

## TALKING POINTS

### AN UPDATE FROM CDR ASSOCIATES

### SPRING 2010

Dear Friends and Colleagues of CDR Associates,

Below you will find the latest installment of Talking Points, a periodic update of CDR's projects and programs, intended to keep you informed of our work and interests. To discuss these projects or to learn more about them, please give us a call at (303) 442-7367 or email us at [cdr@mediate.org](mailto:cdr@mediate.org). Also, please visit our website at [www.mediate.org](http://www.mediate.org). It also features information on our practice areas, work to resolve conflicts, and initiatives to promote a more peaceful world.

All the best,  
Jonathan Bartsch, CEO

#### Features in the spring 2010 edition of Talking Points

- Chris Moore and Peter Woodrow, CDR Partners' New Book to be Released
- Seminar on Facilitation and Mediation of Public and Environmental Conflicts in April
- The Mediation Process Training in July
- CDR Collaborates with UNITAR on Capacity Building for African Diplomats on Ethno-Political Conflict Resolution
- Successful Agreement Reached by the Groundwater Working Group of the Metropolitan Water District of Southern California
- US 36 EIS reaches Record of Decision - CDR Facilitated Collaborative Effort
- CDR Promotes Collaboration and Planning Amongst Cyclists, Motorists and Mountain Canyon Residents in Boulder County
- CDR to Present at April 2010 Department of Interior (DOI) Conference on Environment
- CDR Partner, Bernard Mayer, Receives Award for Book

#### BOOK RELEASE

*New book, [The Handbook on Global and Multicultural Negotiation](#) by CDR Partners Christopher Moore and Peter Woodrow, will be released by Jossey-Bass Publishers March 8, 2010.*

Based on 30 years of CDR's international practice, work in over 60 countries and 15 years of research, *The Handbook of Global and Multicultural Negotiation* is a comprehensive resource that offers a wealth of in-depth advice and proven

strategies for conducting effective cross-cultural negotiations. Written for people who must negotiate agreements with people from different cultural backgrounds, the authors focus on cross-cultural communication, problem solving, and negotiations in the context of multicultural business, diplomatic, development, employment, and interpersonal negotiations.

Here is what some of the reviewers have said about the book:

*"In today's globalized world, few competencies are as essential as the ability to negotiate across cultures. In this insightful and practical book, Chris Moore and Peter Woodrow draw on their extensive global experience to help us understand the intricacies of seeking to reach intercultural agreements and show us how to get to a wise yes. I recommend it highly!"*

William Ury, co-author of *Getting to Yes* and author of *The Power of a Positive No*

*"Rich in the experience of the authors and the lessons they share, we learn that culture is more than our clothing rituals and food. It is the way we arrange time, space, language, manners, and meaning. This book teaches us to understand our own culture so we are open to the other, and gives us practical strategies to coordinate our cultural approaches to negotiations and reach sustainable agreements."*

Meg Taylor, Compliance Advisor/Ombudsman of the World Bank Group and Former Ambassador of Papua New Guinea to the United States of America and Mexico.

*"Filled with practical advice and informed by sound research the Global Handbook brings into one location an extraordinary and comprehensive set of resources for navigating conflict and negotiation in our multicultural world. More importantly the authors speak from decades of experience providing the best book on the topic to date - a gift to scholars and practitioners alike."*

John Paul Lederach, Professor of International Peacebuilding, Kroc

Institute, University of Notre Dame

Copies are available at Amazon.com, Borders.com and BN.com. For more information, [visit www.josseybass.com](http://www.josseybass.com)

#### TRAINING OPPORTUNITIES

*CDR to present a Seminar on Facilitation and Mediation of Public and Environmental Conflicts: Practical Strategies for Reaching Agreement* April 13-15, 2010

The three-day program presented by CDR Partner Christopher Moore and CEO/Senior Program Manager Jonathan Barstch will present a range of innovative and proven approaches to addressing and resolving large multiparty public issues. The seminar is especially designed for government agencies or private sector firms considering initiating a public dispute resolution process, advocates and public interest groups and experienced facilitators and mediators.

By participating in the seminar, participants will:

- Better understand the complexities and dynamics of multi-party conflicts
- Learn how different parties - public & private sector leaders, tribal officials, government agency personnel, public interest group advocates, technical experts, lawyers, the media, and citizens - engage in conflict, and how you can work more effectively with each
- Learn how to conduct situation assessments, both a "back-of-the-envelope" approach and an in depth process to examine conflicts and design more effective resolution strategies

- Develop your capacity to design and implement effective and inclusive collaborative processes
- Develop, improve, and apply your Interest Based Negotiation (IBN) skills
- Improve your facilitation and mediation skills through engagement in simulated public conflicts with our one-on-one coaching
- Incorporate appropriate information and modeling technologies into your dispute resolution initiatives

### *The Mediation Process Training*

For over 30 years, CDR has trained thousands of mediators and facilitators around the world on procedures that help parties establish positive working relationships and settle the thorniest of problems. In our programs, you learn practical strategies to resolve a wide variety of contentious issues, and how to work effectively in multiparty groups.

CDR's internationally recognized Mediation Process Training is being held **July 26 - 30, 2010**. The lead trainer will be Christopher Moore.

To register for either program, visit [www.mediate.org](http://www.mediate.org) or contact Tanya Morgan at (303) 442-7367 or [tmorgan@mediate.org](mailto:tmorgan@mediate.org)

### PEACEBUILDING

#### *CDR Collaborates with UNITAR on Capacity Building for African Diplomats on Ethno-Political Conflict Resolution*

Numerous African ethno-political conflicts continue to be some of the most contentious, devastating and costly for involved citizens and governments. Since 2001, CDR has collaborated with the United Nations Institute for Training and Research

(UNITAR) to design and conduct a series of *Regional Training Programmes to Enhance Conflict Prevention and Peacebuilding in Africa*. Attended by diplomats from both the United Nations and African Union and Foreign Service officers from countries across the continent, the seminar presents state-of-the-art conflict analysis, negotiation and mediation approaches for the resolution of high-conflict governance, ethnic, development and natural resource controversies. CDR conducts the mediation module of the seminars. The tenth program will be conducted in Addis Ababa, Ethiopia in March of 2010. Previous seminars have been held in Addis; Cape Town, South Africa; and Harare, Zimbabwe.

For more information contact Christopher Moore, Partner (303) 442-7367 x 210 or [cmoore@mediate.org](mailto:cmoore@mediate.org)

### WATER

#### *Successful Agreement reached by the Groundwater Working Group of the Metropolitan Water District of Southern California (MWD)*

"I can't believe we made so much progress", was the view of a water master who was a participant in MWD's sponsored Groundwater Workgroup at the end of January. A similar opinion was also voiced by other participants and MWD senior staff.

Clean and safe drinking water is an important part of a healthy environment and protection of public health. Many people in Southern California depend on groundwater as a significant source of drinking water - whether they use a private well, public water supply, or some other groundwater source. Effective use of local groundwater basins must be a significant

component of any comprehensive water supply plan for Southern California.

In the fall of 2008, MWD convened a series of consensus-building workshops facilitated by CDR Associates Partner, Chris Moore on *Developing Strategies for Enhanced Groundwater and Conjunctive Use*. The goals of the Groundwater Working Group process were to develop a set of broadly supported concepts and recommendations concerning groundwater management and conjunctive use, which could be implemented consistent with the court adjudications and other laws which govern the management of groundwater, and submit them to MWD's Board for inclusion in the agency's Integrated Resource Plan update. Specifically, the Working Group was tasked to:

- review existing policy principles for conjunctive use and determine how they could be updated;
- Identify primary challenges to increased storage and conjunctive use, and potential ways MWD, its member agencies, groundwater producers and basin managers can overcome them; and
- Explore of other conjunctive use opportunities MWD may wish to address.

The Workgroup met eight times, including a joint meeting with the "Synergy Workgroup", a combination of the Groundwater, Stormwater and Recycled Water Working Groups.

In January, with the help of CDR facilitators, the Workgroup reached a full consensus and submitted its recommendations to the MWD Board.

For more information contact Christopher Moore, Partner (303) 442-7367 x 210 or

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#### TRANSPORTATION

*CDR facilitates the collaborative effort to reach a Record of Decision for the US 36 EIS*

CDR Associates' CEO and Senior Program Manager Jonathan Bartsch and Program Manager Andrea Meneghel served as facilitators for the Colorado Department of Transportation and Regional Transit District's US 36 Environmental Impact Statement (EIS). The EIS examined multi-modal transportation solutions for the 18-mile corridor between Boulder and Denver, Colorado from 2003 to 2009.

CDR designed and implemented a proactive stakeholder and community consultation process to balance the unique needs of the diverse community of stakeholders with the goals of the decision makers to improve mobility, support land-use vision, and foster positive impacts while minimizing adverse impacts and providing a cost-effective investment.

In addition to organizing and facilitating numerous large public meetings (some attended by more than 600 concerned stakeholders) and holding smaller issue specific meetings throughout the study, CDR facilitated policy committees to make recommendations at key project milestones.

The U.S. 36 Preferred Alternative Committee (PAC) consisting of agency representatives (CDOT, RTD, FHWA, FTA), elected officials, and technical staff from local jurisdictions was established to identify a Preferred Alternative using elements evaluated in the Draft EIS. CDR

facilitated PAC meetings to make decisions, develop recommendations, and reach consensus for a corridor-wide solution. CDR implemented a 'building block approach' to incrementally develop the Preferred Alternative including using procedural solutions and conditional triggers to move parties towards consensus.

Ultimately, the PAC was able to address the corridor's most complex and polarizing transportation issues and reach agreement upon a Preferred Alternative for the U.S. 36 EIS. This allowed the U.S. 36 EIS to move forward with the support of all agencies and jurisdictions.

The U.S. 36 Final EIS was released for public review and the Record of Decision was signed by FHWA and FTA in December 2009 completing the environmental process and better positioning the project for state and federal funding opportunities.

For more information contact Andrea Meneghel, Program Manager (303) 442-7367 x 221 or [ameneghel@mediate.org](mailto:ameneghel@mediate.org)

*CDR Promotes Collaboration and Practical Planning Amongst Cyclists, Motorists and Mountain Canyon Residents in Boulder County*

Safe and cooperative road travel is a major goal for any county. Boulder County is considered by many to be the epicenter for cycling, which heightens the importance of this goal given the number of cyclists and motorists sharing County roads. Jonathan Bartsch, CEO and Senior Program Manager, and Joan Sabott, Program Manager, convened and facilitated a Working Group that sought ways to improve both safety and cooperation in a very specific area of Boulder County mountain canyon roads, the

areas in which many recreational and professional cyclists travel each day.

The Working Group was comprised of cyclists, motorists, mountain canyon residents and representatives from the Boulder County Transportation and Sheriff's Offices. The group worked together over several months and discussed even the most difficult issues, all while developing practical strategies to address the problems and complaints that have made these canyons roads increasingly unsafe and tense with each cycling season.

The plan, which includes physical improvements, law enforcement strategies and an education and outreach plan, was refined to reflect the comments of the general public. The plan was presented to the Boulder County Board of Commissioners, who responded positively to the strategies and the collaborative process. Elements of the plan are already being implemented in preparation for the spring 2010 cycling season.

A number of Working Group members supported the collaborative process to address issues amongst these stakeholder groups, and CDR is helping to facilitate the next phase, including developing specific plans for education and outreach. Additionally, Working Group members continue to be effective ambassadors of promoting safer and more cooperative ways to travel on the canyon roads, and many plan to continue assisting the County in an annual effort to improve these high-travel roads.

For more information contact Jonathan Bartsch, CEO/Senior Program Manager, (303) 442-7367 x 201 or [jbartsch@mediate.org](mailto:jbartsch@mediate.org) or Joan Sabott,

Program Manager, (303) 442-7367 x 205 or  
[jsabott@mediate.org](mailto:jsabott@mediate.org)

#### ENVIRONMENT

*CDR to present at the 2010 Department of Interior (DOI) Conference on the Environment, April 26-30, 2010*

CDR Partner Chris Moore will be a panelist at this national conference focused on environmental collaboration, partnering and outreach. The session will be hosted by Mike Snyder, the Regional Director, and Rick Frost, Associate Regional Director of the Intermountain Region of the National Park Service, who will also be panel participants. Panel members will share experiences about how third-party mediation has been used successfully to address a broad variety of issues in parks in the Intermountain Region of the National Park System. The program will answer the following questions: (1) When there is conflict between a national park and the gateway community to the park, or between two agencies that serve the interests of a park, how can you get them to move from conflict to collaboration? What are specific, promising facilitation strategies? (2) Why is park regional management using facilitative services? What are their expectations of such services and what is their assessment of its value to them as managers? Focus on experiences within the parks provides usable lessons for those who work as practitioners on complex environmental and inter-agency issues.

For more information contact Christopher Moore, Partner (303) 442-7367 x 210 or  
[cmoore@mediate.org](mailto:cmoore@mediate.org)

#### AWARD

*CDR Partner, Bernard Mayer, received an award for his book, Staying with Conflict Staying With Conflict by Bernard S. Mayer, has won the 27<sup>th</sup> Annual CPR Award from the International Institute for Conflict Prevention and Resolution, for the outstanding book in Alternative Dispute Resolution (ADR). Considered by many the most prestigious award for publications in the (ADR) field, Dr. Mayer accepted the award on January 14, 2010, at CPR's annual conference in New York. One of Dr. Mayer's other books, Beyond Neutrality, also won the award in 2004.*

Some on this year's panel making the selection said that the book had actually changed the way they practice.

Mayer is quoted as saying that CDR Associates' "support and partnership has been critical to me in developing the ideas that led to the book (and of course (Joan Sabott) assisted me as I was writing it)."

Last year the award was given to two books: *Negotiation Genius: How to Overcome Obstacles and Achieve Brilliant Results at the Bargaining Table and Beyond*, Harvard Business School Press, Bantam Books (2007) by Deepak Malhotra and Max H. Bazerman, and *Challenging Conflict: Mediation Through Understanding*, ABA Section on Dispute Resolution/PON (2008) by Gary Friedman and Jack Himmelstein.

For information about Staying With Conflict: A Strategic Approach to Ongoing Disputes go to:  
<http://www.wiley.com/WileyCDA/WileyTit>

[le/productCd-0787997293.html](http://www.mEDIATE.org/le/productCd-0787997293.html)

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