

Appendix A
Key Questions about Public Participation in Environmental Assessment and Decision Making:
An Extract of the Underpinnings of Federal Guidance Documents

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One of the major goals of our study is to offer advice to federal agencies and others about how to conduct public participation efforts and what to expect from such processes. Thus we want participants in the workshop to be especially attentive to results that would suggest conclusions about practice that the Panel would include in its final report.

To focus attention on potential recommendations that are already being taken seriously, we have reviewed a half dozen documents intended to provide guidance to federal agencies and others on how to conduct public participation and what to expect from such efforts. We have been able to identify a number of key questions that emerge in multiple documents providing guidance to federal agencies. We list these here in the hope that help paper authors and other participants in our deliberations will focus their attention on questions that are already in the discourse on public participation, though of course other questions may emerge. Of course, our review is partial, as there are many such documents (EPA's "Draft White Paper on Solving Environmental Problems through Collaboration" (U.S. Environmental Protection Agency 2004) lists 35 internal documents on collaboration, for example) so we ask everyone to look for key questions not on the list.

Scientists are inclined to frame questions in an "if...then" form that considers a causal relationship. Sound assessments of the validity of such causal assertions will become an important guide for practice. But agency guidance documents are, for the most part, not written using research questions or hypotheses as their organizing frameworks. Most of the guidance is in a more generic form that is captured by two questions:

- What can we expect from public participation?
- What should be done to insure "good" public participation?

The second question represents the typical "if" part of a causal statement, the first question the "then" assumed to result from the "if." Although it is important to consider which "ifs" produce which "thens," agency guidance documents rarely use this formulation. Below, we frame the guidance in the documents we have examined as questions. The examples from agency documents, exact quotations, and other details are left in endnotes. A major task at the workshop is to do our best to assess the quality of the evidence on these questions available from theory and empirical research.

What can we expect from public participation?

Does public participation:

- Lead to better decisions?¹
- Increase agency understanding of the effects of various courses of action, including considering new alternatives?²
- Make decisions more fair?³
- Increase trust and legitimacy?⁴
- Increase public understanding?⁵
- Resolve conflicts?⁶
- Reduce costs and delays?⁷

The academic literature also emphasizes the potential for public participation processes to build capacity for public engagement in the policy process. In a sense, each successful public participation process facilitates the next such process in a community. This issue is not much discussed in the guidance literature, but suggests an additional question:

- To what extent does successful public participation enhance the capacity of communities and groups within communities to engage effectively in governance?

What is required for “good” participation?

One of major motivations for this study is the absence of a clear body of well-supported conclusions about how form and context influence outcomes in public participation. Rather, most of the literature, including the documents reviewed to produce the list of seven desirable outcomes in the previous section, simply offers suggestions about good practice without linking such practices to outcomes.⁸

In this section, we list characteristics that have been articulated as desirable in public participation. The documents on which we draw usually do not indicate which outcomes follow from each of these characteristics. Here we list characteristics to remind ourselves of the elements of process and context that guidance documents suggest matter. The next section will examine the handful of hypotheses in the guidance literature.

Do the following characteristics of public participation processes lead to good outcomes:

- Starting early in the policy analysis and decision making process⁹
- Involving all interested and affected parties¹⁰
- Being supported with adequate resources¹¹

- Providing accessible and diverse information on the available science¹²
- Allowing the process to influence decisions¹³
- Including follow-up from the agency¹⁴

While there are many detailed suggestions in the guidance documents about how to contact members of the public, the documents are relatively silent about what kinds of process are appropriate under what circumstances¹⁵ or about the appropriate scale and context for deliberation.¹⁶ This suggests an open question, not foreshadowed in the guidance literature:

- What kinds of processes of participation are appropriate to which circumstances?

A few proposals about public participation

The presumption of the guidance documents is that if one follows the prescriptions noted in the second section above, the desirable results in the first section obtain. In fact, things may not be that simple: certain processes may lead to some kinds of desirable outcomes but not others. There are only a few hypotheses about what kinds of processes or conditions produce what kinds of outcomes in this literature. Thus truly effective public participation will require careful normative thinking about what we want from such processes. And it will also require sharp hypotheses about what outcomes flow from various mixtures of contexts and processes. The guidance documents highlight several key issues.

What scale is appropriate for public participation?

The overwhelming majority of public participation takes place around local or regional problems, although there are important exceptions to this. Much of the interest in electronic forms of participation is driven by the goal of allowing participatory processes that involve a national public. Several documents offer hypotheses about the problem of scale.¹⁷ The general question is:

- To what extent are public participation processes more effective at a local or regional scale, and less effective at larger scales?

Leadership and resources

The need for leadership, initiative by agencies and adequate resources, especially resources for providing access to scientific information, was emphasized above. The EPA SAB has emphasized this point, as have others.¹⁸ This leads to these questions:

- To what extent do public participation processes require strong leadership and support, including funds and staffing, to deal with complex information, and especially scientific information? What happens in the absence of such leadership and support? How much leadership and support is sufficient?

There are two models for providing staff support for helping participants understand the science. One is to staff the overall process so that all participants are working with the same experts, the other is to provide support to groups of participants to engage with their own experts. EPA's SAB has argued for the use of common experts approach, suggesting the following question:¹⁹

- Does providing scientific staff to the overall process and thus to all participants will lead to better use of science than will providing resources for groups of participants to engage their own scientific expertise?

Reaching consensus and achieving legitimacy

Public participation is seen as a mechanism that leads to consensus and legitimation of decisions that reflect that consensus, or at least to a substantial reduction in conflict and resistance. More than half the items listed as desirable outcomes of public participation above reflect this hope. But there are clearly circumstances where participation will not lead to this end, however much participation may inform the decision. Many environmental conflicts entail deep rooted differences in beliefs and values among participants; science is often too uncertain to displace prior beliefs among some participants; and politically and technically feasible policy options may not allow reconciliation of value differences.²⁰ In addition, if some key groups are not at the table, the consensus reached by those at the table does not imply easy progress for the decision that emerges.²¹ Finally, participants, in forming a working community with each other, may alienate themselves from the communities of interest they are intended to represent. Their perceived co-optation by the participation process can also endanger the implementation of consensus decisions.²² This suggests several questions:

- Does a high degree of scientific uncertainty coupled with strong concerns on the part of participants make consensus among participants more difficult to achieve? Does public participation remain informative about the nature of conflicts under such circumstances? Does lack of consensus reduce chances for support of agency decisions?
- To what extent does leaving key publics out of the process inhibit the ability to implement decisions?
- If participants are seen as losing touch with, or not adequately championing, the interests of the groups they represent, does consensus in the process have any effect on support for agency decisions?

Notes

¹ Of course, the question of what constitutes a “better” decision is not a trivial one, and many of the other desired outcomes can be considered elements of a “good” decision (Dietz 2003). Several documents discuss this hope:

“It can serve as a tool to integrate environmental and social concerns into decision-making processes and thereby produce decisions that support sustainable development.”

(Petkova, Maurer, Henninger, Irwin, Coyle, and Hoff 2002) p. 65

“Meaningful public participation improves decisions.” (Petkova et al. 2002) p. 90

“Make Better Decisions. Public participation helps DOE make informed decisions that take into account public concerns and preferences...” (U.S. Department of Energy 1998) p. 6

“Properly conducted in those contexts, stakeholder processes can be valuable in supporting high-quality science-based environmental decisions.” (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 1

However, the EPA Science Advisory Board is measured in their assessment of the use of stakeholder involvement, suggesting that it may be inappropriate in some circumstances:

“There are many problems for which stakeholder processes, of the kinds we have addressed, are not appropriate.” (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 1

The SAB report discusses the contexts in which public participation is and is not appropriate and these ideas will be discussed below.

² There are many statements suggestion that agencies expect to learn from effective public participation. Among the statements regarding these expectations are:

“...interested citizens with varied backgrounds and experience can contribute useful information, historical data, and new perspectives to the decision making process. The public may identify issues and alternatives the DOE would otherwise overlook.”(U.S. Department of Energy 1998) p. 5

“It can contribute to an honest accounting of the social, economic, and environmental costs and benefits of a decision and of how the burdens and benefits will affect different segments of society.” (Petkova et al. 2002), p. 65

“...allowing stakeholder groups to define the scope of a problem more broadly can create new opportunities for negotiation and/or areas of common ground.” (U.S. Environmental Protection Agency 2004) p. 8

³ This is a major theme of the report of the National Environmental Justice Advisory Committee (National Environmental Justice Advisory Committee 1996), but others have also discussed it:

“It can contribute to an honest accounting of the social, economic, and environmental costs and benefits of a decision and of how the burdens and benefits will affect different segments of society.” (Petkova et al. 2002), p. 65

“Promote Environmental Justice. ... A targeted public participation program can help to identify any disproportionately high and adverse impacts upon these populations.” (U.S. Department of Energy 1998) p. 6

⁴ While trust and legitimacy is emphasized in academic discussions, it is less prominent in the agency documents we have reviewed, though it is not absent.

“Open the Decision Making Process and Build Credibility. ...Presenting information openly, evaluating issues and alternatives fairly, and following through on commitments all build credibility.” (U.S. Department of Energy 1998), p. 5

⁵ *“Enhance mutual understanding. Public participation activities promote substantive communication and improve understanding on all sides. By responding to comments and questions, DOE can help the public understand the technical aspects of a particular proposal, as well as the broader policy, political, and legal framework within which DOE makes decisions.”*(U.S. Department of Energy 1998) p. 5-6.

⁶ Conflict resolution and public participation are not the same thing, and methods that are effective for one may not work well for another. Indeed, some have argued that a goal of public participation is not to reduce conflicts but to clarify them (Dietz 1987). Nonetheless, there is a belief that effective public participation can reduce conflicts and there is some blurring of the mechanisms for conflict resolution and participation in the guidance literature. For example, the cross-national comparison of participation concludes:

“Finally, it can serve as mechanism to manage social conflicts by bringing different stakeholders and interest groups to the same table to discuss a negotiated agreement.” (Petkova et al. 2002), p. 65-66

⁷ There is a hope that public participation can reduce administrative delays in the long run and thus also reduce costs, e.g.

“Enhance Community Support and Minimize Delays. An effective public participation program will not necessarily eliminate all conflicts and controversies accompanying a DOE proposal. However a community that has a voice in the process and is clearly influencing the final decision will be less angry and frustrated with the process than one that feels shut out or ignored. ...By addressing public concerns up front, DOE may avoid time-consuming litigation or at least strengthen its position in the event of a subsequent legal or regulatory challenge.” (U.S. Department of Energy 1998) p. 6

But the EPA’s SAB notes that in the short term, effective public participation may be more expensive than processes that do not involve such participation:

“...at least in the short run, good science-based stakeholder processes are typically more expensive than conventional environmental decision processes.” (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 1

⁸ The goals of public participation remain contested. Even among those who draw on Habermas for a theory of deliberation, there are differences regarding the ends that such deliberation serves (Dietz 1994). Webler (Webler 1995) views public deliberation as a means for making good decisions, Brulle (Brulle 1993) emphasizes societal transformation, while Dietz (Dietz 1987) advocates deliberation as a tool for informing decision making rather than a method of decision making per se.

⁹ The common argument is that public participation should start early enough in the process to insure that key decisions limiting options have not yet been taken. Indeed, the National Research Council has already (Stern and Fineberg 1996) argued that public participation should come

early enough to help identify options and shape the analysis of those options. This is a major point of. Many guidance documents emphasize the importance of starting participation early: “*Involving the Public Early. Involve the public early in the decision making process—that is, before narrowing alternative and making other key decisions. Inform state, local, and tribal governments, civic organizations, and communications media of the proposed action and the NEPA process to be conducted.*” (U.S. Department of Energy 1998) p. 8

“*Early stakeholder involvement in collaborative processes enhances group “ownership” of both process and outcomes.*” (U.S. Environmental Protection Agency 2004) p. 7

“*Solicit stakeholder involvement early in the policy-making process, beginning in the planning and development stages and continuing through implementation and oversight.*” (National Environmental Justice Advisory Committee 1996) p. 15

“*Core Values and Guiding Principles 10. Encourage early and active community participation.*” (National Environmental Justice Advisory Committee 1996) p. 13

However, in their cross-national comparison, Petkova et al. find that participation is often lacking at both the beginning and the end of the process: “*Public participation tends to be weak at the earliest stages of decision-making and in the monitoring of implementation or review of performance.*” (Petkova et al. 2002), p. 90

¹⁰ This the most commonly mentioned criterion for good public participation, e.g.

“*The term ‘stakeholder’ is generalized to mean the full range of people who are interested in, are affected by, or could affect activities related to community-based environmental protection efforts. Residents of a place certainly are stakeholders, as are nonresidents who have an interest in the place’s human and natural resources and infrastructure.*” (U.S. Environmental Protection Agency. Office of Reinvention 1999) p. 12

“*Successful collaborative problem-solving requires direct involvement of representatives of substance...*” (U.S. Environmental Protection Agency 2004) p. 7

“*EPA will need to identify and recruit a balanced group of representatives who represent the full range of interests. Participants familiar with collaborative processes and with long time horizons ... are particularly good candidates to participate...*” (U.S. Environmental Protection Agency 2004) p. 7

“*Core Values and Guiding Principles 4. The public participation process seeks out and facilitates the involvement of those potentially affected.*” (National Environmental Justice Advisory Committee 1996) p. 13

“*Core Values and Guiding Principles 8. Involve the public in decisions about actions which affect their lives.*” (National Environmental Justice Advisory Committee 1996) p. 13

“*Enhance public participation by actively seeking the participation of minority and low-income populations. Ensure that information regarding DOE proposed actions is made available to minority and low-income populations.*” (U.S. Department of Energy 1998), p.12

¹¹ For example,

“*In some instances, EPA may need to provide training and resources to ensure that stakeholders have the capacity to participate meaningfully in a collaborative problem-solving process.*” (U.S. Environmental Protection Agency 2004) p. 7

“Finding 4: While stakeholder processes can appropriately be used as a vehicle for framing issues and clarifying and informing decisions to be made by EPA and other regulatory decision-makers in a wide variety of settings, they should be used judiciously and with a sensitivity to the fact that they can impose substantial burdens on the very limited human and financial resources available to non-governmental organizations and local community groups.” (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 3

Several specific hypotheses are related to the availability of resources. We return to these in the third section.

¹² For example,

“EPA should: Engage in joint fact finding...Align sound science with policy deliberation..Provide capacity where appropriate...Share information widely.” (U.S. Environmental Protection Agency 2004) p. 9

“Core Values and Guiding Principles 7. The public participation process provides participants with the information they need to participate in a meaningful way.” (National Environmental Justice Advisory Committee 1996) p. 13.

“...emphasizes making scientific data and information available to all stakeholders and decision makers so that choices at all levels are better informed.” (U.S. Environmental Protection Agency. Office of Reinvention 1999) p. 15

“...at a minimum it requires effective notice, adequate information, proper procedures, and appropriate taking into account of the outcome of public participation.” (United Nations Economic Commission for Europe 2000)

DOE’s guidance for public participation under NEPA also emphasizes the importance of making information available (U.S. Department of Energy 1998) p. 10.

However, the ability of public participation processes to deal adequately with complex scientific information remains a matter of debate, and EPA’ SAB has offered several specific hypotheses about when scientific information will and will not be handled adequately in the public participation process. These will be discussed in the next section.

¹³ This is a complex matter. As Note 8 indicates, there is debate about this in the scholarly community. It is clear that everyone rejects the idea of public participation as a pro forma activity that has no influence on decisions. But there is less clarity about what decisions should be influenced and how much influence the public participation process should have. Some have noted the importance of allowing participants in a public participation process to influence the structure of the process (Renn, Webler, Rakel, Johnson, and Dienel 1993), and that is mentioned in by the National Environmental Justice Advisory Committee(*“Core Values and Guiding Principles 5. The public participation process involves participants in defining how they participate.”* (National Environmental Justice Advisory Committee 1996) p. 13). Most guidance documents note the important of allowing the participation process to influence the decision:

“...at a minimum it requires effective notice, adequate information, proper procedures, and appropriate taking into account of the outcome of public participation.” (United Nations Economic Commission for Europe 2000)

“For public participation to add value, it must be meaningful, contribute substantively to defining the parameters and outcomes of a decision-making process.” (Petkova et al. 2002) p. 66

“Truly participatory decision-making involves not only consulting with affected stakeholders, but also enlisting them—to the extent possible—as partners in decision-making.” (U.S. Environmental Protection Agency 2004) p. 8

“Core Values and Guiding Principles 2. Public participation includes the promise that the public’s contribution will influence the decision.” (National Environmental Justice Advisory Committee 1996) p. 13

However, the EPA SAB offers caution about using public participation processes to make regulatory decisions:

“Finding 5: Using stakeholder process, either explicitly or implicitly, to make regulator decisions--as opposed to using them as a source of input to decisions made by regulators--should be undertaken with great care. If it is to be done at all, it can appropriately be applied to only a modest subset of environmental regulatory decisions in which:

- a) adequate staff, generous financial resources, and sufficient time are available to provide expert support on an iterative basis;*
- b) parties are willing to adapt their thinking and the problem formulation to the scientific evidence as it becomes understood;*
- c) the problem being addressed involves a small number of well identified affected parties who can all be made party to the decision process;*
- d) a vehicle is provided for obtaining input from other interested but unaffected parties, including members of the general public, and*
- e) the legally authorized regulatory entity, such as EPA or a state or local agency, explicitly retains a right to review, and if necessary, modify or reject the decision.”* (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 3

¹⁴ For example:

“Provide clear, definite responses to substantive comments. ... Explain why one approach or options was selected over others.” (U.S. Department of Energy 1998) p. 12

“Core Values and Guiding Principles 6. The public participation process communicates to participants how their input was, or was not, utilized.” (National Environmental Justice Advisory Committee 1996) p. 13

¹⁵ DOE refers to a “sliding scale” of participation (U.S. Department of Energy 1998), see also (Chess, Dietz, and Shannon 1998).

¹⁶ But EPA has argued for small diverse groups

“Collaborative processes are generally more likely to succeed when the number of participants is relatively small.” “ ...differences should not be ignored in an attempt to facilitate collaboration by assembling like-minded participants.” (U.S. Environmental Protection Agency 2004) p. 7

On the issue of group diversity, see (Dietz 1987).

¹⁷ *“National-level environmental policy-making cases recorded the strongest ranking for quality and accessibility.”* (Petkova et al. 2002) p. 89 (quality is defined in this report as “how early or extensively the government seeks to incorporate public participation in its decision-making processes” p. 71)

“Regional or local planning processes demonstrated intermediate or strong levels of accessibility but considerable variability in the quality of effort made by public authorities.” (Petkova et al. 2002) p.89

“In productive, extractive, infrastructure, and other sectors at the national level in the pilot countries, decision-making is generally less accessible to the public.” (Petkova et al. 2002) p. 89

“Project-level decisions recorded highly variable public participation, in terms of both quality and accessibility.” (Petkova et al. 2002), p. 89

“‘Bounded’ problems are more easily overcome than large ‘fuzzy’ issues. Therefore, collaborative efforts are more likely to succeed with groups develop a clearly-defined purpose for themselves.” (U.S. Environmental Protection Agency 2004) p. 8

¹⁸ *“Finding 1: An adequate treatment of science is possible in stakeholder processes, but typically only if substantial financial resources, adequate time, and high quality staff are available from the onset to allow the necessary deliberation and provide the necessary support on an iterative basis through ongoing interactions with stakeholders. Absent such resources, stakeholder decision processes, of the types considered in this commentary, frequently do not do an adequate job of addressing and dealing with relevant science.” (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 3*

Others have made similar points, though with less emphasis on the ability to deal with science:

“A convenor of stature can catalyze collaboration by legitimizing the process, encouraging stakeholder participation, and shouldering initial organizational costs to bring parties together to address a shared problem.” (U.S. Environmental Protection Agency 2004) p. 6 (Here convenor refers to the agency or organization, not to an individual.)

“A common information base enables collaborators to develop a shared understanding of the problem and possible solutions, facilitating development of viable, legitimate policy solutions through information exchange and dialogue. Information asymmetries (where different actors hold different information) can exacerbate power inequalities and foster conflicts among collaborators.” (U.S. Environmental Protection Agency 2004) p. 9

¹⁹ *“Finding 2: While staffing arrangements should be tailored to the needs of specific stakeholder groups, it is often better to support a stakeholder process with a single balanced team of experts rather than give each stakeholder group a budget to go out and retain their own experts.” (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 3*

²⁰ The intractability of environmental conflicts is discussed in (Dietz 2001). EPA’s SAB emphasizes the willingness of participants to change their mind in the face of scientific evidence but doesn’t address the degree to which the uncertainty in the science may allow a reasonable participant to remain unconvinced:

“Finding 3: If stakeholder processes, of the types considered in this Commentary, are to result in environmental decisions that are adequately informed by science, participants in those processes must share a commitment to explore the implications of all relevant science, and a willingness to reframe the problems they address when scientific evidence leads in

unanticipated directions.” (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 3

EPA’s Draft White Paper on collaboration acknowledge the intractability of some problems: “*Collaborative processes are unlikely to sustain themselves in the absence of a motivating problem and are unlikely to resolve issues associated with fundamental rights or social values.*” (U.S. Environmental Protection Agency 2004) p. 5

²¹ “*Excluding key stakeholders from collaborative processes, by contrast, frequently leads non-participants to reject resulting decisions, undermine timely and complete implementation, and inhibit subsequent efforts to develop collaborative solutions to environmental problems.*” (U.S. Environmental Protection Agency 2004) p. 7

EPA’s SAB notes that this is especially important if the process is intended to make decisions:

“*Finding 6: If and when a stakeholder process is to be used as the vehicle for decision-making, great care must be taken to assure that all relevant interests are represented in a full and balanced manner. Only then can modest ambiguities involving fact-value tradeoffs be allowed to persist without risking serious errors in outcomes. Most environmental decisions cannot properly be framed as a negotiation among a modest number of well-identified stakeholders.*” (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 3

²² “*To ensure the legitimacy of collaborative decision-making processes, EPA will need to foster the accountability of stakeholder representatives to their constituents.*” (U.S. Environmental Protection Agency 2004) p. 7 This highlights the potential difference between professional or semi-professional “stakeholder representatives” and the members of interested and affected publics. EPA’s SAB has encouraged experimentation with mechanisms that engage a representative sample rather than representatives in a more formal sense:

“*Finding 7: The EPA should explore the development and appropriate use of randomly selected (i.e. disinterested jury-like) groups of members of the general public as a vehicle to obtain advice and insight about public views to assist the Agency in environmental decision-making in the public interest.*” (U.S. Environmental Protection Agency. Science Advisory Board 2001) p. 3

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Key Questions Summary

Outcomes: Does public participation:

- Lead to better decisions?
- Increase agency understanding of the effects of various courses of action, including considering new alternatives?
- Make decisions more fair?
- Increase trust and legitimacy?
- Increase public understanding?
- Resolve conflicts?
- Reduce costs and delays?
- Enhance the capacity of communities and groups within communities to engage effectively in governance?

Factors affecting outcomes: Do the following characteristics of public participation processes lead to good outcomes:

- Starting early in the policy analysis and decision making process?
- Involving all interested and affected parties?
- Being supported with adequate resources
- Providing accessible and diverse information on the available science
- Allowing the process to influence decisions
- Including follow-up from the agency

Do these factors affect all the outcomes of interest, or only some?

Other questions:

- *Circumstances:* What kinds of processes of participation are appropriate to which circumstances?
- *Scale:* Are public participation processes more effective at a local or regional scale, and less effective at larger scales?
- *Support:* To what extent do public participation processes require strong leadership and support, including funds and staffing, to deal with complex information, and especially scientific information? What happens in the absence of such leadership and support? How much leadership and support is sufficient?
- *Scientific staff:* Does providing scientific staff to the overall process and thus to all participants lead to better use of science than providing resources for groups of participants to engage their own scientific expertise?
- *Challenges:* Does a high degree of scientific uncertainty coupled with strong concerns on the part of participants make consensus among participants more difficult to achieve? Does lack of consensus reduce chances for support of agency decisions?
- To what extent does leaving key publics out of the process inhibit the ability to implement decisions?
- If participants are seen as losing touch with, or not adequately championing, the interests of the groups they represent, does consensus in the process have any effect on support for agency decisions?