

SOUTH FLORIDA ECOSYSTEM RESTORATION TASK FORCE

Dispute Resolution Protocol DRAFT Team Directive

February 2001

BACKGROUND:

Under the Water Resources Development Act of 1996, the Task Force is charged to, “facilitate the resolution of interagency and intergovernmental conflicts associated with the restoration of the South Florida ecosystem among agencies and entities represented on the Task Force.” Conflict resolution has been, is and will remain an essential condition in assuring progress and success in implementing ecosystem restoration in South Florida.

Between 1996 and 2000, the Working Group has had many successful efforts with resolving disputes. Some examples of these successes include the Homestead Air Force Base issue, the Lakebelt issue, and the efforts of the Working Group to prioritize land acquisition needs in South Florida.

In April 1999, the GAO published a report concluding that, “the timely resolution of disputes regarding the South Florida ecosystem restoration is important to avoid cost overruns and unnecessary delays in attaining the goals and benefits of the initiative.” Subsequently, the Congress noted the GAO recommendations and directed efforts to develop recommendations for resolving the most difficult conflicts. Congress in the FY 2000 Appropriations Bill directed the Secretary of the Interior to develop recommendations in consultation with the other major partners in this effort for resolving the most difficult conflicts.

In May 2000, the Task Force had detailed discussions about dispute resolutions and then directed a follow-on effort to develop recommendations for its consideration. An expert panel was formed and its recommendations were submitted to the Task Force in January 2001. The Task Force accepted this report and directed the Working Group to follow up on the recommendations. This Task Team was developed to respond to this Task Force request.

PURPOSE:

The Dispute Resolution Protocol Team will develop for Working Group approval, proposed protocols, procedures and guidance to facilitate the resolution of interagency and intergovernmental conflicts associated with the restoration of the South Florida ecosystem.

DISPUTE RESOLUTION PROTOCOL TEAM MEMBERS:

Joan Lawrence, SFWMD – Chair
Terry Rice - Miccosukee Tribe
Sue Alspach – DERM
Neal McAiley – DOJ
Rock Salt – OED
Craig Tepper or Patty Powers – Seminole Tribe
Rick Smith – Governor’s Office
Marsha Bansee – OED

*Any working group member can appoint someone to this team by contacting Marsha Bansee at 305-348-1665.

GUIDANCE:

- a. The team will develop proposed protocols and procedures for selecting and addressing conflicts issues.
- b. The team will develop guidance protocols to assure sufficient documentation and other information is provided to assure the Working Group a clear understanding of the conflict issues, which have been selected for facilitation.
- c. The team will develop proposed guidance on how to deal with issues which are already the subject of litigation.
- d. The team will propose recommendations on how best to work with the Corps of Engineers and the South Florida Water Management District in helping to facilitate the resolution of conflicts related to the Comprehensive Everglades Restoration Plan.

DELIVERABLES:

The team should provide a written report of its recommendations to the Working Group by April 2001.

ADMINISTRATIVE INSTRUCTIONS:

- a. If the team desires to expand its membership, the chair should notify the Working Group Chair and coordinate with the Office of the Executive Director for additional guidance.
- b. Appropriate Public communication process and notification should be adhered to.
- c. The Office of the Executive Director will provide staff and administrative support to the committee.
- d. The chair should coordinate with the Office of the Executive Director (Rock Salt or Marsha Bansee 305-348-1665) to receive additional administrative instructions or to arrange for additional support needs for the team.

SIGNED BY:

Chair, Working Group.