

ATTACHMENT C STATEMENT OF QUALIFICATIONS (SOQ)

Section 1: ADR Provider Contact Information & Languages			
Last Name	Nudelman	First Name	Debra
Company Name	Kearns & West		
Business Address	720 SW Washington Street, Ste. 630		
City	Portland	State	OR
Zip Code	97205	Phone 1	503-221-1650
E-mail	dnudelman@kearnswest.com		
Web Site	http://www.kearnswest.com/		
Languages Spoken	English	Fax #	N/A

Section 2: Provider Overview

The following Section provides a brief overview of the provider’s experience and qualifications

Debra L. Nudelman, JD, Principal, Senior Mediator and Portland Office Director, has nearly 30 years of experience as a consensus building and dispute resolution professional. She is currently responsible for convening, facilitating, mediating and managing projects including stakeholder assessments, workshops, strategic planning and agreement-focused processes involving complex public policy, natural resource, land management, and environmental issues. She convenes and mediates multi-party negotiations in cases involving a wide range of parties representing diverse interests from private entities and public agencies including federal, state, local and tribal governments, non-governmental organizations, and the public. Debra designs and delivers training for negotiation skills, facilitation, public involvement, strategic planning and consensus building. She also designs and implements dispute resolution systems.

Section 3 Services Offered and Rate		
Type of Service Key Person Desires to Offer & is Qualified to Offer (See Attachment B for Qualifications)	ADR Provider Billing Rate per hour	Support Staff Billing Rate Per Hour
<p><input checked="" type="checkbox"/> 1. A <u>Mediation General Practitioner</u> is an impartial third party who assists two or more parties in reaching a mutually acceptable resolution to a controversy. These Practitioners have broad mediation experience and skills and are able to adapt mediation to a wide variety of circumstances, including workplace disputes.</p>	200.00	125.00
<p><input checked="" type="checkbox"/> 2. A <u>Facilitation General Practitioner</u> is an expert at helping large groups work effectively towards a desired objective. These Practitioners have sufficiently broad experience and skills so as to be able to design and facilitate a large group process to achieve variety of goals or objectives.</p>	200.00	125.00
<p><input checked="" type="checkbox"/> 3. A <u>Public Policy Facilitator</u> is an expert at helping governmental entities and diverse stakeholders reach agreement on controversial public policies or public projects, often within a complex legal, political or regulatory context. These providers are experienced at assessing, designing, convening and facilitating collaborative processes.</p>	200.00	125.00
<p><input checked="" type="checkbox"/> 4. A <u>Public Involvement General Practitioner</u> is an expert at helping governmental entities engage the public on public issues or projects. These providers are able to design and implement an appropriate public involvement process from projects that seek to inform or educate the public to projects that allow for greater public involvement via consultation or collaboration.</p>	200.00	125.00

Section 4: Does the Provider charge travel expenses to provide services in your area?		
County or County Area	Available to work in this area without charging travel expenses.	Available to work in this area but will charge travel expenses
1 Clatsop, Columbia, Tillamook – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2 Washington, Multnomah – Counties	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 Polk, Marion, Yamhill – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4 Lincoln, Benton, Linn – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5 Lane – County	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6 Douglas – County	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7 Coos, Curry – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8 Josephine, Jackson – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9 Hood River, Wasco, Sherman, Gilliam, Wheeler	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10 Jefferson, Crook, Deschutes – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11 Lake, Klamath – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12 Morrow, Umatilla - Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13 Wallowa, Union, Grant, Baker – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14 Harney, Malheur – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15 Clackamas – County	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Section 5: Standards the Provider Subscribes to and Licenses Held

- Oregon Mediation Association Core Standards of Mediation Practice, April 23, 2005
(<http://www.mediate.com/oma/pg61.cfm>)
- Association for Conflict Resolution, Model Standards of Conduct for Mediators, 2005 revisions.
http://www.imis100us2.com/acr/ACR/Resources/Model_Standards/ACR/Resources/Model_Standards.aspx?hkey=315fc2bd-2cac-422b-82bf-b3160b6a1b08
- Model Standards of Practice for Family and Divorce Mediation
http://www.imis100us2.com/acr/ACR/Resources/Model_Standards/ACR/Resources/Model_Standards.aspx?hkey=315fc2bd-2cac-422b-82bf-b3160b6a1b08
- International Association for Public Participation (IAP2), Code of Ethics for Public Participation Practitioners (See <http://www.iap2.org/displaycommon.cfm?an=1&subarticlenbr=8>)
- Other professional standards that the provider subscribes to: **ABA Standards**
- Oregon State Bar #
- Other professional licenses: **Wisconsin State Bar**

Section #6: Provider's Specialized Areas of Expertise

<i>Area of Expertise</i>	<i>Sub Specialty</i>	<i>Areas of expertise</i>
Business and Finance	General	<input type="checkbox"/>
	Investment and Finance	<input type="checkbox"/>
	Patents or Intellectual Property Rights	<input type="checkbox"/>
Civil Rights	Civil Rights	<input type="checkbox"/>
Consumer	All Types, Consumer-Merchant Disputes	<input type="checkbox"/>
	Assistive Technologies	<input type="checkbox"/>
	Vehicle Sales, Service or Repair	<input type="checkbox"/>
Cultural	Cross Cultural, Ethnicity, or Related Fields	<input checked="" type="checkbox"/>
Education	Education	<input type="checkbox"/>
	Special Education	<input type="checkbox"/>
Environmenta	Agricultural Exceptions (goal 2)	<input checked="" type="checkbox"/>
	Agriculture	<input checked="" type="checkbox"/>
	Air, Land and Water Quality	<input checked="" type="checkbox"/>
	Coastal	<input checked="" type="checkbox"/>
	Endangered Species or Wildlife	<input checked="" type="checkbox"/>
	Energy	<input checked="" type="checkbox"/>
	Forestry	<input checked="" type="checkbox"/>
	Hazardous Materials and Environmental	<input checked="" type="checkbox"/>
	Other Natural Resource Related	<input checked="" type="checkbox"/>
	Water Resources, Wetlands	<input checked="" type="checkbox"/>
Governmental and Regulatory	Government-to-Government (e.g., state-tribal)	<input checked="" type="checkbox"/>
	Professional Licensing	<input type="checkbox"/>
	Public Utilities	<input checked="" type="checkbox"/>
Human Services	Child Dependency and Permanency Planning (Adoption)	<input type="checkbox"/>
	Disability	<input type="checkbox"/>
	Family Services, including Service Plans	<input type="checkbox"/>
	Health Care	<input checked="" type="checkbox"/>
	Senior Services	<input type="checkbox"/>
	Social Services	<input checked="" type="checkbox"/>
	Vocational Rehabilitation	<input type="checkbox"/>
Public Assistance - AFS	<input type="checkbox"/>	
International	International	<input type="checkbox"/>
Labor and Employment	Collective Bargaining and Labor	<input type="checkbox"/>
	General Employment and Human Resources	<input checked="" type="checkbox"/>
	Workers' Compensation	<input type="checkbox"/>
	Workplace Interpersonal Disputes	<input checked="" type="checkbox"/>
Torts or Insurance Claims	Torts or Insurance Claims	<input type="checkbox"/>
Transportation, Housing and Land Use	Construction Industry & Contracts, Civil Engineering	<input type="checkbox"/>
	Eminent Domain	<input type="checkbox"/>
	General Planning	<input checked="" type="checkbox"/>
	Growth Management	<input checked="" type="checkbox"/>
	Housing	<input checked="" type="checkbox"/>
	Land Use	<input checked="" type="checkbox"/>
	Railroad	<input type="checkbox"/>
	Real Property	<input type="checkbox"/>
Siting Controversial Projects or Facilities	<input checked="" type="checkbox"/>	

Section 7: Relevant Education and Training

1991 - Juris Doctor, University of Wisconsin School of Law, Madison, WI.

1982 - Bachelor of Science, Carroll College, Social Work and Geography, Waukesha, WI

Harvard Program on Negotiation Training, 40 hours, 1995

Mediation Trainings: Small Claims Court, 9th Circuit Court and Federal ADR

Section 8: Relevant Training Conducted by the Provider

- NOAA Fisheries Principled Negotiation Training
- National Policy Consensus Center Transportation Colloquium
- NMFS Technical Recovery Team Problem-Solving and Planning Workshop
- NMFS Salmon Recovery and ESA Compliance Workshops Consultation
- Negotiation Skills Training for the Texas, New Mexico and Oklahoma Parks and Wildlife Departments
- Negotiation Skills Training and Conflict Assessment Skills Training for the National Marine Fishery Service, NOAA, Southwest Region
- Using Alternative Dispute Resolution in Enforcement Negotiation Training Courses for all EPA Regions and Headquarters
- Strategic Planning Retreat Workshop for EPA RCRA Corrective Action Program Staff; and Office of Site Remediation and Enforcement Managers Retreat
- Building Consensus in Public Policy Decision Making
- Consensus Building Skills Training for Community-Based Environmental Protection
- Strategic Planning Retreat Workshop for NOAA Constituent Affairs Office
- BLM Collaborative Public Involvement in Environmental Projects Training Course, Consensus Building and Negotiation Skills Training
- Facilitation Skills Training for Nuclear Waste Coordinators, League of Women Voters
- Influencing the Decisions of Others: Negotiation Skills Trainings

Section 9: Workplace Mediation Experience

- Federal Agency ADR Mediation Program

Section 10: Litigation Settlement Related Experience

Mediator, Powerdale Hydroelectric Water Right Mediation

Ms. Nudelman provided process support and mediation for parties working to settle litigation regarding a water rights statute, as well as issues related to irrigation, agriculture, and ESA listed species. The participants in the mediation included the tribes, state and federal agencies, an irrigation district and an environmental NGO.

Mediator, Bridge Creek Pipeline Appeal Mediation

Ms. Nudelman provided process support and mediation for parties working to settle 9th Circuit Court litigation regarding an appeal of a National Environmental Policy Act (NEPA) process related to federal lands and a water supply pipeline for a municipality in Central Oregon. The participants in the mediation include local and federal agencies, an irrigation district, a watershed council and environmental NGOs.

Process Advisor and Mediator, Willamette ESA Senior Policy Managers Process

Ms. Nudelman served as lead process advisor and mediator to senior policy executives from five federal agencies working together to draft a Proposed Action and Biological Opinion for ESA listed steelhead and bull trout in the Willamette River Basin. The group reached agreement on fish passage, water quality, and allocation issues in an effort to better manage the entire basin's resource. Key parties in the negotiation include: Bonneville Power Administration, Bureau of Reclamation, National Oceanic and Atmospheric Administration – Fisheries, US Army Corp of Engineers, and US Fish and Wildlife Services.

Mediator, Columbia River Channel Improvement Project and the Re-Consultation Process

Ms. Nudelman provided facilitation and mediation services for a joint decision making process between representatives of the U.S. Corps of Engineers, National Marine Fisheries Service, U.S. Fish and Wildlife Service and designated non-federal representatives of six Port Authorities along the Columbia River to develop a legally defensible, scientifically credible Biological Opinion. The U.S. Corp of Engineers Portland District sponsored project activities.

Mediator, Pelton Round Butte Hydro Project Re-Licensing

Ms. Nudelman managed process design, consultation and mediation/facilitation services providing neutral third-party negotiation assistance to a diverse group of regulatory agencies and stakeholders working with the joint applicants (Warm Springs Power Enterprises and Portland General Electric). The group achieved consensus for a settlement agreement submitted to FERC as part of its hydro project re-licensing process. Project activities were funded by PGE and the Confederated Tribes of the Warm Springs.

Section 11: Overall Mediation Experience

Mediator, Crooked River/Bowman Dam Negotiation

Ms. Nudelman served as a lead mediator for diverse group of stakeholders exploring needs, policy steps and actions necessary to move forward with potential changes to current water allocation designations and related changes in Oregon's Crooked River system. Among the key issues discussed by the group are: the use of unallocated water behind Bowman Dam, implications for a Habitat Conservation Plan currently under development, consideration of new hydropower on the existing Bowman Dam, and potential changes to the Wild and Scenic River designation.

Mediator, Reserves Steering Committee Process

Debra led the process design, consultation, and mediation team providing neutral support to the Reserves Steering Committee and Core 4 processes. This group of elected officials from three counties and Metro, a regional government that oversees land-use planning and maintains the urban growth boundary in compliance with state law, as well as numerous stakeholders, worked to reach consensus on how best to implement a new state law requiring agreement on urban and rural reserve designations for regional land-use planning over the next 40-50 years. Project activities were sponsored by Metro and three counties.

Mediator, North Bethany 2010 Ordinance Process

Ms. Nudelman led the mediation team providing neutral process support to the Washington County Department of Land Use & Transportation in their effort to utilize a multi-party approach in drafting a mutually acceptable North Bethany Land Use Ordinance. The process involved mediation with numerous parties along with facilitating a Coordinating Committee and three Workgroups, which were charged with addressing the financing and implementation of a new method of planning and developing a community. Project activities were sponsored by the Washington County Department of Land Use & Transportation, K&R Holdings and West Hills Development Corporation.

Mediator, West Coast Ocean Summit

The West Coast Ocean Summit (WCOS) brought together West Coast Tribes, representatives from the Governors' offices of California, Oregon, and Washington and state and federal agencies to share ocean health priorities and discuss regional ocean coordination and collaboration opportunities. Kearns & West provided process design services to develop the Summit and neutral mediation to support the two-day event. Kearns & West helped Summit participants achieve unprecedented collaborative work for west coast ocean management, including developing a shared understanding of common priorities, documenting issues of mutual importance, creating strategies for identifying opportunities for coordination and overcoming challenges, and developing mechanisms for ongoing dialogue among federal and state agencies and tribes in the region. Kearns & West summarized the Summit content and outcomes into a report available [here](#).

Section 12: Facilitation Experience
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Facilitator, Oregon Agricultural Heritage Program Work Group

Ms. Nudelman leads the strategic project management and neutral third-party facilitation for the Oregon Agricultural Heritage Program (OAHP) Work Group. Governor Brown's office has convened a work group to work with landowners, tribal governments, agencies, and interested organizations to identify voluntary tools to help landowners maintain working farms and ranches while providing incentives and support for conservation benefits on those lands.

Facilitator and Process Advisor, Willamette Governance Group

Ms. Nudelman is the lead facilitator coordinating the efforts of the seven entities participating in the Willamette Governance Group (WGG) process. The purpose of the WGG is to create a governance structure for a regional Willamette Water

Supply System. The agreement will help to define ownership and result in the governance, stewardship, management, operations and expansion of the Willamette Water Supply System.

Facilitator, Clean Water State Revolving Fund Rule Amendment

Ms. Nudelman was hired by the Oregon Department of Environmental Quality to provide neutral third party process assistance to the Clean Water State Revolving Fund Rule Amendment Advisory Committee. The loan program administered by DEQ provides low-cost loans for the planning, design or construction of various projects that prevent or mitigate water pollution. Agencies eligible for loans include Indian tribal governments, cities, counties, sanitary districts, soil and water conservation districts, irrigation districts, various special districts and certain intergovernmental entities. Ms. Nudelman works with the project team on coordination and facilitation of stakeholder meetings, and conducting interviews and briefings with key stakeholders.

Facilitator, Deschutes Habitat Conservation Plan

Ms. Nudelman leads the process design, consultation, and facilitation process providing neutral support to a multi-party negotiation for development of a Habitat Conservation Plan in the Deschutes River Basin. Stakeholders include state, federal, local, and tribal representative, irrigation districts, NGOs, the utility and elected officials and senior level representatives from other stakeholder groups. Project activities are sponsored by multiple parties.

Facilitator, Mt. St. Helens Sediment Evaluation

Ms. Nudelman facilitated a week long workshop of national and international technical experts, convened to provide input on the U.S. Army Corps of Engineers' (ACOE) efforts to address erosion and sediment issues associated with the 1980 Mount St. Helens eruption and to maintain flood damage reduction benefits for the lower Cowlitz River communities. With facilitation from Ms. Nudelman and team technical experts provided independent feedback and advice on ACOE assumptions and methodologies for evaluating the sediment yield from the Mt. St. Helens debris avalanche.

Section 13: Public Policy Facilitation Experience

Lead Facilitator, SB838 Gold Mining, Oregon

Debra provided neutral facilitation services, process design and support, and stakeholder identification and engagement to the Governor's office as it convened a work group to develop a revised state regulatory framework for suction dredge mining in Oregon. One of the key provisions in the Senate Bill 838 (SB838) legislation passed by the 2013 Oregon Legislature; directed the Governor's Office to convene a Study Group to develop a revised state regulatory framework for suction dredging.

Lead Facilitator, Portland Air Toxics Solutions

Ms. Nudelman led the facilitation team for the Oregon Department of Environmental Quality's (ODEQ) Portland Air Toxics Solutions Advisory Committee (PATSAC). PATSAC was a broad-based stakeholder group assisting ODEQ in a community based air toxics reduction project designed to improve

public health and reduce risk to public health. Portland Air Toxics Solutions was a unique toxics control effort evaluating risk holistically to produce an area-wide plan to decrease emissions from sources roughly commensurate with their contribution to problems. Ms. Nudelman worked with stakeholders to produce an approved consensus-based set of recommendations that met emission reduction goals and regulatory requirements that are clear, realistic and measurable. Services were provided through Oregon Consensus.

Lead Facilitator, Cascade Crossing Transmission Project

Ms. Nudelman led the process design, consultation, and facilitation team providing neutral support to PGE as it explored possible routes for a 200-mile, 500 kilovolt transmission line in Oregon. Kearns & West was hired to facilitate strategic process support and assist with design and implementation of comprehensive facilitation/mediation, strategic process support, and public involvement and communications activities for the permitting process. Ms. Nudelman also worked with the project team on the development of a strategic stakeholder involvement and communications plan, coordination and facilitation of stakeholder meetings, and conducting interviews and briefings.

Lead Facilitator, Senate Bill 513 Working Group

Ms. Nudelman led the facilitation team for the Oregon Ecosystem Services Markets Working Group, which was convened by the Oregon Watershed Enhancement Board under the direction of Senate Bill 513. The Working Group is strove to study and propose overarching goals to guide the development of integrated ecosystem services markets in Oregon; address the need for a consistent methodology to describe and quantify ecological values; make recommendations concerning the development of appropriate ecological evaluation and accounting systems; consider the appropriate role of government participation in ecosystem services markets; and propose potential policies to help stimulate demand for payments for ecosystem services, in particular the development of regulatory and voluntary ecosystem services markets.

Section 14: Experience as a Public Involvement Practitioner

Lead Process Advisor/Public Involvement, BOEM Oregon Offshore Renewable Energy Task Force

Debra provided neutral facilitation and process support to the Bureau of Ocean Energy Management's (BOEM) Oregon Offshore Renewable Energy Task Force as it explored outer continental shelf renewable energy development. Task Force members included tribal, federal, state, county and local officials. Interested members of the public provided comment and feedback. Debra worked with the project team on coordination, facilitation, and follow-up from public Task Force meetings. Project activities were sponsored by BOEM.

Lead Process Advisor/Public Involvement, Cascade Crossing Transmission Project

Ms. Nudelman led the process design, consultation, and facilitation team providing neutral support to PGE as it explores possible routes for a 200-mile, 500 kilovolt transmission line in Oregon. Kearns & West was hired to assist with design and implementation of comprehensive public involvement and communications activities for the permitting process. Ms. Nudelman worked

with the project team on the development of a strategic stakeholder involvement and communications plan, coordination and facilitation of stakeholder meetings, and conducting interviews and briefings with key stakeholders statewide

Lead Process Advisor/Public Involvement, Tillamook PUD Transmission Project
Ms. Nudelman provided the process design, consultation, and facilitation as neutral support to the Tillamook PUD as it explored possible routes for a transmission line from Tillamook to Oceanside, Oregon. Kearns & West provided early-stage public engagement and ongoing process guidance, as well as convened and facilitated a citizen advisory group (CAG) process from January – June 2015. The CAG represented community interests while assisting the Tillamook PUD in siting the transmission line through a multi-stakeholder, collaborative process in an open and transparent forum. CAG members represented landowners; business, agricultural, and non-governmental interests; citizens at large; the city; the county; and the Tillamook PUD. CAG members learned and understood with intent to help with how best to route the transmission line. Kearns & West facilitated CAG meetings, multiple public workshops, and a field trip to look at siting options on the ground. The CAG concluded its work and provided recommendations to the Tillamook PUD.