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INTRODUCTION

How To Use This Report

In July 1998, the U.S. Environmental Protection Agency (EPA) asked CONCUR, Inc. to assess the potential for the Fort Ord Restoration Advisory Board (RAB) to operate more effectively. This report summarizes our key findings and recommendations.

The report -- prepared by CONCUR under a national contract between EPA and RESOLVE, Inc. -- is organized into five sections:

Section One: Introduction

This section provides an overview of the full report and offers some suggestions for working through the findings and recommendations.

Section Two: Draft Overarching Recommendations

This section summarizes our ten overarching recommendations. Each recommendation is followed by: 1) a brief rationale; 2) a listing of the key findings in Section Four that relate to this recommendation; and 3) some specific possible actions the RAB may want to consider at a later date to implement the recommendations.

Section Three: Report Methodology

This section explains the methodology used in drafting the key findings detailed in Section Four.

Section Four: Overarching Findings

This section summarizes the overarching findings developed primarily through more than two-dozen extensive stakeholder interviews, as well as a review of numerous background materials and observations of several RAB meetings.

Section Five: Worksheet

This section provides worksheets to help members begin focusing their comments and proposed revisions to the ten overarching recommendations listed in Section Two.

We recognize that, in reading this report, the RAB is engaging difficult material, and we thank you for your willingness to work together with us in this endeavor. We have tried hard to present the findings and recommendations in a manner that is as sensitive and constructive as possible. Our goal is to further the RAB's deliberations and to help you create a foundation for future success.

At the same time, we have tried to honestly reflect the various perspectives and opinions we have heard over the past two months. Our professional experience has shown that any effort to change the way the RAB operates must be informed by a frank assessment of its past and current efforts.

We will be working hard over the next few weeks to create a structure for the November 9 meeting that will help the RAB work through this material. In that spirit, as you review this report and begin planning for the November 9 meeting, we offer some suggestions for you on how to use this report as productively as possible.

- **First, focus on the draft overarching recommendations.** These recommendations represent the most critical part of this report, offering ten overarching suggestions for reshaping the RAB's current operations and moving forward. We present these recommendations in draft form, as we expect and invite your involvement in using the bulk of the November 9 meeting to build consensus around these suggestions.
- **Second, recognize the link between the finding and recommendations.** The ten overarching recommendations are developed directly from the overarching findings highlighted in Section Four. Though we have used our expertise in environmental dispute resolution to craft these recommendations, it is really the perspectives and opinions offered during our interviews with RAB members and other key stakeholders that inform and shape these key recommendations. To underscore this point, we have included a list of relevant findings under each recommendation. We encourage you to move back and forth between the recommendations and findings sections.
- **Third, engage the findings openly.** The findings section is designed to reflect and crystallize the range of perspectives offered in the stakeholder interviews. As a result, it almost certainly incorporates opinions that are not shared by all. We encourage you to review the findings with an open mind, keeping in mind that:

the findings section is designed to capture the various perspectives of those interviewed; it does not judge those opinions; and,

the various responses and opinions do not necessarily come from "obvious" groups who might have expressed such views in the past (i.e., Army, RAB community member, etc.). In other words, we ask that you not assume that you can correctly guess who offered a particular insight. More importantly, it is the collection of views that we ask you to consider.

Again, we thank you for your willingness to engage these important issues, and we look forward to working together to strengthen the process and effectiveness of the Fort Ord Restoration Advisory Board.



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OVERARCHING RECOMMENDATIONS

Overarching Recommendation:

In July 1998, the U.S. Environmental Protection Agency (EPA) asked CONCUR, Inc. to assess the potential for the Fort Ord Restoration Advisory Board (RAB) to operate more effectively.

Over the past two months, CONCUR -- working under a national contract between EPA and RESOLVE, Inc. -- has conducted a detailed assessment that included 27 extensive stakeholder interviews, review of background documents and attendance at several RAB meetings. Based on this assessment, we believe that -- with commitment to substantial changes that address Mission, Membership/Linkages to Community, Procedures/Ground Rules and Information Sharing -- the Fort Ord RAB can work more productively, contributing to and even leading the community's ongoing discussions about base cleanup-related issues.

Rationale:

The general recommendation above -- and the more detailed suggestions that follow -- are not offered lightly. Our key findings, outlined in Section Four (Overarching Findings), portray an advisory board currently beset by personality and process disputes that undermine its ability to help the community understand and contribute to the ongoing clean-up efforts. Among the more sobering findings:

- Current ground rules and procedures seriously hinder the group's effectiveness, exacerbating process disputes and minimizing substantive discussions on clean-up issues;
- RAB membership does not reflect the broader community and is perceived as largely ineffective at gauging and communicating residents' concerns; and
- No one group participating in the RAB -- community members, regulatory agencies or U.S. Army -- is seen as being particularly effective or committed to the process.

These findings are significant, and suggest three possible responses: 1) working with the current RAB to fundamentally change the way it operates; 2) disbanding the existing RAB entirely; or 3) continuing the RAB as-is, while seeking complementary efforts to engage the public in clean-up operations.

It is our belief that the first option -- working with the current RAB -- while the most challenging, is also the most appropriate path to pursue at this time. In reviewing the findings in Section Four, it is our assessment that the RAB continues to offer the most viable path for meaningful community input. This conclusion is driven by the following significant findings:

- RAB members -- both community and ex-officio -- generally interpret the RAB's mission similarly: To conduct a genuine/honest dialogue on clean-up related issues.

- There is broad support among those interviewed to fundamentally reshape the way the RAB operates, including the use of an external facilitator, relying on more informal ground rules and revising procedures to be more inclusive.
- A wide cross-section of interviewees endorse broadening the RAB's current membership to include individuals who: 1) maintain strong links with community groups; 2) are interested in the issues and/or can add technical expertise; and 3) more truly reflect the community's diversity.
- Interviewees overwhelmingly support using joint fact-finding as a strategy for improving the way the RAB carries out its information-sharing function.

These findings are important, and offer -- in our opinion -- a foundation for moving forward. So, too, does the substantial body of work that has been written on restoration advisory boards. Numerous studies and reports offer thoughtful suggestions for framing and working through the Ft. Ord RAB's challenges.¹ It is our strong recommendation that the Ft. Ord RAB draw on these lessons -- and some of its own past experiences -- as it moves forward. It might also be advisable to invite members of other RABs to share their lessons directly.

The following pages lay out a handful of broad overarching recommendations for the RAB members -- both community and ex-officio -- to consider as they move forward. Each recommendation is followed by a brief rationale, as well as a listing of the relevant findings from Section Four of this report. As well, we offer some specific actions the RAB may wish to consider to implement the various recommendations. Our recommendations, like our findings, are structured around four main themes.

- Commitment to Mission
- Membership/Linkages to Community
- Procedures/Ground Rules
- Information Sharing

We are committed to working with the Fort Ord RAB to engage these issues and to begin shaping a process that will ultimately provide the affected communities with a more effective approach for addressing Fort Ord's difficult but important clean-up issues.

¹ Documents and resources include, among others: Final Report of the Federal Facilities Environmental Restoration Dialogue Committee; the Department of Defense Web Page; and Stakeholder Participation in the Toxic Cleanup of Military Facilities and its Relationship to the Prospects for Economic Reuse: The Case of Fort Ord, California.

Recommendations: Commitment to Mission

Recommendation One: *Reaffirm RAB's mission and key stakeholders' commitment to the restated mission.*

Rationale: Actual and perceived disagreements over mission seriously undermine the RAB's operations. Broad agreement over mission is essential if the RAB is to move forward productively.

Relevant Findings: Findings One, Two, Three

Action Steps: Possible steps to carry out this recommendation include:

- Drafting/ratifying new mission statement. This effort should involve all community and ex-officio members, and should be consistent with RAB guidelines.
- Clarifying RAB mission in relation to the Technical Review Committee (TRC) and the Fort Ord Re-Use Authority (FORA). Consider developing linkages among the three groups.
- Devising/ratifying criteria that demonstrate RAB members' commitment to the mission. This should include clarifying roles of all RAB stakeholders - community and ex-officio.

Recommendation Two: *Devise benchmarks that enable the RAB to identify and develop opportunities to achieve and build upon successes.*

Rationale: The RAB is moving forward from a difficult past. There is little trust among participants. Adopting and adhering to benchmarks would build confidence and reinforce accountability among the key players involved with the RAB. They also would demonstrate to the community the RAB's revitalized effort.

Relevant Findings: All Findings

Action Steps: Possible candidate benchmarks include:

- Recruiting members based on new, broader criteria.
- Establishing/honoring timeline for the RAB to review and comment on upcoming clean-up decisions.
- Rethinking Base Cleanup Team(BCT) decision-making processes to make public both its agreements and disagreements.
- Developing protocol for the Army/regulators to respond to community clean-up concerns.
- Seeing RAB commitment to focus on substantive issues.
- Devising ground rules for sharing information, in light of FOTP lawsuit.
- Considering changes in representation to improve interpersonal dynamics and further the group's mission.

Recommendations: Membership/Linkages to Community

Recommendation Three: *Strengthen membership -- both recruitment and selection -- to incorporate individuals from a wide range of socio-economic groups, organizations and communities.*

Rationale: The current RAB is hampered by its diminished membership. Outreach is limited, few groups are represented, and some interviewees fundamentally question whether the RAB is an effective tool to engage the community in clean-up related issues.

Relevant Findings: Findings Four, Seven

Action Steps: Specific steps to revitalize membership could include:

- Establishing new guidelines for selecting members.
- Devising new recruiting strategies to attract diverse community members, up to a total of 24.
- Dedicating budget to support recruitment efforts.

Recommendation Four: *Clarify RAB (community and ex-officio) responsibilities and develop strategies to assess the effectiveness of current representation.*

Rationale: It is essential that the RAB understand and carry out its information-sharing responsibilities if the community is to be involved in the Fort Ord base clean-up. Currently, interviewees say RAB members do not carry out these responsibilities in a consistent and productive manner.

Relevant Findings: Findings Two, Four, Six, Seven, Eleven

Action Steps: Actions to carry out this recommendation could include:

- Outlining/ratifying RAB members' broad responsibilities -- community and ex-officio.
- Identifying/clarifying problematic/confusing roles.
- Rethinking current mix of representation.

Recommendation Five: *Provide training to improve the effectiveness of the RAB.*

Rationale: The RAB is asked to review highly technical information and, at least for now, to operate in an emotionally charged atmosphere. Little training is offered at this point to help the RAB improve its effectiveness in such a difficult setting.

Relevant Findings: Findings Two, Six, Seven, Nine, Eleven, Fourteen

Action Steps: Two possible trainings to offer include:

- In-depth orientation for new members on the substantive issues and institutional context of the base cleanup.
- Training in "Principled Negotiation" for community and ex-officio members.

Recommendations: Procedures/Ground Rules

Recommendation Six: *Restructure meeting procedures and ground rules to support a more informal, yet efficient collaborative process that minimizes interpersonal and process disputes and focuses attention instead on base clean-up issues. Changes will need to be introduced slowly and with the full support of the RAB.*

Rationale: The current meeting structure imposes a formal and minimally-adhered-to set of ground rules and procedures that most of those interviewed feel undermine the RAB's effectiveness and efficiency.

Relevant Findings: Findings Eight, Nine, Ten, Fourteen

Action Steps: Possible steps to carry out this recommendation include:

- Using an outside facilitation team to help run meetings.
- Replacing Robert's Rules of Order with more informal, yet specific consensus-decision-making ground rules that address issues such as "Representation and Participation," "Information Sharing" and "Personal Conduct." Use formal votes sparingly.
- Replacing formal meeting minutes/transcripts with concise memoranda, prepared by a neutral facilitation team, that highlight meeting outcomes, issues and next steps.
- Developing and adhering to schedules and procedures for setting, notifying and holding RAB and committee meetings.
- Devising new approach for setting agendas that allows for broader participation among RAB members and focuses the meeting time on substantive issues.
- Exploring possible meeting venues that offer a neutral, consistent and convenient setting.

Recommendation Seven: *Clarify and revise, as needed, the process by which the RAB budget is set and allocated.*

Rationale: The RAB budget is currently administered unilaterally by the Army. With little control over its own budget, it is difficult for the RAB to plan for and carry out basic functions such as outreach and member recruitment.

Relevant Findings: Findings Six, Seven, Eleven, Fourteen

Action Steps: Specific steps to address this recommendation could include:

- Identifying the RAB's budgetary needs.
- Clarifying the Army's funding available to support the RAB.
- Identifying other sources available to support the RAB.
- Developing a shared strategy for budgeting and allocating funds to the RAB.

Recommendations: Information-Sharing

Recommendation Eight: *Identify remaining Fort Ord clean-up issues appropriate and timely for RAB review and input.*

Rationale: Most of those interviewed agree that a handful of key issues -- prescribed burns, unexploded ordnance and groundwater contamination-- still need further community input. There is wide disagreement over the scope of other issues still to be considered.

Relevant Findings: Findings One, Three, Twelve

Action Steps: Possible actions to carry out this recommendation include:

- Clarify public awareness/input into previous clean-up decisions and determine need to review further.
- Develop/ratify list of issues still on the table, as well identify criteria and procedures for adding/deleting issues.

Recommendation Nine: *Develop/formalize a process to ensure community members have an opportunity to help shape the Army's clean-up of Fort Ord. Utilize joint fact-finding as a strategy to strengthen the technical foundation of policy decisions.*

Rationale: The current process for engaging the community in clean-up decisions falls short in several important respects. Presentations to the RAB are often ineffective, outreach to the community is limited, and there appears to be little productive discussion around clean-up issues.

Relevant Findings: Findings One, Two, Six, Twelve, Thirteen, Fourteen

Action Steps: Possible steps to implement this recommendation include:

- Establish joint fact-finding² as a strategy for identifying and exploring areas of agreement, disagreement and uncertainty. Formalize this effort through the RAB agenda.
- Develop/adhere to timelines to ensure RAB has sufficient time to review and provide feedback on planned clean-up decisions without compromising timely clean-up decision-making.
- Improve quality of military information-sharing, with particular emphasis on: 1) clarity; 2) synthesis; 3) timeliness; and, 4) responsiveness. Broaden use of overheads, handouts, executive summaries and pre-meeting briefings.
- Clarify/ratify RAB members' outreach responsibilities, developing clear strategies and allocating budget for disseminating clean-up information to affected/interested community members.
- Build teams of technical experts and RAB members to jointly explore and present issues to the public.
- Develop strategy for minimizing the impact of the FOTP lawsuit on information-sharing with the RAB.

Recommendation Ten: *Restructure regulators' involvement with the RAB so they are more engaged in assisting and informing RAB discussions.*

² Joint fact-finding is a process by which stakeholders commit to build their mutual understanding of contested technical information. Specific efforts are made to clarify and then to narrow areas of technical uncertainty and disagreement. Specific efforts are made to coach and rehearse presenters, and to "translate" technical information into a form all stakeholders can understand. An explicit effort is made to avoid "adversary science" where competing experts debate but do not explain differing conclusions.

Rationale: Under current RAB procedures, Army and regulators currently present clean-up plans to the RAB only after they have hashed out internal differences at closed-door BCT meetings. This process, though said to be effective in building cohesion among the clean-up team, creates a perception that the RAB serves only a rubber-stamp function and clean-up decisions are a *fait-acomplis*.

Relevant Findings: Findings Two, Three, Six, Eleven, Fourteen

Action Steps: Possible steps to carry out this recommendation include:

- Structure BCT workplans to allow an interval of public review and comment -- along with time to digest and respond to comments -- before key decisions are finalized.
- Acknowledge and clearly communicate internal BCT differences over clean-up plans.
- Involve the RAB in BCT meetings, even if only as observers.
- Respond to RAB clean-up concerns -- either by amending the plans or clearly explaining why suggested changes are not necessary.
- Provide greater technical support to the RAB.



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RESEARCH METHODOLOGY

Background:

In July 1998, the U.S. Environmental Protection Agency asked CONCUR to provide diagnostic support to the Fort Ord Restoration Advisory Board (RAB). Specifically, the U.S. EPA asked CONCUR -- under a national contract between EPA and RESOLVE, Inc. -- to take an in-depth look at the RAB's operations and develop process recommendations to improve its effectiveness. The summary in Section Four of this report represents a synthesis of the key findings developed by CONCUR over the past two months.

Approach:

To develop the findings, CONCUR conducted extensive, *confidential* interviews with members of the Fort Ord Restoration Advisory Board (RAB), ex-officio members, EPA and U.S. Army officials, former RAB members and other key stakeholders. The full list of interviewees was developed with input from both ex-officio and community RAB members.

A total of 27 interviews were conducted, with most interviews lasting between one to two hours. An extensive survey instrument was used to structure most of the interviews, with 42 questions organized into six key areas:

- Meeting Logistics
- Bylaws, Procedures and Ground Rules
- Information/Information Sharing
- Membership
- Clarity of Roles/Interests
- RAB Mission/Outcomes

Additionally, all of those interviewed were given an opportunity at the end of the interview to raise any other issues related to the Fort Ord RAB -- either process or substantive.

These interviews serve as the underpinning of our findings, offering a detailed look at both the RAB's history and stakeholders' opinions and perspectives. (Attachment A at the end of Section Four lists those interviewed; Attachment B, also at the end of Section Four, presents a copy of the survey instrument used to guide the interviews.) The findings below include extensive quotes from interviewees, though none of the comments are attributed to specific individuals.

The findings outlined below also are informed by our review of dozens of background documents related to the RAB and our observation of two RAB meetings and one public informational meeting related to the Fort Ord base clean-up. (A list of background documents reviewed is attached. See Attachment C at the end of Section Four.)

Two final notes on our approach:

- Our findings represent a synthesis of the dozens of comments we received during our extensive interviews. Though many specific stakeholder comments are, by necessity, not included in this report, our findings and recommendations are informed by these rich perspectives.
- Wherever possible, we have attempted to quantify the results of our findings. (That is, we state a finding in the following manner: *xx* of *xx* respondents offered a particular viewpoint.) However, as our aim was to solicit detailed opinions and not force respondents into multiple choice-type responses, we asked only open-ended questions in our stakeholder interviews. As a result, it is not always possible to completely quantify all responses to all questions.

The findings presented in Section Four are organized into four broad categories:

- Commitment to Mission
- Membership/Linkages to Community
- Procedures/Ground Rules
- Information Sharing

It is our belief that these headings provide a useful framework for: 1) organizing the many issues related to the RAB's operations; and, 2) shaping possible process improvements.

Overarching Findings: Commitment to Mission

Finding

One: *Though there is a strong perception that there is fundamental disagreement over the mission, most of those interviewed generally interpret the RAB's mission similarly.*

At least eight of those interviewed say they do not believe there is consensus on the RAB regarding its mission. No one interviewed perceives the RAB as having a mission statement widely supported by all stakeholders.

At the same time, the majority of those responding to this issue -- 13 of 18 -- generally defined the RAB's mission similarly: To conduct a genuine/honest dialogue on clean-up related issues. For these individuals, "genuine/honest dialogue" typically means:

1. Getting thorough and timely briefings on pending clean-up issues;
2. Providing community perspectives related to these pending issues; and,
3. Having the Army and other regulators seriously consider, respond to and engage the RAB regarding its concerns and guidance.

As one RAB member says: "Our job is to get information, give information, and get information/feedback back from the military regarding how they are handling our concerns and suggestions...We need to work together to develop alternatives."

Most described the RAB as having -- at most -- the "power of persuasion," rather than a formal veto power over clean-up decisions. Only one respondent believes the RAB has a formal oversight function, only one believes the RAB has formal purview over re-use, and only three say the RAB's emphasis should be on building community understanding of the cleanup, not providing input.

Several note the need to clarify the mission with respect to the Fort Ord Re-use Authority (FORA), the Technical Review Committee (TRC) and the Base Cleanup Team (BCT). As one interviewee says, focusing in particular on the relationship between FORA and the RAB: "Information needs to flow several times around -- from the RAB to FORA and from FORA to the RAB -- to make sure the issues related to clean-up and re-use are fully digested....You can't de-link these groups."

Finding

Two: *Respondents generally define "commitment" to the RAB and its mission similarly, though most of those interviewed do not believe RAB members currently exhibit such a commitment.*

When asked how members of the RAB can best demonstrate their commitment to and support of a collaborative process, interviewees most frequently cite the following: acting professionally; understanding/accepting the group's goals; devoting time/energy to the effort; and maintaining an open attitude.

At the same time, 11 of 17 interviewees believe RAB members do not currently exhibit the elements of such a commitment. Only one person believes the RAB is currently exhibiting such a commitment, and five people offer a mixed assessment.

No one group within the RAB was perceived as being particularly effective or committed. Among the comments:

1. Thirteen interviewees say at least some RAB community members are interested in grandstanding, not dialogue. As one interviewee put it: "They can be very active and very persuasive or they can sit around like they do and just complain about stuff."
2. Ten interviewees say the regulatory agencies are not taking their watchdog role seriously, or -- at the least -- are not demonstrating this role openly. "We (the regulators) may have gotten used to not listening to the (RAB community members). We may have gotten into group think." Criticism is directed specifically at the BCT.
3. Ten interviewees characterize the Army as not seeking honest/genuine dialogue. Among the stronger comments: "The Army doesn't want to see it work; it's much easier for them to not have any public input."
4. A number of interviewees suggest the co-chair roles are not always clearly understood and carried out. According to some respondents, the effectiveness of the Army co-chair is hampered by what they see as the Army's overall *laissez-faire* stance toward the RAB. Other respondents, representing a range of interests, say the community co-chair's role in the FOTP lawsuit creates a perceived "conflict of interest" that compromises his effectiveness.

**Finding
Three:**

The Fort Ord RAB faces numerous challenges -- some common to RABs nationwide, many unique to Fort Ord. Nonetheless, many of those interviewed say the RAB has achieved some successes.

Several interviewees note that Fort Ord is wrestling with many of the same challenges facing RABs nationwide, including: perceptions that regulators are too closely aligned with the military; tensions over the difference between meaningful input into clean-up decisions and formal oversight; and the development of re-use plans prior to the identification and addressing of environmental concerns.

Other interviewees, while recognizing common challenges among RABs nationwide, characterize the Fort Ord RAB as being particularly ineffective compared to other RABs and public bodies. This assessment is shared across a wide range of interviewees. Among the strongest views: As many as five individuals interviewed believe the current RAB should be disbanded.

Despite these assessments, a number of those interviewed cite examples of successful RAB meetings and initiatives. Examples cited include: presentations on the landfill cleanup, development of an unexploded ordnance information brochure and discussions on lead-based paint. As one participant says, capturing the sometimes contradictory nature of the RAB: "With the Fort Ord RAB, nobody trusts each other. Everyone has their own agenda.....But, there's one thing to keep in mind. The RAB is working."

Overarching Findings: Membership/Linkages to Community

Finding

Four: *Interviewees say the current RAB membership represents only a limited segment of the area's affected communities and should be expanded.*

Interviewees say the current RAB represents few interest groups. When asked specifically what organizations or constituencies are now represented on the RAB, the primary responses from the respondents are: the Fort Ord Toxic Project (nine responses), the African American community in Seaside/Marina (six responses), regulatory agencies (six responses) and self (five responses).

Virtually all those interviewed say the current RAB membership should be broadened to include a more diverse group. Among the constituencies or organizations most frequently cited to add include:

- broad community/civic representation (13 responses)
- college/university representatives (5 responses)
- businesses (4 responses)
- environmental groups (4 responses)
- municipal representatives (3 responses)
- environmental justice groups (3 responses)

Finding

Five: *Many of those interviewed say the current criteria and procedure for selecting new members is problematic and should be revised to strengthen the RAB's overall effectiveness.*

Half of the 14 individuals responding to this question say they are unsure what criteria are used to select new members. Four individuals say the primary criteria is socio-economic status, with an emphasis on selecting minority community members. A number of individuals also say the selection process is not perceived as transparent or fair.

Respondents identified additional criteria to use when selecting new members. Most frequently cited criteria includes: ability to communicate with and represent broader community groups (8 responses); interest in and commitment to issues (6 responses); representing the community's diversity (6 responses); and ability to understand the materials (3 responses).

Overall, most interviewees feel the RAB should be a mix of individuals and those who represent broader groups. Several interviewees caution against putting too many officials on the RAB. "Putting officials and chambers of commerce on the group would weight the process too heavily away from citizens," says one interviewee.

Finding

Six: *There appears to be broad agreement regarding RAB members' responsibilities, though most of those interviewed do not believe current RAB members are currently carrying out these tasks.*

Interviewees appear to be in general agreement over RAB member responsibilities, describing RAB members' roles as: outreach (15 responses); participating in discussions and asking questions (14 responses); and reviewing documents and educating oneself about the issues (10 responses).

At the same time, nearly four-fifths of those interviewed do not believe most RAB members are currently carrying out those responsibilities. Obstacles to effective participation include: self-interest; lack of education; insufficient Army support; unclear mission; FOTP lawsuit; and Army/BCT perception of RAB as rubber-stamp process. A number of individuals interviewed cite certain community and ex-officio members as being particularly ineffective.

Moreover, more than half of those responding to this question (10 out of 17 responses) say RAB members are not clear on the interests they represent and, even when they are, no one interviewed believes most RAB members are able to effectively articulate those interests to others.

Finding

Seven: *Interviewees are interested in broadening the community's involvement with the RAB, though most recognize the difficulties in attracting new members.*

Overall, respondents express a strong interest in increasing the size of the RAB, with an aim towards:

- adding more technical expertise to the RAB;
- deepening RAB members' reach throughout the community;
- improving the RAB's credibility; and,
- shifting the RAB's current interpersonal dynamics by adding new members.

However, many of those interviewed say it will be difficult to add productive new members to the RAB. Reasons vary, but include: the RAB's current reputation and make-up; the limited training and support provided for new members; and community disinterest in the clean-up.

A number of individuals believe the Army, EPA and others must make new efforts to reach out to the community, if the RAB proves ineffective. "The RAB members need to commit to a general mission statement," says one participant. "If they can do that, we can really make a difference. If not, the Army and others will need to take more vigorous efforts at public outreach."

Overarching Findings: Procedures/Ground Rules

Finding

Eight: *Most of those interviewed believes the RAB's current meeting schedule is sufficient, though the RAB could use its time more efficiently.*

Most of those interviewed (16 responses) say the RAB needs to continue meeting in the evenings, due to community members' day-time constraints.

Ten individuals say the RAB should meet just once a month. Though four individuals believe the full RAB needs to meet more often to conduct its business, 11 individuals say monthly meetings will be sufficient if the RAB uses its meeting time more productively.

Ten individuals say Fort Ord offers a convenient and centralized location for RAB meetings. Five individuals strongly believe the meetings should be held off-base at a neutral site, suggesting that the Fort Ord venue undermines the RAB's effectiveness. A handful of others interviewed believe a *consistent* location is more important than the specific venue chosen.

Finding

Nine: *Current meeting procedures -- from using Robert's Rules of Order to agenda setting to meeting notification -- hinder the RAB's effectiveness.*

More than three-quarters of those interviewed believe the RAB's current bylaws and procedures -- including the use of Robert's Rules of Order -- hinder its operations. Just three see the current procedures as furthering the RAB's mission. Among the other observations:

- No one interviewed believes the current procedures are applied fairly and consistently, with nine people believing the bylaws and Robert's Rules of Order are deliberately misapplied.
- Nine interviewees see some value in having the RAB take formal votes, while seven say such votes are unnecessary. "You don't need a formal vote, but it's the only way for the RAB to be taken seriously," says one interviewee.
- Only five individuals believe the RAB's current agenda-setting practice -- set during a separately convened committee -- is effective. Most support changing the current practice. "Only two people are contributing [to setting the agenda] right now," says one respondent.
- Most of those interviewed say they would like to receive a meeting agenda and supporting materials at least one week ahead of time. In reality, only three people say they currently receive timely meeting notification for RAB meetings, and virtually everyone interviewed says the committee meeting process isn't working at all. Says one Army representative: "We often find ourselves supporting the RAB on a day or two's notice, and then we get accused of not supporting the RAB. That's very difficult."

At least three of those interviewed say the RAB's effectiveness is hindered more by individuals' behavior and the lack of an agreed-upon mission than by bylaws and procedures. These individuals and others cite a range of interpersonal dynamics that undermine the RAB's workings, including:

- overtly rude behavior and harassment, both in and outside RAB meetings;
- attacks on individuals' credibility;
- an overemphasis on process, rather than substance; and
- a lack of trust among individuals involved with the RAB.

Finding

Ten: *Most of those interviewed believe changes could be made to improve the way meetings are currently conducted, though it is unclear whether the RAB is willing to accept such changes.*

Virtually everyone interviewed supports the use of an outside facilitation team to help prepare for and/or manage the RAB meetings. Among the key findings related to outside facilitation include:

- Overall, 20 out of 22 respondents support an active role for an outside facilitation team.
- Fifteen out of 22 interviewed would like to see an outside facilitation team take on a strong role, such as helping run meetings and synthesizing key points. Out of those 14, however, five doubt the RAB's willingness to accept such strong facilitation.
- Five out of 22 interviewed would like to see an outside facilitation team take on a more limited role, providing guidance and advice to the co-chairs.
- Two individuals believe an outside facilitation team should only be involved in helping prepare for meetings.

Most of those interviewed supported changing a variety of other RAB practices and procedures, including:

- Adopting informal ground rules. Virtually everyone interviewed believe informal ground rules would help the RAB's operations, though at least half question whether such guidelines will be accepted.
- Using Key Outcomes memoranda. Nearly 90% of the respondents say they would prefer the preparation of Key Outcomes memoranda to formal transcripts. At the same time, 20% of those same individuals feel it is important to maintain transcripts until RAB members rebuild trust among one another.
- Revising agenda-setting process. Nine of 14 individuals say they want to see the full RAB set upcoming agendas, though four question the RAB's ability to add yet another item to its agenda.

Overarching Findings: Information-Sharing

Finding

Eleven:

The Fort Ord RAB is perceived as being only minimally effective at carrying out its information-sharing function.

Virtually all respondents say the RAB is largely ineffective at sharing information among members and with the broader community. Barriers cited vary, but include the following perceptions:

- Army unwilling to receive meaningful community input. At least 12 interviewees say the Army is not open to an honest dialogue with RAB community members. According to these individuals, the Army seems to be more concerned with turning over properties and proceeding with the shutdown of Fort Ord than taking the time to engage the RAB's issues.
- Outreach efforts by RAB community members are limited. Eleven individuals interviewed say RAB members are not effectively spreading information to the community regarding base clean-up issues nor relating community concerns back to the Army. Reasons cited include: the Army does not provide an adequate outreach budget; RAB members do not have clear links within the community; and RAB members do not have sufficient technical background to effectively disseminate the information to the wide community.
- Ineffective Army presentations. A number of interviewees say the Army is not as effective as it could be in presenting technical information to the RAB and responding to community questions and concerns. Part of the problem, interviewees say, is linked to the inherent challenge of bridging the wide range of expertise on the RAB. But eight respondents specifically cited the military presentations as being too technical. And even one senior official from the Army says its presentations and responses are often unnecessarily confusing: "We put in details and justifications when we could just answer clearly and directly," this individual says. "We need to not get so defensive."
- RAB community members are unwilling and/or unable to engage base clean-up issues. Nine of the interviewees say RAB members do not seem genuinely interested in a meaningful discussion of clean-up related issues. In some cases, interviewees say RAB members lack the background; the Army, for example, no longer provides in-depth training for new RAB members, most of whom do not have technical backgrounds. But others suggest some RAB members deliberately undermine the RAB's efforts.
- Timeliness. At least six individuals say the BCT does not give the RAB enough time to review and consider information before finalizing its Records of Decision (RODs). Others say the Army does try to present information early, but is often not allowed onto the agenda. Regardless, nearly all those interviewed say the RAB should be given ample time -- 90 days or so -- to engage an issue prior to a ROD being finalized.

Finding

Twelve: *With many clean-up issues still to consider, RAB members support joint fact-finding as a strategy for improving quality of information exchanged.*

Ten of 11 interviewees believe clean-up issues discussed by the RAB are marked by conflicting or competing information. Even more -- 13 of 15 -- believe future discussions could be improved by joint fact-finding. Says one interviewee: "I like the approach, especially outlining areas of agreement, disagreement and uncertainty."

It is less clear exactly what issues are appropriate for the RAB to address through joint fact-finding. Some believe just a handful of issues remain. Says one participant: "There's not much left for them to look at." Others see a potentially broad range of issues. Among the frequently cited issues include: unexploded ordnance, prescribed burns, groundwater contamination, lead-based paint, landfill and deed restrictions.

Finding

Thirteen: *There is general agreement that the Fort Ord Toxic Project's lawsuit is undermining current RAB operations, though it is unclear if the impact needs to be as significant as it currently appears to be.*

Twenty-one individuals -- more than two-thirds of the respondents -- say they believe FOTP's lawsuit impedes both the timeliness and quality of clean-up information presented to the RAB. Eight of those 21 offer the assessment that the lawsuit is being used as an excuse not to share information. Other respondents suggest that there may be cases where withholding information is appropriate, given the lawsuit. In fact, 13 people say the Army and affected regulators are acting responsibly in light of the lawsuit.

A number of individuals believe the lawsuit is a direct result of the RAB's failed process. "I fundamentally believe the litigation is a result of the RAB not functioning smoothly," says one interviewee.

Finding

Fourteen: *RAB members and other interviewees believe there are a number of ways to strengthen the RAB's information-sharing function.*

Interviewees offer numerous strategies for improving the RAB's information-sharing function, including:

- developing timetables for presenting information to the RAB, gathering community feedback and engaging community concerns;
- preparing more effectively for presentations, including the use of overheads, handouts and executive summaries;
- expanding the RAB's budget for outreach activities;
- broadening the RAB's membership to include members with relevant technical backgrounds;
- developing more effective meeting summaries, such as Key Outcomes memoranda; and,
- providing more thorough briefings for new RAB members.

ATTACHMENT A

Fort Ord Restoration Advisory Board List of Stakeholder Interviews

CONCUR conducted extensive, *confidential* interviews with members of the Fort Ord Restoration Advisory Board (RAB), ex-officio members, EPA and U.S. Army officials, former RAB members and other key stakeholders. The full list of interviewees was developed with input from both ex-officio and community RAB members. A total of 27 interviews were conducted.

INTERVIEWEE	AFFILIATION
RAB EX-OFFICIO MEMBERS	
John Chestnut	U.S. EPA
Steve Endsley	FORA
Grant Himebaugh	CRWQCB
Bill Kilgore	DTSC
Gail Youngblood, Army Co-Chair	U.S. Army
RAB MEMBERS¹	
Scott Allen, Community Co-Chair	Monterey Peninsula Resident
Richard Bailey	Monterey Peninsula Resident
Pat Cotter	NOAA
Curt Gandy	Monterey Peninsula Resident
Patricia Huth	Monterey Peninsula Resident
Steven Starks	Monterey Peninsula Resident
LeVonne Stone	Monterey Peninsula Resident
Howard Tsuchiya	Monterey County Health Department
FORMER RAB MEMBERS	
Cathy Duncan	Monterey Peninsula Resident
Virginia Fry	Monterey Peninsula Resident
Scott Hennessy	California Department of Fish and Game
U.S. ARMY	
Col. Peter Dausen	Presidio of Monterey
Lyle Shurtleff	Presidio of Monterey
Jim Willison	Presidio of Monterey
U.S. EPA	
Dan Opalski	Region IX
Rich Seraydarian	Region IX
Lida Tan	Region IX, Former Ex-Oficio Member
Dorothy Wilson	Region IX
OTHERS	
Donna Blitzer	Office of Representative Sam Farr
Debra Mickelson	Monterey Peninsula Resident
Christine Shirley	ARC Ecology
Lenny Siegel/Aimee Houghton	CareerPro

¹ CONCUR strove to interview all current members of the RAB. Despite repeated efforts, it was not possible to arrange an interview with RAB Community Member Wendell Brown.

ATTACHMENT B

Fort Ord Restoration Advisory Board CONCUR Instrument for Key Stakeholder Interviews

The Stakeholder Interview is organized into two parts. The first section focuses on background information. The second part focuses on Fort Ord-related issues. Topics covered during the interview include:

- Meeting Logistics
- Bylaws, Procedures, & Ground Rules
- Information/Information Sharing
- Membership
- Clarity of Roles/Interests and Interpersonal Dynamics
- RAB Mission and Its Interpretation/RAB Outcomes

PART I - BACKGROUND INFORMATION

1. Background: Please tell us a little about your professional background and your involvement with the Fort Ord RAB.

PART II -- FORT ORD RAB-SPECIFIC CONSIDERATIONS

Meeting Logistics (Time, Place, Duration, Focus, Notification):

In our experience, meeting logistics can play a crucial role in supporting or hampering a group's effectiveness. The first set of questions seeks your perspective on a wide range of issues related to meeting logistics.

2. As we understand it, the RAB's current practice is to meet one night per month for 3 to 3 1/2 hours. Our observation is that this block of time is not always long enough to cover the full agenda. We also understand there are constraints related to late night meetings. Would you be open to changing the meeting starting time to, say, 4 p.m. or so? Would you be open to concluding the meetings at 9:00 p.m., if necessary?
3. Alternatively, would you be open to monthly meetings held in the afternoon, say, from 1 to 6 p.m.?
4. It seems that many RAB meetings are currently held at Fort Ord. Is this venue a workable one for you or would you prefer another location?
5. We understand it is the practice of the RAB to convene a separate agenda setting meeting. Other collaborative bodies use a variety of other methods to set agendas: conducting conference calls or reserving the last 15 minutes of the RAB meeting to set the upcoming agenda. Would you be willing to/interested in considering such an alternative for setting the RAB's agenda?

6. How much lead time would you like to receive a meeting agenda and supporting materials? In practice, how much notification do you receive? For full RAB meetings? For committee meetings?

7. As you may know, a number of RAB members have expressed interest in having external facilitators run future RAB meetings. If neutral facilitators are asked to assist the group, how would you see them interacting with the co-chairs? How would you see them interacting with the existing staff support provided by the Army? With the RAB members?

8. It is the current practice of the RAB to produce a concise set of minutes. Some RAB members have asked for detailed meeting transcripts. Another way to maintain a record of meeting results is to produce a Key Outcomes memorandum which highlights the conclusions and key points raised within each discussion. This document is typically put together by the neutral facilitators. Do you think this might be an effective way to summarize RAB meeting results?

Bylaws, Procedures and Ground Rules:

Bylaws and procedures play an important role in shaping the way collaborative groups pursue their missions. The next set of questions seeks to better understand your views on the bylaws currently used to guide the RAB.

9. Our understanding is that the RAB's current bylaws rely on a variation of Robert's Rules of Order. How have these bylaws contributed to or hindered the fulfillment of the RAB's mission?

10. Is it essential that the RAB make decisions using formal motions and votes?

11. In your opinion, have these bylaws been consistently and evenly applied?

12. Are there any amendments or revisions to the bylaws you would support? How about revisions to the way the existing bylaws are applied?

13. Another approach to establishing protocols for groups like these is to establish more flexible ground rules. Typically, ground rules such as these address issues like "Representation and Participation," "Information Sharing," "Media Contact," and "Personal Conduct." Would it be valuable to you to know more about the different kinds of ground rules used to guide other collaborative groups? Do you think ground rules such as these might be effective with the Fort Ord RAB?

Information and Information Sharing:

As we understand it, the core purpose of RABs nationwide is to further the exchange of information between the military and affected communities regarding base cleanups. The next series of questions attempts to gain your views on information sharing with the Fort Ord RAB.

14. In general, how well has the RAB fulfilled these information-sharing functions and in what ways has it fallen short?

15. What are your suggestions for improving the exchange of information?
16. It is our observation that RAB members wish to get written information to assist their deliberations. Do you think it would be helpful to develop information keyed to specific agenda items in advance of meetings? Has this been done in the past?
17. The RAB has been asked to engage in a series of highly technical issues. In general, do you believe the level of technical detail is about right for the material presented to the RAB? Too complex? Would it benefit from being presented in terms more accessible to the general public?
18. What formats do you find particularly useful when being presented with technical information (maps, tables, short memos)? Is enough information presented in these formats to the RAB? Should formats such as these be used more often?
19. In your view, would it be most useful to have technical information presented by RAB members or experts with training in the subject matter?
20. What are the issues related to the Fort Ord base cleanup that lend themselves to technical information and presentations?
21. Are these issues marked by contested or conflicting information?
22. In our work, we have found that one way to handle highly technical and contested issues is through joint fact-finding. Are there particular issues that you think would lend themselves to this kind of approach?
23. What other steps could be taken to improve access to timely and relevant information?

Membership:

This next set of questions focuses issues tied to RAB membership.

24. What organizations/constituencies do you believe are currently represented on the RAB?
25. Are there any significant organizations/constituencies, if added, could improve the effectiveness of the RAB? (Possible examples: community groups, cities, colleges, special districts, business interests)
26. What are the responsibilities of RAB members?
27. What is your perception of how RAB members currently carry out these responsibilities?
28. What is your understanding of the criteria used to appoint RAB members?
29. In your judgment, do the current RAB members match that criteria?
30. Should the criteria be amended at all?

Clarity of Roles/Interests and Interpersonal Dynamics:

In our experience, collaborative bodies are most effective when stakeholders are clear about their interests and roles and communicate them effectively to others. This next set of questions seeks to better understand RAB members' interests, roles and interpersonal dynamics.

31. In general, do you believe RAB members are clear on the interests they are speaking for at the RAB meetings? In general, are RAB members effective in communicating these interests to their colleagues on the RAB?
32. In your view, are the roles of the RAB co-chairs clearly understood and carried out?
33. What roles do you see the Army fulfilling as a RAB member? How do you see the EPA relating to the Army? Other agencies? Community RAB members? (Follow with similar questions on the roles carried out by the EPA and other state/city county agencies.)
34. What role do you think members of the public can fulfill at RAB meetings?
35. Many people on the RAB have long-standing interests in the operation and cleanup of Fort Ord. Not surprisingly, therefore, tensions have arisen over issues tied to Fort Ord's reuse. In general, do you think the RAB has an effective mechanism to deal with interpersonal tensions when they arise? What specific steps could be taken to reduce the level of personal animosity and increase the effectiveness of RAB operations?

36. Does FOTP's pending litigation against the Army in any way cloud or complicate the RAB's operations? If so, what might be a way to bring additional clarity to this situation?

RAB Mission and Its Interpretation/RAB Outcomes:

The RAB's overarching mission, as we understand it, is to facilitate communication between the community and the military regarding the cleanup of Fort Ord. We would like to explore this topic a bit further with you.

37. It is our observation that some RAB members believe that the mission of the RAB is to facilitate the sharing of information, while other RAB members believe the RAB's role is to provide an oversight function. What do you see as the RAB's mission? Has the RAB produced outcomes consistent with this mission? If not, why not?

38. What do you see as your personal interests as a RAB member? What kinds of outcomes would be consistent with those interests? What, in your opinion, would be the best possible outcome of the RAB's work?

39. In order for the collaborative process to work, each member must be committed to the group. In your view, what are the elements of such a commitment? Do RAB members exhibit these commitments? Are there areas where members of the RAB are particularly strong or weak?

General/Concluding Questions:

40. Are there any other process-related issues you'd like to mention?

41. Are there any other issues/concerns related to the Fort Ord RAB you'd like to address at this time?

42. As part of our earlier work, we've reviewed dozens of documents related to the Fort Ord RAB and RABs in general. Are there any specific documents you'd recommend we review?

CONCLUSION

Thank you very much for your time.

**Fort Ord Restoration Advisory Board
WORKSHEETS**

The worksheet below is provided to help Fort Ord Restoration Advisory Board members deliberate in a focused manner on the overarching recommendations. To encourage a discussion that is as productive as possible, we encourage RAB members to use the right-hand column to note their comments and proposed revisions to the ten overarching recommendations included in this report.

RECOMMENDATIONS	COMMENTS/PROPOSED REVISIONS
<p><u>Recommendation One:</u></p> <p>Reaffirm RAB’s mission and key stakeholders’ commitment to the restated mission.</p>	
<p><u>Recommendation Two:</u></p> <p>Devise benchmarks that enable the RAB to identify and develop opportunities to achieve and build upon successes.</p>	
<p><u>Recommendation Three:</u></p>	

RECOMMENDATIONS	COMMENTS/PROPOSED REVISIONS
<p>Strengthen membership -- both recruitment and selection -- to incorporate individuals from a wide range of socio-economic groups, organizations and communities.</p>	
<p><u>Recommendation Four:</u></p> <p>Clarify RAB (community and ex-officio) responsibilities and develop strategies to assess the effectiveness of current representation.</p>	

RECOMMENDATIONS	COMMENTS/PROPOSED REVISIONS
<p><u>Recommendation Five:</u></p> <p>Provide training to improve the</p>	

RECOMMENDATIONS	COMMENTS/PROPOSED REVISIONS
<p>effectiveness of the RAB.</p>	
<p><u>Recommendation Six:</u></p> <p>Restructure meeting procedures and ground rules to support a more informal, yet efficient collaborative process that minimizes interpersonal and process disputes and focuses attention instead on base clean-up issues. Changes will need to be introduced slowly and with the full support of the RAB.</p>	

RECOMMENDATIONS	COMMENTS/PROPOSED REVISIONS
<p><u>Recommendation Seven:</u></p> <p>Clarify and revise, as needed, the process by which the RAB budget is set and allocated.</p>	
<p><u>Recommendation Eight:</u></p> <p>Identify remaining Fort Ord clean-up issues appropriate and timely for RAB review and input.</p>	

RECOMMENDATIONS	COMMENTS/PROPOSED REVISIONS
<p><u>Recommendation Nine:</u></p> <p>Develop/formalize a process to ensure community members have an opportunity to help shape the Army's clean-up of Fort Ord. Utilize joint fact-finding as a strategy to strengthen the technical foundation of policy decisions.</p>	
<p><u>Recommendation Ten:</u></p> <p>Restructure regulators' involvement with the RAB so they are more engaged in assisting and informing RAB discussions.</p>	