

ANNOUNCER: Our next panel, Cooperative Conservation Reflections from Across the Landscape, features six highly respected individuals who will share their views on cooperative conservation. Please welcome Mandy Roberts Metzger of the Diablo Trust, Larry Schweiger from the National Wildlife Federation, Stephen McCormack representing the Nature Conservancy, David Troutt of the Nisqually River Council and the Nisqually Indian Tribe, David Struhs (PH) from International Paper Company, and our moderator, the Chairman of the Washington State Salmon Recovery Funding Board, Bill Ruckelshaus.

MR. RUCKELSHAUS: Good morning to all of you. We have a panel that is far more experienced and distinguished than their one-line introduction would suggest. I think you'll find that out as we go along and listen to their observations on the kind of work we've been engaged in, in the last couple days.

Over the last 25 years, I think certainly at the start with increasing frustration with the traditional ways of resolving disputes in our society whether through courts or legislatures, and people being sort of fed up with confrontation often with their neighbors over issues that were possible to solve, we turn to collaboration or cooperative conservation as it's called here. But it wasn't just limited to natural resource, environment, and conservation kind of issues, the efforts as using collaborative processes to solve disputes really extended well beyond just those very important but relatively narrow issues of conservation and environment and resources.

We looked at a whole host of problems and as it became apparent over that 25 or 30-year period that there was tremendous potential in the use of these collaborative processes, to get people to sit down together, put their interests up on the table, find out whether those interests could be harmonized with one another or at least could be made to fit together toward the resolution of a problem that faced those people, returned increasingly to these processes as ways of moving forward.

I think whence this conference. The Administration, I think, deserves tremendous credit for having pulled this group together. I must say of all the conferences I've attended in my life, this is about the most disparate group of people that I've ever seen pulled together. Often conferences are around a theme but there will be people all with the same attitude about what should be done either to resolve a problem or to advance that particular theme.

Here we are and really what gathers us together is the fact that we believe, at least most of us believe that there are better ways of trying to move forward against intractable problems in our society and that these cooperative conservation approaches really make a lot of sense.

The Administration deserves credit as certainly does the President for the Executive Order which was issued last fall and which called for this conference. The Secretary of Interior, Gale Norton, Lynn Scarlett, the Undersecretary, the Deputy Secretary Jim Connaughton from CEQ, a whole host of people in the Federal government who have been instrumental in pushing the Executive Order and then putting this conference together deserve our enormous thanks, I believe. It gives us some sense of what's involved across the country, how many of these kinds of exercises are going on, what some of the real success stories are and what we can hope for in the future.

What you have either on your lap or in front of you or should have by this time, it depends on how quickly we can deliver all this material from the conference, are 72 two-page summaries of all of the breakout sessions that occurred yesterday. We started, of course, on the first day with some of the success stories. We were given a relatively thick book of the kinds of things in which these processes seem to work across the country and then we heard firsthand from some of the people who were engaged in these success stories, and then we had those breakout sessions yesterday and there are now two-page summaries of all. I think there are 72 of those breakout sessions total over the entire day.

We have four-page summaries of the nine major themes of the conference, so we certainly have enough background material to keep us going. Our panel has been asked to reflect on what we've heard, really what we've heard from you. We were up late last night, I hope not too late for the purposes of the panel but we were up late last night going over a summary of those 72 two-page documents and the -- and the four-page summaries of the nine major themes to try to pull out of them some major ideas, major concepts, themes, that you had talked to us about, that you had struck sort of collectively over the last couple of days.

So we're asking our panel to kind of reflect on some of those themes, to expand on those that are of interest to them and to sort of dive right in. I think what we're engaged in, in this country is a sort of massive

experiment in Jeffersonian democracy. We're tired of not being able to resolved some intractable problems in society, some of which cry out for solution, some of which I mentioned, have divided us very badly and we're kind of turning back to the past and developing a kind of 21st Century barn raising. How do we work together in order to try to solve problems as opposed to use instruments sometimes written into the Constitution like our judicial system, that often allow us to put our positions in front of judges who will decide them, those positions, almost by definition are irreconcilable.

If those positions are broken down into interests and we can look for ways to harmonize those interests in an essentially non-threatening environment, it's often amazing how much progress we can make, and I think in the last couple of days, particularly in the first day, we heard some of the magic that sometimes exists and comes out of these collaborative processes and is why it is so encouraging to people who have been watching this over the last couple of decades, so encouraging the potential that these kinds of processes have.

Well, without any further remarks from me, let's dive in here with our panel now. As I mentioned, their backgrounds are certainly much deeper than you could ever approach in the one-line introduction. David Struhs, I'll start with you. David has been the Department of the Environment, the equivalent of the EPA administrator in two states, Massachusetts and Florida. He's been the Chief of Staff in the Council on Environmental Quality. He now is the Vice President at International Paper, so he has experience in the government as well as in the private sector. He's seen these problems from a variety of perspectives.

David, I wondered, since you almost weren't introduced when we came out, I thought I'd call on you first, I wonder if you would give us some perspective about what you think the government is in trying to help the potential for these processes to become a reality.

MR. STRUHS: I'm being punished twice. You don't get introduced and then you have to go first. I thank you for the opportunity though, and I think it's fair to say that over the last several years we've seen governments; state, federal, local, trying to take advantage of that barn raising or that Jeffersonian experiment. And I've seen evidence around the country of governments really wanting to try to move to the next level of problem solving and to try to do it in a more collaborative and partnership kind of

way, this conference, obviously, being a good example of that.

Having said that, I think the problem is that we continue to view collaboration and partnerships as the exception rather than the rule. Interesting, the last two days we talk about these partnerships as initiatives or an annex or a special effort run by an agency and that's a good first start and we shouldn't be ashamed of that. But I think the goal needs to be to take that approach and make that the starting point. It should be the way we usually do business, not the exception.

And I think that there are some things that need to be done in government to make that happen. One is to change the risk and reward system for those who work in government because frankly, it's easy to get a cadre of people very excited in government about engaging in a partnership and they will become a part of that cooperative effort and then, once you think you have a solution, they'll take it back to Washington or they'll take it back to their regional office and often times they're not rewarded for that or they're told why it can't work or why they have to take another two years to work on it.

And if we could just get the leadership from the top, as I think we've seen evidence here at this conference, to change the culture, that's going to be an important first step, I think there's a great opportunity particularly at EPA right now. EPA is celebrating its 35th anniversary and an agency that has had unparalleled success compared to any other like agency in the world. And on the one hand, the scary part is where you have this brain drain, as people who built up that agency now retire, but with that also comes opportunity and it's an opportunity to recruit and train and reward a new generation of environmental regulators who will make this not the initiative approach but the day-to-day approach.

MR. RUCKELSHAUS: Since you stopped with EPA, I want to make it clear to everybody in the audience, I've no intention to going back a third time to EPA.

Particularly I want to make that clear to Steve Johnson, the current Administrator. My wife compared going back to EPA that second time to a self-inflicted Heimlich maneuver.

We also have with us this morning two heads of the major environmental organizations in the country. Since there's nobody here on the stage to contest you, we'll say that. Larry Schweiger, talk to us a little bit about regulation and cooperation and cooperative conservation.

Several people pointed out, as we heard last night, that there was a tension between these two approaches that government could encourage or that could be encouraged in the society. What is your impression of this?

MR. SCHWEIGER: I think it's important for us to think about the fact that we would not come to many tables if it weren't for the regulations themselves. I think of the grisly bear as an example, that the Endangered Species Act was there to defend the grisly bear when it needed it. That Act forced a number of players to come to the table to work together, to find a strategy for solving the problem of the grisly bear decline and I'm pleased to say that we're just about ready to see a delisting take place in the Yellowstone ecosystem for the grisly bear and we're supporting that because we think the process has worked well.

The state agencies, the federal agencies, ranchers, environmental organizations, others have worked hard to bring it to this point and I think it's an important example of how the Endangered Species Act in this particular case brings people to a table, hopefully to find solutions that we can all live with and more importantly than that, solutions that will be good for the grisly bear.

MR. RUCKELSHAUS: Mandy Metzger is involved in some 500,000 acres in Northern Arizona, trying using very large, from what you say, Mandy, collaborative processes and all the interests that exist in this 500,000 acre area including governmental ownership of land, to try to come up with some broad landscape approaches to the management of this land. I wonder if you could tell us something about that, Mandy.

MS. METZGER: First, I'd like to say I'm just so excited to be here. Diablo Trust started on a kitchen table and literally with a napkin or a set of napkins and we felt that we were operating in a vacuum and I never in my wildest dreams thought that we would be in a group like this, so thanks so much to the Administration and all the leadership team and the organizers. I'm going to have a hard time relaying this when I go back. They won't believe me.

Diablo Trust is a grassroots collaborative based southeast of Flagstaff, Arizona. It's 426,000 acres of land specific to that and it's an intermingled land pattern, so we have federal, state and private. We have a very active community group. Because the land is contiguous it gives us the large land base and then we are close to Flagstaff and Flagstaff is a very active community, especially active environmentally. So we originally, 11, 12 years ago, called

people together that we thought cared about the land and said, "You know, we want to talk about what's happening out here, why things aren't moving quickly enough. We have all these land restoration projects", and from that beginning, we spend two years fighting.

And over that two-year period of time, we wrote our desired landscape descriptions and by the time we finished that process, we actually had built a good deal of trust and those that would not stay with us fell off and those that stayed with us are still with us today. So we were solicited by a federal agency and designated a reinventing government laboratory, which was an initiative started in the previous Administration and boy, were we excited.

We got the plagues, we sharpened our pencils, we told the newspaper. We were challenged to be innovative, creative and think outside the box and the agencies were terrific. I mean, they embraced it, too, but as we started our pencil sharpening wore down, we really realized that we had this challenge and there was no capacity to fulfill the challenge. And so it was from that point that we began to seriously think about ways that collaboration could be institutionalized, I guess, is what I would say.

MR. RUCKELSHAUS: It's really an inspiring story and it goes on. You've been in existence how many years now?

MS. METZGER: We're in our 12th year and we keep growing. We're not sure why but we do a lot of community programs. We have an artist program. We have an education program. We're looking at watershed scale and David and I have already collaborated in the last 24 hours. We're going to be sister collaborative groups now. He's going to provide us with salmon and we're going to send beef to him.

MR. RUCKELSHAUS: David Troutt, who's the Natural Resource Director of the Nisqually Tribe in the southern part of Puget Sound, also the Chairman of the Nisqually River Council, which is a collaborative effort that's now celebrated its 20th year, why don't you talk to us a little bit about the tribal role in accomplishing a lot of these collaborative objectives?

MR. TROUTT: Okay. Thank you, Bill. I need to be clear that when I speak from the Nisqually perspective that I need to be clear which hat I'm wearing at the time. There's lots of different hats that we wear when you work in the Nisqually Watershed and I'm now wearing my tribal hat, so I'm speaking from a tribal perspective.

And let me start off by illustrating the point

through a short story and if you've worked with Indian tribes and hopefully, you have, we like to tell stories. On Monday, we gave a presentation to this conference on the Nisqually Watershed. And one of the slides that I include within my presentation is the location of Nisqually being the center of the universe, which we think it is.

My Chairman, Dorian Sanchez, who's here with me during this conference, pointed out after the presentation that it's not just a humorous slide, we really think the Nisqually is the center of the universe. Our creation stories talk about the Nisqually being the center of the universe and life originating from the watershed, so with the Nisqually Tribe and all the tribes throughout the country and within your communities, there's a special connection between the tribal people and the lands they live in and it's really important to recognize that as we move forward with these collaborative efforts, that the tribes need to be at the table early, they need to be at the table often because they can bring tremendous knowledge and resources to bear to make these things work.

Now, to make that happen in a meaningful way, I think there's a number of principles that apply that I've seen, when applied work successfully and this magic that Bill refers to occurs and when not applied something a little less than magic occurs. One is, get to know the tribes in your community and I don't mean in a textbook intellectual sort of way but get out the communities, get out to the reservations. Meet with the people, be with the elected officials, have a cup of coffee in their kitchen, talk about what their goals are and what your goals are. You'll be surprised how quickly the goals are very much alike and you can work together.

Second is, to include us early and often in the process. We love to eat dinner; we like to help cook the dinner. We don't like being invited to the meal after the menu has already been prepared. Have us come early and often. And for us to be effective in doing that, the tribes in particular because of their relationship with the Federal Government, need the resources to be at the table and be productive.

In the case that I've been working with Bill on, salmon recovery in Puget Sound, the tribes, through NOAA, through Congress, have received funding to support infrastructure for salmon recovery and because of that have been key and effective players in developing a salmon recovery plan. And I think as a large result of our leadership, that we are where we are today. We have a plan

that's now out in public review form.

As an example of where things may be going on the rocks, the tribes have also been involved in the Timber, Fish and Wildlife and Fish and Forest Agreements in the State of Washington, which is this collaborative process between the tribes, environmental community and the timber industry since 1989. From 1989 until now, we've had stable funding to support our involvement at not only a scientific but a policy level to help this process go forward and I think if you talk to folks from the industry side and the state side, and the tribes as well, they all say it's been a remarkable success. We're making incredible progress. Unfortunately in the last budget cycle, the tribe's budget supporting their efforts in this program have been cut substantially, putting us in a position of evaluating whether or not we can continue to participate in an effective way in this process. So it's real important to have the tribes at the table with the ability to be effective players in this process.

Taking off my tribal hat and putting on my Nisqually River Council hat, the guy who just talked about the tribes, he was right on.

MR. RUCKELSHAUS: David's description of the tribes in Puget Sound having taken a leadership role is an accurate one, not just for his tribe. There are 17 tribes in Puget Sound who have a major role in the development of the recovery plan that has now been presented to NOAA and David mentioned is out for publication here in the next 45 days. In every one of those watersheds where we have had a very inclusive process, where they have described the needs of the fish, developed a strategy or a plan for helping those fish recover, put milestones in it, made major commitments in the watersheds to take the steps necessary to help those fish recover, in virtually every one where that inclusive and comprehensive process has existed, the tribes have taken the lead. Now that's true in the Nisqually, as David has really too modestly described.

It's true over on the Olympic Peninsula in the Dungeness River where the Jamestown S'Klallam Tribe is. It's true up on the Nooksack River on the Canadian Border where the Nooksack and the Lummi Tribes occupy land there, their reservation land are there. It's true of the Tulalip Tribe in the Snohomish River which is where the City of Everett is.

So we've had both rural areas and urban areas involved in this 14 separate watersheds developing chapters for this recovery plan and the biggest successes we've had

over this 14-chapter area, 14 watershed area, is where the tribes have taken the lead and I think that's the important factor to bear in mind as you begin to think about putting together some of these kind of processes in the future.

Certainly the largest environmental organization in the country is the Nature Conservancy. Steve McCormick is the head of the Nature Conservancy. They have made a major contribution to this country in the development of land use approaches to restoring and maintaining habitat, maintaining whole ecosystems. They've gone through a remarkable strategic planning process in which they challenged everything they were doing and tried to question whether or not what they were doing was, in fact, restoring the amount of habitat necessary to preserve both ecosystems and the species in them.

One of the things that the Nature Conservancy has pointed out with a great deal of clarity, I think, is the importance of man, people as part of ecosystems. That you can't think of ecosystems as all animals and plants and then layer man on top of them. We are very much a part of that ecosystem and they have tried to develop approaches, both through the private sector, the non-profit sector as well as in government to making sure that we think of the ecosystem as man being part of it. I wonder, Steve, if you'd give us a few thoughts about how that sort of translates out into these processes and government polity.

MR. McCORMACK: That wasn't the question you were going to ask me.

MR. RUCKELSHAUS: I know, but it seemed to fit into what David was saying. See how nimble you are.

MR. McCORMACK: Well, it gives me an opportunity to offer a disclaimer at least on my own behalf if not for the rest of the panel. We were invited to participate on this some time ago and like all of you, we're busy, so I didn't really think much about it. I thought it would be nice to be on a panel at a big White House Conference on Conservation in St Louis. I was honored actually to be invited.

As we got closer, I asked our staff at that Nature Conservancy what -- how many panels are there, how many are there going to be? Two. They're on the last day. I said, "Well, then I'm on one of them". And so I asked, "Well, what's the purpose of the panel, what would they like us to talk about", thinking I could reflect on the Nature Conservancy. And the response was, "Well, you are all going to sum up the meeting and provide the wisdom from your collective experience on what happened there and you know,

give people an inspiring message to leave with".

Now --

MR. RUCKELSHAUS: Okay, next question.

(Laughter)

MR. McCORMACK: So I thought, I'm hopeful that I'm going to be with people who can do that, because I feel ill-equipped. So last night at about 10:00 o'clock, all of the participants of this panel got together with all the participants on the other panel and the facilitators and we were presented the endless conclusions from all of the workshops. And it was interesting because each workshop had probably eight dozen bullets on it then said, "This does not represent consensus", as if that needed to be said.

(Laughter)

So last night we had a very vigorous discussion and it was clear in that conversation that we, that relatively small group, didn't really have a synthetic understanding of the ability to synthesize from such an in-depth conference as this. Well, we were making some progress and we kind of fleshed out a few common themes, and then I went upstairs and met with my own staff, who I thought at least from the perspective of the Nature Conservancy could have a kind of consolidated wisdom and they were all over the place too, on what came out of this conference.

So I can't offer any wisdom that is particularly insightful on, you know, what has emerged here, but let me offer a couple of reflections which the disclaimers, these are admittedly personal. A couple things struck me as very, very moving and inspiring from this conference. One, it happens every time I see something like this, the video on the first day which had a short overview of the natural wealth of this country, I mean, I always get inspired by that. I mean, there is no other place in the world that has the variety of natural systems and features that we do and it's something that is -- is deep in our culture and something we're all proud of and if we share anything, it's an appreciation for that.

The other thing that inspires me enormously are the self-initiated partnerships that are here and they represent the multitude that are out there all self-initiated and that's as uniquely American, distinctly American, as the landscape is. I can't think of any other country in the world that would have people, as others have said in a participatory democracy getting together to address tough issues. And I've had personal experience with that. You know, when I was in California for the

Conservancy, we got involved in try to deal with the listing of the Coachella Valley fringe-toed lizard as a federally endangered species and I was very, very inexperienced in federal legislation. I did a lot of transactional work but I was thrust into this, ended up chairing a cooperative conservation effort with the lawyer representing the real estate developers in the Coachella Valley.

And it was very, very, very, very contentious, highly polarized. It was a listing that caught a lot of people off-guard. I went to a number of the hearings and they were so rancorous that one of my colleagues said, "Why don't we just rename it the goddam lizard, that's all everybody called it".

(Laughter)

And the congressman from that area ended up called it the French toed lizard instead of the fringe toed. In any event, we put together a cooperative effort and it was immensely successful, multiple stakeholders and very, very hard, and Paul had the brilliant insight that at every meeting we'd have to talk about good news. He said, "You know, you can't keep people coming to this unless they feel like there's progress".

And there was one meeting when I said, "Paul, we don't have any good news". He said, "There's always good news". So he opens up the meeting and he says, "I just want to let you know, the great news, we've really lost no ground since the last meeting".

(Laughter)

So I do have some experience and so it is immensely inspiring and compelling to see how many of these partnerships are arising because I know how incredibly, incredibly hard they are to keep together. And you're doing it on your own initiative. That leads to a couple of observations about where we go because that's really all I can offer. I can't speak on behalf of just a group of people.

This conference has to lead to action. That seems a little trite to say but I mean, there's a real spirit here in St. Louis and we have to translate that into something that is enduring. I believe, and I was encouraged to hear Secretary Norton suggest this, that that can be in the form of supporting legislation. If we could have a cooperative conservation act that provides incentives and support and money for these kinds of partnerships, and if it can be modeled in some fashion like the Water Resources Development Act which is designed to provide funding on a regular size, about every two years, for major water

projects. Now that's the only parallel is the structural element that I would suggest but it keeps Congress involved.

Congress loves specific projects. Members of Congress like to fund something that they can see and feel and take some pride in themselves. So I would suggest a real substantive conservation act, cooperative conservation act, that it be designed to provide funding every other year or so that keeps Congress tight on it, and it's designed to provide funding for specific partnerships that are working well.

In that regard, Congress needs to be a partner. I don't see enough members of Congress here and from my own experience, if you have a staff person from a member's office, it is absolutely invaluable and you run into roadblocks with agencies or other things, often times, they can overcome those things, and these efforts that are going on at the local level can shape public policy. Nothing shapes public policy better than real action on the ground. And that policy can be adapted over time from what we learned.

So those -- my main takeaway is that we have to be dedicated to insuring that the spirit here carries forward in the body of something like a cooperative conservation act.

MR. RUCKELSHAUS: What do the rest of -- I think Steve had given us some very useful action items to think about. IN fact, many of them came up in the recommendations that came out of the breakout groups and that were displayed to us last night. What do the rest of you think about action items? Larry?

MR. SCHWEIGER: Bill, I want to first start by saying it's an honor for me to be on this panel with someone who was a leader in the third grade chapter of conservation in America and I want to thank you for that leadership, and I want to say to everyone here today that we're at a very historic moment in America. We are beginning the fourth chapter of conservation in America and we heard some of that earlier this week, but I want to emphasize what I think -- personally, I think that that means. Let me suggest a couple key points.

The first thing that we know today from the meetings that we've had here is that we need to work together to restore America's great places and that's clear. You heard it over and over. It's a reoccurring theme for many of the panels and discussions I've heard the last several days. Secondly, we need to confront global warming. And third, earlier a speaker talked about the need for

connecting the need for connecting our kids back to nature. And we didn't get into that in this meeting but it's an urgent matter because our kids are disconnecting and how can they be good stewards if they're not connected with nature?

Let me go to the larger landscape issues because I think there is a need for us to give attention to these great places. My dear friend, Mark Davis, is in the room from Coastal Louisiana and I know the work that they have been doing for the last 10 years to try to restore wetlands and I heard the Mayor of New Orleans talk about this and I've heard others talk about the Waso (phonetic) wetlands and the impact that that had on the intensity of the storm.

We need to restore these great systems not just for ecological reasons, but for economic and for human health and human safety. And so it's important for us to talk about the Great Lakes and the \$20 billion that's been identified in that area. It's important for us to restore the Chesapeake Bay so that that extravagant abundance of wildlife and fishery and shellfish comes back to that great resource.

We need to address Puget Sound and the Everglades and some of these other really marvelous places so that our children may enjoy that same place and those same special opportunities. The thing that I see before us here today, we can leave today with out tote bag and our lapel pin and say we had a nice time or we can leave here today with a commitment to work together to solve problems that are not red state, blue state problems, but are just problems facing all Americans and we can do that with an understanding that we're going to get support and we're going to get funding from the Federal, from the state governments and from private individuals to help make this great work come to fruition.

And so I see this as the first day of the fourth chapter of conservation in America.

MR. RUCKELSHAUS: Larry, that was very gracious in thanking me for my contribution to the third chapter. It sounds as though that chapter is closed.

(Laughter)

MR. RUCKELSHAUS: Maybe I can sneak into the fourth chapter. David, you had a question?

MR. TROUTT: Bill, if I could add to this urgency for action, so far we've been talking about and necessarily so, the need for action at the federal level, a change in culture within the government to help support these efforts and it will be embraced on the landscape, that we're looking forward to this kind of change, but I think we

have to look within ourselves as well at home, at the local level, at the state level, at the tribal level, at the NGO level, we all need to change the way we operate on the landscape to make these things work. We need to support each other, not simply just look to the feds to make this thing work, we're all going to have to make this thing work as well.

MR. RUCKELSHAUS: Mandy.

MS. METZGER: And I would love to see us improve on the system so that now we've sort of proclaimed cooperative conservation and collaboration, a way to honor the products of collaboration. So many groups have come up with really good ideas and are unable to take them to the next level simply because they don't fit in something that's known to us and I would also like to see us empower the people working at the ground level from these agencies so that they have what they need so that when a group goes to them or works with them, they're able to take it. So it's sort of top down, bottom up. There needs a box that maybe I don't know how agencies divide their time but maybe we need a box they can check that says, "I worked on a collaborative project today and it counts and my superiors love it".

MR. RUCKELSHAUS: You're talking about represented -- government represented lower down, closer to the problems that you're actually wrestling with.

MS. METZGER: Right, but I think it's -- you know, it's a top down, bottom up. The direction comes from Washington, but the people on the ground who are really on the firing line for all these collaborative efforts are empowered then to do something about it and can truly participate. I mean, they don't sort of have to sneak in and out of meetings. They're empowered.

MR. RUCKELSHAUS: David Struhs, what about states? We've had a lot of representation from the Federal Government and some state representatives here, but David has mentioned and some of you mentioned, in fact, in the stuff we read last night, that there needs to be more state representation here than apparently has been true.

MR. STRUHS: Well, I think that's true and I probably come at it with a bias having worked most of my career in state government. States tend to be, I think in many cases, closer to the communities. The Federal Government sometimes is a little bit more remote. The states, there are 50 of them, rather than one, so you have more opportunities for failures, but you also have more opportunities for successes and I think the states are the laboratories where the good ideas and the bad ideas will

come from, but you need both and we shouldn't be afraid of failure.

I think you also have to recognize, we also have to recognize, that the states in many cases now have the legal authorities and, indeed, the financial resources that in some cases rival or even exceed what's available from the Federal Government and that can't be lost. And in particular, just a case study, performance track an EPA program. That's a very good program which is really partnering with corporations to go sort of above and beyond and do more than the law requires. And it was a great partnership and a lot of good has come from it, measurable, meaningful pollution reductions that wouldn't have otherwise occurred but now the problem is the companies that are looking for the other part of that contract which is some special consideration in terms of accelerated permitting and getting things done faster, find that they can't get that second part of the agreement, because the programs, in fact, are run by the states. So the states were really not brought in in the way that they might have been on the front end and there's a disconnect there.

I think, I just wanted to add one other point that I just sort of build off of what this panel had to say and this is the advantage of being the first panel rather than the second, is we can pose hard questions to the second panel and then leave. But I think when the federal panel comes out here, one of the challenges that they should be asked to address is this conundrum that Lynn Scarley (phonetic) yesterday came up with a good way of describing it.

On the one hand, industries such as mine ask for the virtue of flexibility. We just want government to be more flexible and then that's on Monday and then on Tuesday, it's the same company that comes in and says, "Why can't we get predictability". And we're all guilty of that. We want flexibility when we want flexibility, we want uniformity and predictability when we like predictability and the fact is, it is this natural tension. And I think one of the challenges that we can put to the smarter people who are in the second panel is, is how can government give us both? Is there a way to make sure that we're not rolling back protection, we're not rolling back regulation, we're not lowering standards and we have something that isn't that predictable and uniform and at the same time, when appropriate, can provide the off-ramps to do things differently and I think that is a structural statutory problem that's going to have to be addressed.

MR. RUCKELSHAUS: One way of thinking about that is the distinction between what government does. I mean, government will usually in response to public demand, describe why it is we need to do something. If the public is concerned about species extinction and who's in favor of species extinction, particularly when you don't realize there's any implications associated with that happening, so that Congress, in reaction to that concern passes a law saying no species should go extinct, a fairly elaborate and complicated law to implement, some question whether it is too tied to one species and not to studying whole ecosystems, in order to understand what role that species plays and how important it is.

But that's an example of the government saying why we need to do something. Then the government at either the same level or lower level can say, "Here's what needs to be done in order to preserve this species. For instance, here are the kinds of things that need to be done". The assignment that can best be given to collaborative process, people at the watershed level, for instance, or at the local level is how to do it. And it's when government gets into the how to that people really get excited and really get nervous that some landowner having a young person come on their land and start telling them how they have to manage it in order to preserve a species not knowing anything about the land. The landowner may be the fourth or fifth generation who's occupied that land and certainly knows well what can and cannot be done in order to answer the question how to do what is being ordered.

And one of the things that many of you have pointed out and I wonder if one or two of you would comment on it, is how important it is that in these collaborative processes we put economics up front, that we don't act as though we're just trying to achieve an environmental executive and not tie it into the economics of what is it we're requesting to do. It's very clear that if you can align economic and environmental interest, you can make enormous progress. It's not always possible to do it but if the collaborative process is going to work, you have to be up front about the importance of making economics an essential part of it.

I mean, David, I heard you express that view yourself.

MR. TROUTT: That has been very much the central point of our organization. We started in 1985 with a task force and its fundamental principle was the recognition that a healthy economy equals a healthy watershed, and it's been

our operating guidelines for 20 years and we've been very successful moving that agenda forward. We recognize now, having gone through a critical evaluation of where we are, that we've been very successful in the natural resources end of things and maybe not quite as successful in the economic side of things. So we're now going through a revision of our 1987 plan that includes and we're embracing sustainability as our new mission, to move more aggressively sustainable economies and health of communities as well as our protection of the watershed and the natural resource stuff and we're seeing that as we move in this direction that our table which was once defined as being principally a natural resources table, folks are coming to the table now and wanting to be a part of this and thinking about things in a different way and helping us find the resources to not only do our natural resource end of things but also the economic things as well. I think it's critically important for the sustainability of these efforts themselves to be more inclusive of all the issues that are important within the communities.

MR. McCORMACK: I couldn't agree more. I think, Bill, to your point, to have those issues acknowledged up front will, as David suggests, lead to a much more durable outcome and after all, I mean, many of the participants in these cooperative efforts, in fact the initiators of them are people living in local communities whose livelihood and lifestyle are at last perceived to be at some risk and it's been or experience at the Conservancy that there very, very -- well, more often than not, is an opportunity to harmonize that desire to maintain a livelihood and a lifestyle with preservation of natural features and if that's not accepted at the outset then you will, in due course, have far divergent engagement that will lead ultimately to failure of the process.

MR. RUCKELSHAUS: I was told that I would be given a signal from the back as to how many minutes we have left and since I can't see over the heads of the stage, I have no idea. We'll go on all morning here if you let us. Can anybody tell me how much time we have left? Okay. Does anybody see a card up there that says how much? I take it we have an hour and a half left here. I think we must be approaching the bewitching hour here.

MR. TROUTT: Bill, maybe if I could, I think another critical point that this conference represents that I think is real important to the success of these efforts is to celebrate our successes and we try to do that on a local basis, and on a regular basis but these kind of events are

not only good for getting information and thinking about direction but it's also a way to celebrate our success and get together and meet new friends and form new partnerships and I'm hoping that the next one isn't 40 years away. We should be doing this on a much more regular basis.

MS. METZGER: May I add to that, too?

MR. RUCKELSHAUS: Yes, please.

MS. METZGER: Since he's my partner now, no, I mean, I hope from this that -- I know we'll all be on an e-mail list and there will be a website, but I would hope that since there's a federal leadership council, whatever they're calling themselves, I would hope that there is an advisory council from the field as well, from some of these local groups that can continue to interact and maybe short of getting the legislation, which I agree is an excellent idea for cooperative conservation, we've talked, I know over the years among different groups about maybe creating some pilot areas where we have some flexibility, back to the old reinventing government idea, but where we have some flexibility to experiment, where we know there may be mistakes made but will be watched certainly, so we can see what works and turn you all innovators loose because I think you have great ideas.

MR. RUCKELSHAUS: Well, I'm going to assume, Mandy thanks for that, that's a very good thing to close on since I think we're running out of time. Let me try to bring this to a more orderly conclusion by quoting John Gardner, who died about two years ago and who was a Secretary of HEW and then head of Common Cause, really a distinguished American and distinguished public servant, he became interested in these collaborative processes late in his life and he stated just before he died, "With all due respect to the ancient laws of -- arts of law and diplomacy, the recent development of systematic teachable techniques for getting at the roots of conflict and engaging multiple parties in disciplined and voluntary collaborative problem solving, represents something new in the 5,000 years of recorded history".

That may be a bit of an overstatement. I think there have been these kinds of approaches taken here in this country as Steve McCormack has mentioned over literally throughout our history. We haven't called them collaborative cooperative conservation or collaborative decision making, but we have found as a people the possibility of working together to solve local problems, to solve our own issues, a very effective way to live together. Tolkien wrote a book about this back in the 19th century

about how unusual it was for people like Americans to come together, solve a problem and then break apart again.

And I think recapturing that spirit that has made our democracy so attractive and so effective over the life of our country really, is something that we're really engaged in here and it's worth giving a lot of thought. It's worth trying to provide some flexible innovative structure to so that it can be encouraged and that if we all think hard about it and take back to the communities from where we came the lessons that we've learned here in the last couple of days, and try to push more of these kinds of processes into resolving disputes, we'll all have gained a great deal from this conference and hopefully our country will as well.

Thank you all very much for your attention.