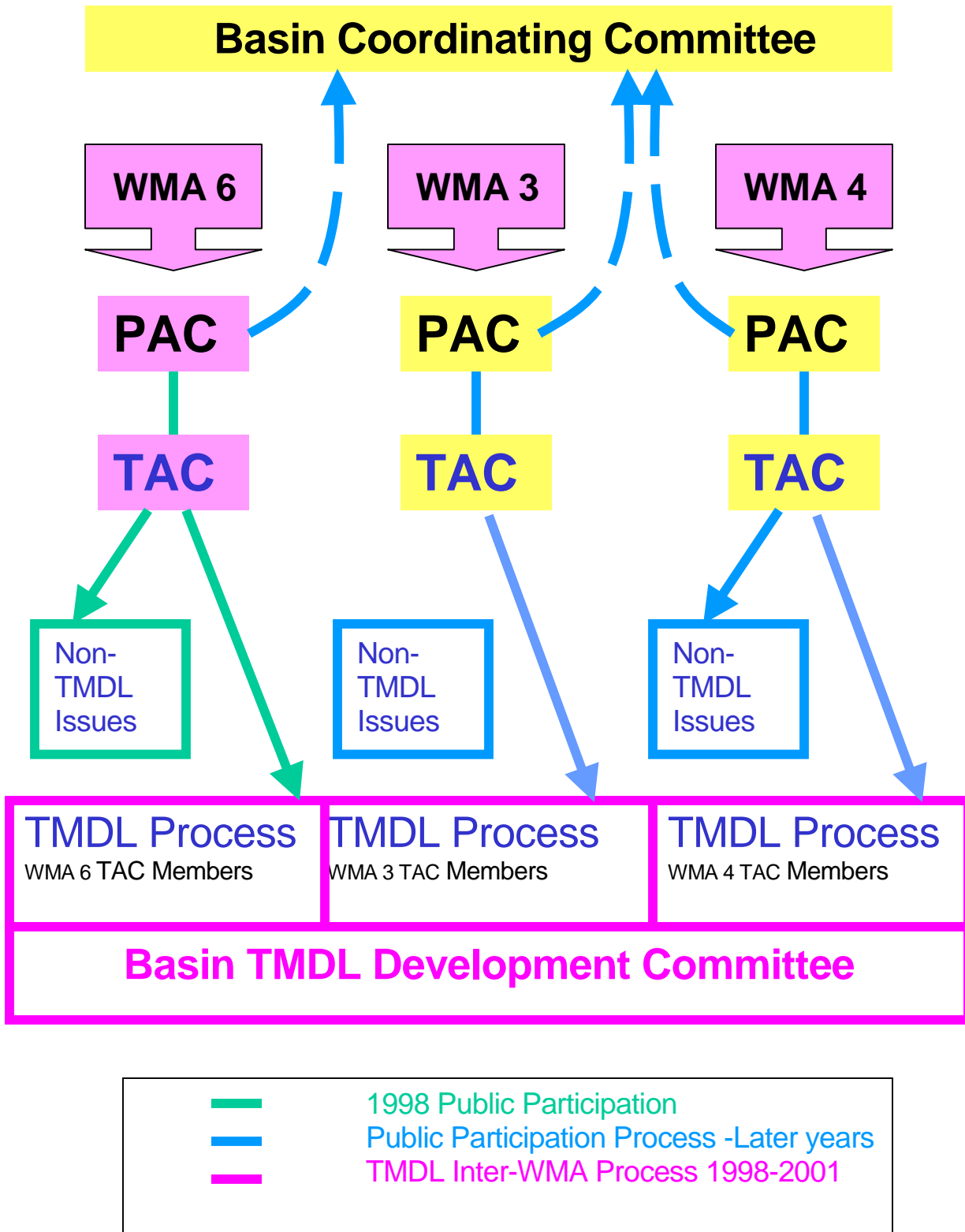


Figure 6 – Passaic River Basin Proposal (1998)



Planning by Sequential Workshops

One completely different approach (Figure 7) would conduct planning through a series of intense workshops, followed by coordinated efforts to pull the pieces together. There would be no formal committees, either comprehensive or specialty. The full emphasis of stakeholder involvement would be on the issues rather than the structure of planning. Staff would be responsible for pulling together the results from each workshop, integrating them into management plan drafts, and exposing them to comment and revision at further workshops.

Several advantages exist. This approach would minimize stakeholder time spent on organization issues. Intense workshop formats may be more cost-effective than multiple meetings, at least regarding the benefit/hour for the participants. Disadvantages also exist. This approach depends very heavily on participants who can give entire one- or two-day periods to workshops, and on staff development of the results. It also is a non-traditional format, which may make some people distrust the process. Expert facilitation would be required, along with extensive preparation for each workshop to avoid situations where a workshop founders because critical information is missing. Finally, using fewer but more intensive meetings makes it harder for people to keep up with the process if they miss a key workshop.

Example: No watershed examples known. This approach is sometimes used in municipal and county master planning, where staff or consultants play a major role in translating the ideas and decisions from the workshops into documents for public and planning board review.

Incorporated Non-governmental Organization

This option would involve turning the organizational structure into a permanent organization with its own ability to raise resources and initiate action. Any of the structures above could be used except the “workshop only” format. A board of directors/trustees would be elected, membership would be defined and invited, and incorporation (with by-laws and tax-exempt status) would occur.

Advantages of this approach are that such an organization would be seen as fairly independent (i.e., not a creation of NJDEP or NJWSA), would have the ability to raise and manage its own funds, and could pursue creative initiatives on its own. Disadvantages include the amount of time and effort necessary to form a non-profit, the major difficulties involved in deciding who can be a general member and a board member, potential resource competition with existing organizations, etc. A unique difficulty with this approach is that incorporation of the stakeholder committee as a non-profit organization results in the creation of a new stakeholder – the non-profit! Unless membership is open to all with no cost, and board representation is both comprehensive and representative, the new non-profit may wind up excluding key stakeholders and therefore could not be said to “speak for the basin” even though it was formed for that purpose.

Example: None known. While there are many watershed associations in New Jersey, they are advocacy and education organizations with board structures quite different from the above. The Delaware Estuary Program did form such an organization for plan implementation activities.

Web-based, Interactive Plan Development (Without Committees)

This option (Figure 8) would use “virtual meetings” and interactive document development as the entire planning process. It would rely heavily on staff follow-up to ensure that the plan comes together and people have access to information structured in a way that facilitates input. However, people could be involved at their own pace and time, discussions could occur in novel ways that allow for innovative approaches, and no time would be spent traveling to meetings.

Figure 7 – Planning by Sequential Workshops

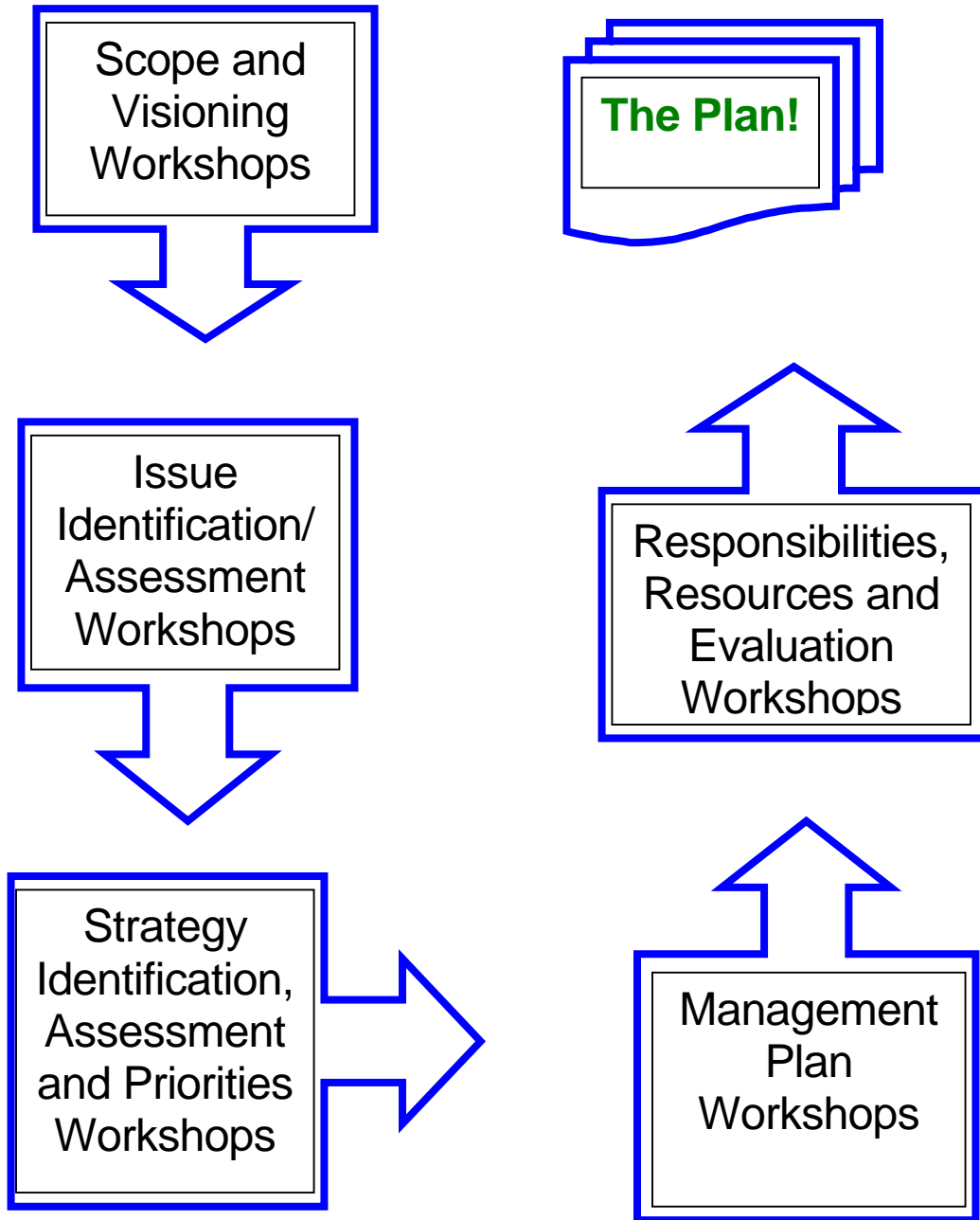
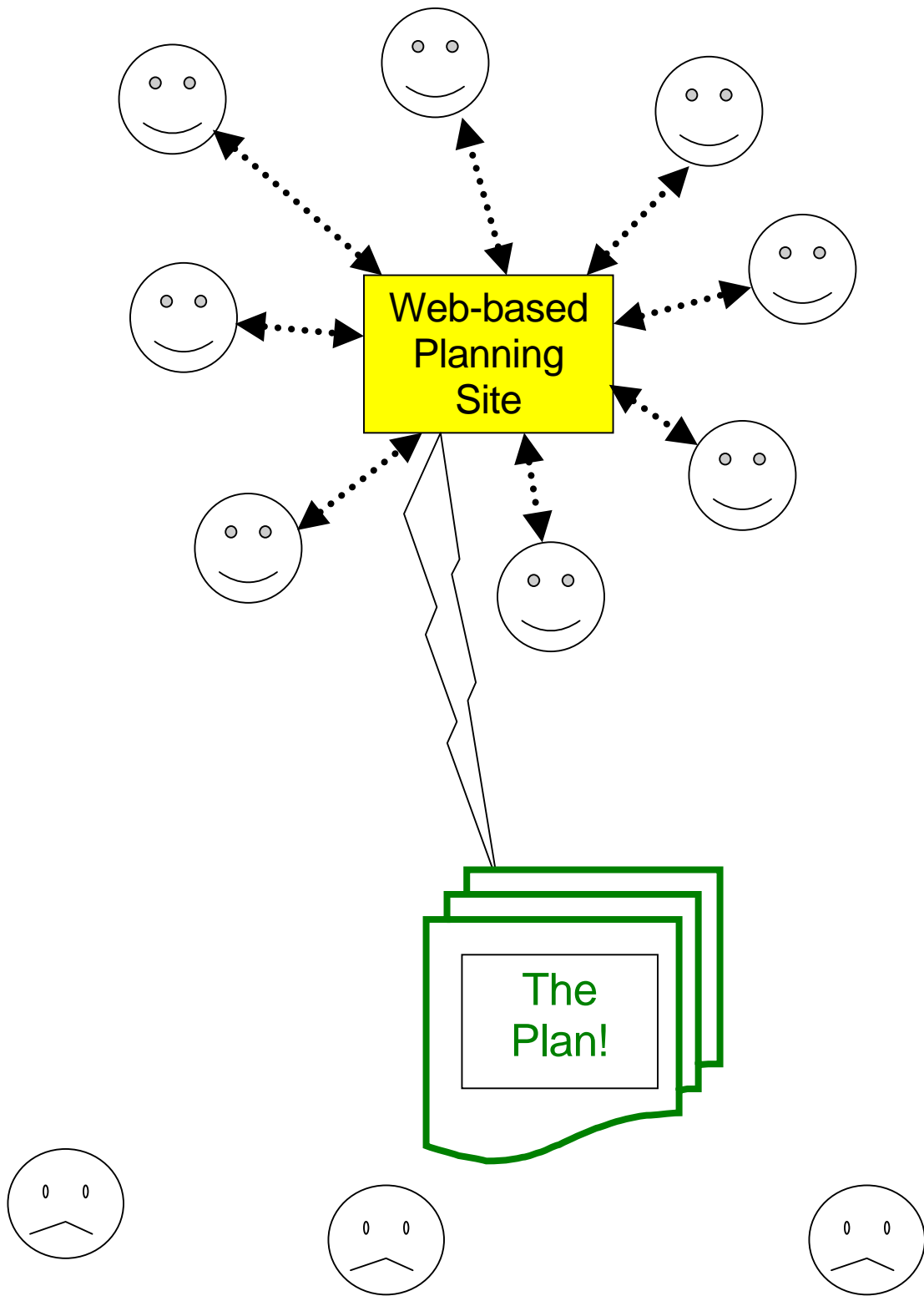


Figure 8 – Web-based Plan Development



Advantages include the cost-effectiveness of electronic communication (once the system is set up), minimization of meetings, and an innovative approach that might yield substantively different results. Disadvantages include the real possibility of excluding large audiences, the loss of personal interaction at meetings, and the potential for staff to dominate the process because it is responsible for synthesizing results and also controls much of the information flow process.

Example: None known.

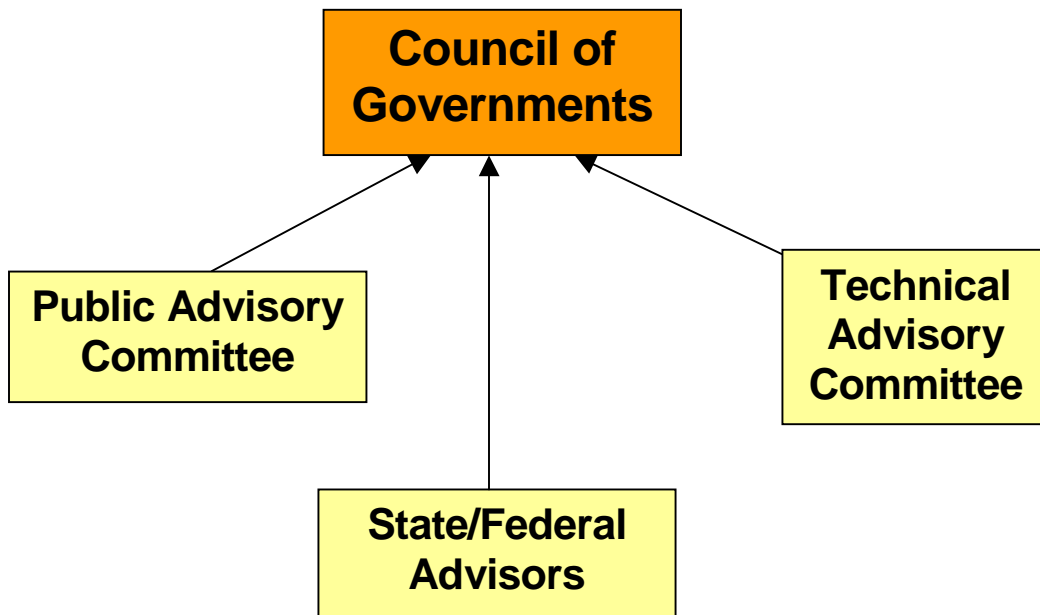
Council of Governments and Stakeholder Committees

Councils of Government or COGs (Figure 9) are used in many parts of the nation, but not in New Jersey for the most part. This option focuses on the critical role that municipal and county government and their independent authorities can play in plan implementation. It emphasizes that role by creating a structure that formalizes their importance. A role for non-governmental interests in the planning process would also be established (as often happens with COGs) through public advisory committees and the like.

Advantages include a formal mechanism that brings local governments into the process and gives them a dominant role, reflecting their land use and infrastructure development powers. The major disadvantage is that other key interests can feel disenfranchised. Also, the local governments may decide not to participate, hamstringing the COG functions.

Example: Many Councils of Government exist in the United States, but they are rare in the northeastern part of the country. Perhaps the best-known example of a Council of Governments with extensive water management activities is the Metropolitan Washington Council of Governments, which has been active in stormwater and watershed management for many years.

Figure 9 – Council of Governments with Stakeholder Committees



Common Acronyms for Public Involvement

GIS	Geographic Information System
NJDEP	NJ Department of Environmental Protection
NJWSA	NJ Water Supply Authority
TMDL	Total Maximum Daily Load (water pollution control term)

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¹ 32 NJR 2288, Proposed Water Quality and Watershed Management Rules, N.J.A.C. 7:15.

² 32 NJR 2329, Proposed N.J.A.C. 7:15-1.6.

³ National Research Council, p. 232.

⁴ Environmental Protection Agency. 1995. *Watershed protection – a project focus*. EPA 841-R-95-003: p. 2-3.

⁵ 32 NJR 2336, Proposed N.J.A.C. 7:15-2.6(g)2

⁶ 32 NJR 2336, Proposed N.J.A.C. 7:15-2.6(g)8

⁷ Gardner, John W., p. 149-152.

⁸ As amplification, the Raritan Project covers 1,100 square miles. It is likely that a large number of committees will be formed – by topic, area, or both. Over a three-year period, that equates to a very large number of meetings and a cost that probably would sap the project's ability to do anything but meetings if professional facilitators were used at all meetings.

⁹ 32 NJR 2336, Proposed N.J.A.C. 7:15-2.6(d) and (f), respectively.

¹⁰ 32 NJR 2335, Proposed N.J.A.C. 7:15-2.6

¹¹ 32 NJR 2339, Proposed N.J.A.C. 7:15-4.1(d)

¹² 32 NJR 2336, Proposed N.J.A.C. 7:15-2.6(i)