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## **Summary of the Outdoor Advertising Control Assessment Process**

FHWA's Office of Real Estate Services has approached the U.S. Institute for Environmental Conflict Resolution (U.S. Institute) for assistance in addressing controversial aspects of its Outdoor Advertising Control Program. In response, the U.S. Institute has proposed a formal conflict assessment process.

### **The Assessment Process**

The purpose of a conflict assessment is to gain a broad understanding of the issues in conflict, the perspectives of the stakeholders and how they propose addressing the issues in conflict, and whether they would be willing to engage in an effort to work on resolving the issues, perhaps through a collaborative process, if one is appropriate. The stakeholders are every entity, public and private, directly involved in or affected by outdoor advertising and its regulation.

In a typical conflict assessment, a neutral assessor will collect information through interviewing key stakeholders (individually or in groups), report on the findings, make a recommendation on whether a future collaborative problem-solving process would be appropriate, and if so, describe options. The anticipated outcome for this assessment is slightly broader: a discussion of a range of options for addressing the issues in conflict, some of which could be collaborative stakeholder processes.

### **The U.S. Institute's Authority to Conduct Conflict Assessments**

The U.S. Institute's mission is to help resolve conflicts over public lands, natural resources and the environment where a federal agency or interest is involved. (1998 Environmental Policy and Conflict Resolution Act - (P.L. 105-156), codified at 20 U.S.C. 5601 et seq.). The U.S. Institute's enabling legislation authorizes it to conduct assessments, in addition to providing mediation, training and related services to assist in resolving environmental disputes. For more information on the U.S. Institute, please visit [www.ecr.gov](http://www.ecr.gov).

## **Proposed Approach**

The U.S. Institute has developed the following approach to conducting the assessment:

- An assessor selection panel is convened, comprised of representatives of key stakeholders in addition to the U.S. Institute and FHWA, to develop criteria for selecting a neutral assessor.
- The U.S. Institute sends a request for a statement of interest and qualifications to appropriate neutrals suggested by the selection panel as well as members of the Institute's Roster of Environmental Consensus-Building and Dispute Resolution Professionals.
- The assessor selection panel reviews responses and selects the assessor.
- The U.S. Institute negotiates a contract with the selected assessor.
- The assessor selection panel works with the assessor to design the assessment process (which could involve, for example, interviewing individuals and representatives of organizations, small focus group discussions involving various stakeholders, and opportunities for involving the public at large).
- The U.S. Institute oversees the assessment; and
- The U.S. Institute, FHWA and selection panel review the assessor's report – findings and recommendations – that will then posted for viewing by the public.

## **Principles that Guide The U.S. Institute's Involvement**

The U.S. Institute:

- Will serve in an independent and impartial role.
- Is accountable to all the interested parties and participants.
- Will protect the confidentiality of private conversations with any of the participants.

## **Use of the Assessment Results**

At the completion of the assessment, the stakeholders groups will have the opportunity to review the findings and recommendations and decide on a course of action.