

# CRP S383

## Land Use and Environmental Conflict Resolution

### Syllabus

Summer Second Session  
Professor Rachael Rawlins  
TWTW 3:30-6:00, Sutton 2.114

### Course Description

Many land development proposals give rise to important quality of life concerns that impact equally thorny and difficult to resolve environmental justice and environmental protection issues. These land use and environmental disputes can polarize communities: leading to bitter confrontations and power struggles among all affected stakeholder groups (that can affect further efforts to collaboratively solve problems for years into the future). Our traditional means of resolving these disputes—lobbying for a political decision in one's favor or winning through the courts--often leave many citizens and groups burned out, broke, angry and disappointed or distrustful of government's role as a dispute resolver.

The field of *public policy conflict resolution* arose in response to those shortcomings. Federal, state and municipal governments and agencies are increasingly using, and even mandating appropriate dispute resolution processes to head off anticipated conflicts through consensus building processes or to resolve important public sector conflicts once they escalate to full-scale disputes or impasse. In order to design and implement controversial development projects or environmental solutions, planning and design professionals must be adept at negotiating agreement among competing stakeholders.

### Course Objectives

To understand the nature of conflict, to reflect on personal conflict management tendencies, and to build communication and analytical skills including consensus building, collaborative problem solving, and mutual gains negotiating;

To understand the uses of 3<sup>rd</sup> party assisted settlement techniques including facilitation, mediation, arbitration, and expert review boards, and to reflect on effective dispute resolution system design;

To understand the use, goals, and problems associated with stakeholder and public participation in land use and environmental conflict resolution, including the special difficulties involved in the context of scientific complexity and uncertainty.

For the first half of the course, we concentrate on building foundation skills: conflict assessment, stakeholder analysis, mutual gains negotiation skills (based on the Harvard PON model), setting up consensus building forums (e.g., charrettes and visioning workshops), and use of the single

text negotiation techniques through a variety of role plays, videos, guest speakers and class exercises. Mutual gains negotiation exercises build cumulatively from simple 2-party, single-issue negotiations to those of greater complexity and uncertainty involving multi-party, multi-issue cases.

For the second half of the course, we focus on facilitation, mediation, arbitration, dispute resolution system design, and the importance of public participation, with special consideration to situations involving scientific uncertainty common in environmental conflict resolution.

There will be an electronic course reader posted on canvas. We will also be reading Getting to Yes by Fisher and Ury (this little paperback can easily be found used, and should ideally be purchased before the first class day).

### **Course Requirements**

The course is largely case study based with discussion, exercises, and negotiation simulations. It is critically important that assigned readings are completed before class and that you actively participate in class discussions and exercises.

Preparation for the role-play simulations is critical and will require time and thought. Keeping role descriptions confidential is necessary. Sharing the role descriptions across the class groups prior to a negotiation will damage the experience and the lessons that can be drawn.

Because a number of the exercises are multi-party events, having one party absent affects other students. If you must be absent, please let me know well in advance so we can arrange a substitute and another responsibility for you.

Some classes may run long in time demands because of simulation needs--usually no more than a half hour extra. I will credit you back that time in reduced class time elsewhere in the course.

More information on expectations for the course journal, presentation and term paper will be covered the first day of class.

Participation in class exercises and discussion 20%

Course Journal: each week, include about one typed page (each) for two of the classes, and 2-3 pages for the third class (double spaced, 12 point font). Please reflect on the readings in relation to negotiation simulations and your own life experience. 30%

Presentation (based on Term Research Paper) 10%

Term Research Paper (10 page maximum) 40%