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# AGENDA: Water Negotiation Workshop

University of Colorado Boulder. Natural Resources Law Center

William & Flora Hewlett Foundation

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## WATER NEGOTIATION WORKSHOP

### Sponsored by:

The Natural Resources Law Center of  
The University of Colorado Law School

Funding Provided by:  
The William and Flora Hewlett Foundation

### Agenda

Wednesday, June 4, 2003

2:30-3:30

#### Welcome and Introductions

- Welcoming remarks
- Purpose, overview and format of workshop
- Introduction of workshop participants

3:30-3:45

#### Break

3:45-5:00

#### Discussion Topic No.1: Convening and Managing an Effective Forum for Negotiations

- Quick overview of ADR efforts in the Klamath
- Negotiation problems encountered in the Klamath:
  - The "ADR Process" was not an acceptable forum for environmental and federal interests
  - The number of parties at the federal court mediation seemed unmanageable
  - Negotiators could not agree on what to talk about
  - Concerns about Oregon's Water Resource Department
  - Lack of money
  - Absences of negotiating deadlines
  - Demand for immediate solutions to "high stakes" problem
- Problems encountered by workshop participants in their negotiations

Wednesday, June 4, 2003 (continued)

5:00-5:45

Discussion Topic 2: Dealing with Scientific and Technical Issues

- Problems encountered in the Klamath
  - Lack of agreement about adequacy of the water supply and the actions necessary to protect endangered species
  - Concerns about "agency science", "advocacy science", the NAS panel and the possibility of "scientific objectivity"
  - "Sticker shock"
  - Science as a "stalking horse" for other issues
  - Failure to consider "trade-offs"
- Problems encountered by workshop participants in their negotiations

5:45-6:00

Critique of Today--Preview of Tomorrow

7:30

Dinner (Carelli's of Boulder, 645 30th Street, 303-938-9300)

Thursday, June 5, 2003

7:30-8:30

Continental Breakfast (Community House, Chautauqua Park)

8:30-10:15

Discussion Topic 3: The Impact on the Negotiations of Strategic Moves and Collateral Events

- Problems encountered in the Klamath
  - Termination of irrigation deliveries and different perceptions of the irrigators' options
  - "Offline" negotiations by a "select group" of stakeholders
  - Reopening of the *Adair* litigation
  - Impact of change in administration
  - Political leadership in a time of "high stakes" conflict
- Problems encountered by workshop participants in their negotiations

10:15-10:30

Break

Thursday, June 5, 2003 (continued)

10:30-12:00

Discussion Topic 4: What Can Be Done About "Jurisdictional Fragmentation" and the Perceived Inability of the Federal Government to Negotiate with One Voice?

- Problems encountered in the Klamath
  - Federal and state agencies have jurisdiction over limited aspects of an overarching problem
  - Multiplicity of collaborative processes and "process fatigue"
  - Conflicting agency agendas
  - A "rouge" agency undermines efforts at coordinated federal action
  - No effective mechanism for addressing interstate issues
- Problems encountered by workshop participants in their negotiations

12:00-1:00

Lunch

1:00-1:45

Discussion Topic 5: Problems Not Encountered in the Klamath

- Discussion of problems encountered by workshop participants in their negotiations that were not analogous to those encountered in the Klamath

1:45-2:00

Discussion Topic 6: Critique of Workshop

- Critique of workshop format
- What would you do different?
- Complete evaluation forms

**Biographies of Participants**  
**Water Negotiation Workshop**  
**June 4 and 5, 2003**  
**Boulder, Colorado**

**Juliana E. Birkhoff**, PhD is a conflict resolution scholar and an experienced mediator, facilitator and trainer. Juliana has extensive background in multi-disciplinary research on conflict and conflict analysis, with particular focus on the use of collaborative decision-making processes in politically charged and technically complex issues. Her theoretical research focuses on how mediators conceptualize their practice, mediation as a profession, and mediation and power. She is a Senior Mediator at RESOLVE, a non-profit dispute resolution organization specializing in environmental and public policy mediation, consensus building, collaboration and policy dialogue. She received her BS from Syracuse University with a major in Non-Violent Conflict and Change, studied at the Harvard Negotiation Project, Harvard University, and received her MS and Ph.D. in Conflict Analysis and Resolution from George Mason University.

**Martha Bean** is a mediator in private practice in Seattle, Washington. Trained as an environmental planner, she now applies her technical knowledge and skills to mediation, and to the facilitation of collaborative processes. Recent projects include crafting a successful settlement of license provisions for two dams on the Cowlitz river in Southwestern Washington, conducting numerous situation and conflict assessments, assisting with Green/Duwamish Conservation Planning effort, and working with environmental groups in the northwest to determine how best to approach a contentious issue. Ms. Bean's academic background is in quantitative watershed assessment with a B.S. from Huxley College at Western Washington University and an M.A. from the University of California at Berkeley. She has completed post-graduate studies at the College of Forest Resources at the University of Washington, where she also periodically teaches and lectures.

**Dave Ceppos** is a Senior Mediator with the Center for Collaborative Policy (CCP) in Sacramento, California. CCP is a joint program of California State University Sacramento and McGeorge School of Law. Dave was the lead facilitator/mediator for the multi-party Upper Klamath Basin Working Group restoration planning process and the Headwaters Forest Reserve Management Plan process in Northern California. He is currently the senior mediator for the Upper Truckee River Collaborative TMDL process with multiple Tahoe/Truckee Basin stakeholders, and the lead negotiator/mediator for the Sutter Bypass Endangered Species Act negotiated Memorandum of Agreement process between USFWS, NOAA Fisheries, California Department of Fish and Game, and multiple water user stakeholders. Most recently, Dave was assigned to be the senior managing mediator for the South San Francisco Bay Salt Pond Restoration Project. This project is one of the largest wetland restoration projects in U.S. history, including over 16,000 acres of existing salt pond restoration to tidal conditions. In addition to extensive mediation and collaborative planning experience, Dave has a considerable applied experience in watershed planning, ecological assessment, hydrology, hazardous waste management, water quality assessment and habitat restoration. Dave has a B. LA. in Landscape Architecture from University of Florida, Gainesville, Florida, 1985 and conducted Post-Baccalaureate Research on Environmentally Related Behavior at the University of Florida. He

has completed graduate-level studies in mediation, dispute resolution, and risk communication through Emory University, Columbia University, and Pepperdine University. He is a member of the International Association of Public Participation, the Society of Ecological Restoration, and the Association for Conflict Resolution. He is recognized by the US Institute for Environmental Conflict Resolution as an Approved Dispute Resolution and Consensus Building Professional on their national practitioner roster.

**Barbara Cosens** is an Assistant Professor in the Environmental Studies Program at San Francisco State University. She is also currently mediating efforts to settle water distribution disputes and interstate apportionment on the Walker River in California and Nevada. Barbara is a member of the Montana, Colorado and California bars. She received her LL.M. from Northwestern School of Law at Lewis and Clark College in 2003, and her J.D. from the University of California, Hastings College of the Law in 1990. As a law student, Barbara worked for the California Attorney General's Office in Environmental Law. She also worked for the Natural Heritage Institute researching the legal/policy aspects of proposed technical solutions to the agricultural drainage problem in the San Joaquin Valley, as part of the San Joaquin Valley Drainage Project. Her research focused on solutions requiring integrated management of surface and groundwater. Following law school she clerked for Justice Lohr of the Colorado Supreme Court. Barbara joined the staff of the Montana Reserved Water Rights Compact Commission in 1991. She served as chief legal counsel for water right negotiations between the Commission and the National Park Service, which resulted in protection of the hydrothermal system within Yellowstone National Park. She also served as chief legal counsel to Montana on negotiations with the U.S. Fish and Wildlife Service, the Chippewa Cree Tribe of the Rocky Boy's Reservation, the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation and the Blackfeet Tribe. Prior to entering law, Barbara received her M.S. in Geology from the University of Washington in 1982, and her B.S. in Geology from the University of California at Davis in 1977. As a geologist, she did applied research in the exploration and development of geothermal energy in California, Japan and the Philippines, focusing in particular on the effect of geothermal development on surface expressions of hydrothermal systems

**Susan Cottingham**, B.A. American Studies, Mary Washington College of the University of Virginia (1971) has been staff director for the Montana Reserved Water Rights Compact Commission since 1991. During this time she has directed the negotiation of five complex Indian water rights settlements as well as three other compacts for federal reserved water rights for the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service. She has served as an advisor to the States of Alaska and Washington on tribal relations and water adjudication. She has been a speaker at numerous conferences/symposia around the West and has been a guest lecturer at several law schools. She is a member of the Ad Hoc Group on Indian Water Settlements, a national coalition. Susan previously served as historical/legal researcher for the Commission for five years. She was director of the Environmental Information Center from 1982-1984. Before moving to Montana in 1982, she served as Planning Director for the Town of Crested Butte, Colorado, during which time she did extensive research on environmental laws and land use planning.

**John Draper** is a water lawyer from New Mexico. His undergraduate degree is in engineering. He has been practicing water law for about 25 years. Since 1990 he has been working primarily in the area of interstate water litigation. He is counsel of record for the State of Kansas in *Kansas v. Colorado*, U.S. Supreme Court, No. 105, Original. Most of the issues in that case have been litigated to conclusion. He is also counsel of record for the State of Kansas in *Kansas v. Nebraska and Colorado*, U.S. Supreme Court, No. 126, Original. In that case, after initial decisions by the Special Master and the Supreme Court, and after a year of intense negotiations, the States have reached a global settlement that has been approved by the Supreme Court.

**Yvonne T. Knight** is a staff attorney with the Native American Rights Fund (NARF) and one of three members of NARF's Litigation Management Committee which oversees NARF's legal staff and case dockets. NARF is a non-profit law firm specializing in federal Indian law and dedicated to defending and promoting the legal rights of Indian people.

Yvonne is Native American of Ponca-Creek tribal descent and a member of the Ponca Tribe of Oklahoma. In 1971, Yvonne became the first Indian woman to graduate from the University of New Mexico's Indian Law Scholarship Program. Following graduation, Yvonne joined NARF as a staff attorney and has represented numerous tribes and individuals in cases involving a variety of Indian law issues. She has had extensive experience in such areas of Indian law as tribal constitutions and codes, Indian land and water rights, the federal trust responsibility to Indians, restoration of the federally recognized status of tribes, Indian education rights, tribal jurisdiction, and most recently, tribal water rights. She represented the Chippewa Cree Tribe of the Rocky Boy's Reservation in Montana in the successful negotiated settlement of its water rights finalized in 2002. Yvonne earned her B.S. degree from the University of Kansas (1965); and J.D. degree from the University of New Mexico (1971). She is admitted to practice law in the federal and state courts of Colorado, and in other federal court jurisdictions, including several district courts, the ninth, and tenth circuit courts of appeals, the United States claims court, and the United States Supreme Court.

**Estevan López** was appointed by New Mexico Governor Bill Richardson as the Director of the Interstate Stream Commission in January 2003. The Interstate Stream Commission is responsible for apportioning water between New Mexico and neighboring states on streams that cross state borders. The commission also was given water-planning responsibility for the state. Eight members of the board are appointed by the Governor from around the state. López is a registered professional engineer in New Mexico. Also, he serves as the Deputy State Engineer. He served as County Manager for Santa Fe County from 2001 to 2002. Before that, he was the Land Use and Utility Director for Santa Fe County from 1997 to 2000. A native of Peñasco, López serves on four New Mexico acequia committees including: the Acequia del Camino del Peñasco and the Acequia de los Pajones, both in Peñasco, as well as the Acequia Madre de Llano Largo and the Acequia del Sombrio en Llano Largo, both in Llano Largo. In addition, Lopez serves as president of the Peñasco Mutual Domestic Water Consumers Association. In 2003, Lopez was appointed by Governor Richardson to the New Mexico/Chihuahua Border Commission. He has a Bachelor of Science degree in chemistry and a Bachelor of Science degree in petroleum engineering from New Mexico Tech, in Socorro.

**Rita Maguire** is president and CEO of the Arizona Center for Public Policy, a non-partisan research center concentrating on natural resource, education, health care, immigration and fiscal policy issues relevant to Arizona. Prior to joining the ACP, Ms. Maguire served as the Director of the Arizona Department of Water Resources. During her tenure, Ms. Maguire was instrumental in the development and implementation of critical western water management initiatives including the Arizona Water Bank Authority, an innovative program that stores water underground for cities and other municipal water providers in the Lower Basin States of the Colorado River. A licensed attorney, Ms. Maguire specializes in environmental, natural resources and administrative law.

**Francis McGovern** was among the first in the nation to write about and to use alternative dispute resolution (ADR) techniques to avoid or to improve the litigation process. As a court-appointed special master or neutral expert, he has developed solutions in most of the significant mass claim litigation in the U.S., including the DDT toxic exposure litigation in Alabama, the Dalkon-Shield controversy, and his current work involving the silicone gel breast implant litigation. In the Dalkon Shield litigation, he helped organize and administer the distribution of the \$2.4 billion trust established to compensate 100,000 women who had sued the maker of the device.

Working with United Nations Compensation Commission, which was set up to ensure that Iraq compensates citizens, businesses and government agencies for losses suffered in the Persian Gulf War, Professor McGovern is helping construct a legal framework for handling the 2.6 million claims for reparations from Iraq. He also is developing a transnational ADR center in Europe to handle torts, including silicone gel breast implants and HIV infected blood cases that cross national boundaries.

Professor McGovern is the co-author of two published books, *Successful Litigation Techniques* and *The Preparation of a Product Liability Case*, and two books in progress, *Toxic Substances Litigation* and *Alternative Dispute Resolution*. Both practitioners and scholars rely on his writing for its integration of extensive practical experience with conceptual analysis of fundamental problems in dispute resolution and complex litigation. Professor McGovern's most widely known contribution to the scholarship in this area is his development of the seminal concept of "maturity" in mass torts--a concept generally accepted as critical in analysis of mass torts. At Duke, he looks forward to greater opportunities for empirical research on new ADR approaches in association with the Law School's Private Adjudication Center.

**Shaun McGrath** has been with the Western Governors' Association since 1995. During the first three and a half years, he was the Senior Legislative Assistant in the WGA--Washington, D.C. Office. In November 1998, he transferred to the Denver Office where he is currently the Program Manager for Water Policy. Prior to coming to WGA, Shaun was a Legislative Assistant to Congressman Jim Slattery of Kansas, handling the environmental issues for the Congressman that came before the Commerce Committee, including the drafting of the Slattery/Bliley Safe Drinking Water Act Reauthorization bill in the 103rd Congress. He has also served as the Executive Director of the Kansas Natural Resource Council -- a non-profit environmental organization -- and Trade Manager for the Kansas Department of Commerce's European Office in Stuttgart, Germany. Shaun has a Bachelor of Arts in German and Political Science from Kansas State University and a Master's of Public Administration from the University of Kansas.

**Christopher W. Moore, Ph.D.**, a Partner of CDR Associates, has worked in the fields of collaborative planning and conflict management for over twenty-five years. He is an internationally known mediator, facilitator, dispute systems designer, trainer, and author in the field of conflict management. Moore has consulted in the U.S. and over twenty-five countries around the world where he specializes in the resolution of multiparty public policy, environmental, natural resource and ethnic conflicts. Examples of his work include the Okavango River Basin Commission facilitation to develop a collaborative management system for a transnational river (Angola, Botswana and Namibia); Government of Egypt situation assessment on the feasibility of and procedures for restructuring the national water sector; Government of Indonesia design and capacity building for a national dispute resolution system to settle water pollution conflicts; Republican River Compact Settlement which resolved a U.S. Supreme Court case over allocations (CO, KS, NE); State of Nebraska's Water Policy Task Force facilitation to develop legislation to coordinate use of surface and groundwater (NE); American River supplemental EIS negotiations (CA), Sacramento Valley water development agreement to address water quality, agricultural and urban needs(CA); Carmel River habitat recovery plan negotiations (CA); FERC relicensing facilitation for the Hebgen Dam (MT), Salida Power Plant (CO); and the Niagara Power Plant (NY); Platte River Cooperative Agreement concerning states' water contributions to a federal habitat recovery plan (CO, NE, WY), Klamath River mediation concerning meeting water needs and water allocations (OR, CA); and Two Forks Dam construction facilitation concerning the development of a water conservation plan for Denver (CO). He was trained as a mediator by the U.S. Federal Mediation and Conciliation Service (1979) and the American Arbitration Association (1976), and holds a Ph.D. in political sociology and development from Rutgers, the State University of New Jersey. He is the author of *The Mediation Process: Practical Strategies for Resolving Conflict* (Jossey-Bass, 2003, 3<sup>rd</sup> Edition.), and numerous other journal articles and manuscripts on conflict management.

**Lucy Moore** is a mediator, facilitator, and trainer, based in Santa Fe, New Mexico, and specializing in natural resource issues. Since 1982 she has worked with federal, state, local and tribal governments, public interest groups and business interests on issues including endangered species, hazardous waste, water rights, mine closures, air and water quality, and forest planning. Her current cases include the adjudication of water rights in the San Juan Basin of New Mexico, development of a collaborative program to provide habitat protection for the Rio Grande Silvery Minnow, and resolution of differences between environmental activists and traditional land-based communities. Her education includes a B.A. from Harvard, eight years on the Navajo Indian Reservation, and lessons learned from dozens of challenging cases.

**Kathryn Mutz** joined the professional staff of the Natural Resources Law Center as a research associate in September 1996, after receiving her law degree from the University of Colorado (1995) where she focused on natural resources and environmental law. Prior to the study of law, she worked throughout the West for state and federal government and private industry on scientific and public policy issues related to natural resources development. As an ecologist, with a B.A. from the University of Chicago, and an M.S. from Utah State University, she specialized in wetlands, endangered species, and reclamation of disturbed lands. Kathryn currently coordinates the Center's Justice in Natural Resources project. Through this project, the Center has been exploring the limits of environmental justice, addressing issues such as the

distribution of benefits and burdens of water developments, timber programs, endangered species, wilderness and parks protection, and a variety of Native American issues including sacred lands protection. She also coordinates the Center's research in forest policy and minerals. Kathryn served as the Center's interim director in 1998-99 and again from August through December of 2001; she currently serves as deputy director for operations. She is on the board of the Colorado Riparian Association, the Communities Committee of the Seventh American Forest Congress, and the Tribal Lands Program Advisory Board of the National Wildlife Federation.

**Michael C. Nelson** has been the Presiding Judge of the Superior Court of Apache County, Arizona since 1989. On September 21, 1994, Judge Allen Minker appointed Judge Nelson Settlement Judge in the Little Colorado Stream Adjudication. On February 8, 2000, Judge Nelson was appointed Settlement Judge in the Gila River Adjudication by Judge Susan Bolton. Judge Nelson is presently acting as the mediator in New Mexico ex rel. State Engineer v. Aamodt, et al. in the Federal District Court in New Mexico, an adjudication of the Rio Pojoaque-Rio Tesque Basin. Judge Nelson has published a number of articles on or related to Indian water rights, Indian tribal law and tribal-state relations, including a detailed analysis of the Winters Doctrine and its establishment of federal reserved water rights. He is the Chairman of the Arizona State, Tribal and Federal Judges Forum, Chairman of the Arizona Supreme Court's Committee on Judicial Education and Training, Chairman of the Navajo Nation Judicial Conduct Commission, and a member of the Board of Directors of Southern Arizona Legal Aid. Judge Nelson received his B.A. from Stanford in 1970 and his J.D. from the University of Arizona in 1977. Before his appointment by Governor Mofford to the bench in 1989, he served as Special Staff Assistant and Legal Counsel to Peterson Zah, Chairman of the Navajo Tribal Council.

**Scott Peppet** is an Associate Professor of Law at the University of Colorado School of Law in Boulder, Colorado. He joined the faculty of CU Law School in fall, 2000. He specializes in legal ethics and alternative dispute resolution and negotiation. He is the co-author of a recent book on legal bargaining, titled *Beyond Winning: Negotiating to Create Value in Deals and Disputes* (Harvard University Press, 2000, with Mnookin and Tulumello), which received the CPR Institute for Dispute Resolution Award for best new book in 2000. He is also co-author of a new edition of a leading ADR textbook, titled *Processes of Dispute Resolution* (Foundation Press, 2001, with Rau and Sherman), and various articles on legal negotiation and dispute resolution. These include *Contractarian Economics and Mediation Ethics: The Case for Contingent Fee Mediation* (forthcoming, Texas Law Review, 2003); *Contract Formation in Imperfect Markets: Should We Use Mediators in Deals?* (forthcoming, Ohio State Journal on Dispute Resolution, 2004); *Answering the Murderer at the Door: When Should Lawyers Lie?* (work in progress); *Can Saints Negotiate? A Brief Introduction to the Problems of Perfect Ethics in Bargaining* (Harvard Negotiation Law Review, 2002). He is the Director of the first annual University of Colorado Japha Symposium on Business and Professional Ethics (October, 2003), and in 2002 he was awarded the University of Colorado School of Law's Excellence in Teaching award by the school's students. Prior to joining the CU faculty, he taught as a Lecturer on Law at Harvard Law School and was a Senior Fellow at the Harvard Negotiation Research Project. A *magna cum laude* graduate of the Harvard Law School, he was an editor of the *Harvard Law Review* and a founding co-editor in chief of the *Harvard Negotiation Law Review*. He served as a clerk to Associate Justice Charles Fried on the Massachusetts Supreme Judicial Court.

**Stanley Pollock** is the Water Rights Counsel for the Navajo Nation in Window Rock, Arizona. Since 1985, he has represented the Navajo Nation in all matters affecting the tribe's water resources, including five general stream adjudications in Arizona and New Mexico. He also serves as local counsel for the Pueblo of Nambé in the Rio Pojoaque General Stream Adjudication in New Mexico. Mr. Pollock has lectured extensively on Indian Reserved Rights, Colorado River issues, and the impact of the Endangered Species Act on tribal water rights. He received his law degree from the University of Colorado in 1978 and pursued undergraduate and graduate studies in water resources at the University of Michigan. He is admitted to the bars of Arizona, Michigan, New Mexico and the Navajo Nation. He is also admitted to practice before various federal courts, including the Ninth and Tenth Circuits, the Federal Court of Claims and the U.S. Supreme Court.

**Les Ramirez** is a private practitioner representing Indian tribes, nations and organizations in natural resource, environmental, constitutional development and governmental affairs, and economic development matters. Prior to entering private practice, Mr. Ramirez was a member of the faculty of Stanford Law School, where he was a Spaeth Fellow and a Paradise Natural Resources Law Fellow. While at Stanford he taught, among other courses, federal Indian law, pre-Columbian Native American law and institutions, and collaborative watershed management planning. In 1993, he was appointed by President Clinton as a White House Fellow and subsequently served, from 1994-1997, as Special Counsel to Secretary of the Interior, Bruce Babbitt. During that time, Mr. Ramirez assisted the President and the Secretary of the Interior in multi-jurisdictional natural resource and endangered species recovery efforts in the Pacific northwest (Pacific salmon/northwest spotted owl; Northwest Forest Plan; Klamath Basin Recovery Plan), the southeastern United States (Everglades restoration), and the northeastern United States (Atlantic salmon recovery) and was principal negotiator in a variety of Indian water rights settlements including the Gila River Indian water rights settlement effort in central Arizona. Prior to teaching law, he served as Senior Law Clerk to Justice Leah W. Sears (1991-1992), Law Clerk to Presiding Justice George T. Smith of the Supreme Court of Georgia (1989-1991), and worked briefly at the Coca-Cola Company in its corporate litigation department, working primarily in the fields of anti-trust and competition law.

Born in Alaska, Mr. Ramirez earned a B.A. from Augusta College in 1983, a J.D. from the University of Georgia in 1988, and a J.S.M. from Stanford Law School in 1997. He has published and presented at numerous conferences related to endangered species, Native American, natural resources, and economic development law issues. Mr. Ramirez has testified before the multiple committees of the United States Congress, and numerous state legislatures, in the same regard.

**Steve Snyder** is an attorney, mediator and conflict management consultant who specializes in the resolution of business and natural resource disputes. Steve was a senior partner of a 200 lawyer Denver based firm where he specialized in complex business and natural resource litigation. Several years ago, Steve left his firm to return to New Mexico (where he was born and raised) to establish a private practice as a mediator and consultant. As part of his consulting practice, Steve has (i) presented workshops on alternative dispute resolution and complex case management for judges and special masters presiding over water rights adjudications in several western states; (ii) provided mediation training for the court-appointed mediators in the Lower Rio Grande Water Rights Adjudication in Southern New Mexico; (iii) presented public education

workshops for the stakeholders in the Lower Rio Grande Water Rights Adjudication; and (iv) provided negotiation training for and facilitated public meetings of the stakeholders in the Klamath Basin Water Rights Adjudication in Southwestern Oregon.

**Zell Stevers** is the Bureau Dispute Resolution Specialist and Conflict Management Service Coordinator for the Bureau of Reclamation in the U.S. Department of the Interior. He was responsible for designing and setting up the alternative dispute resolution (ADR) program for all activities in the Bureau four years ago and has been managing this effort since then. He has worked for over 30 years in environmental and water resource issues at the local, state, national and international levels. He has extensive experience working with non-governmental organizations, private and public sector organizations on complex and controversial issues. He was responsible for organizing the 2003 Professional ADR Development Conference for the DC Chapter of ACR as the Vice President and has been a Board Member for two years. Mr. Steever was a Member of the U.S. Delegation to the Earth Summit held in Rio de Janeiro in 1992, and was responsible for negotiating five Chapters of *Agenda 21* including the Freshwater, Science, and Capacity Building Chapters. He has worked on water resource disputes within the U.S. with the river basin commissions and at the international level between nations. He has specialized in developing ADR training seminars and in developing processes for resolving complex multi-party public policy issues, particularly in water resources development projects, wetlands, sustainable development, and natural resources matters.