

**6th ANNUAL REPORT (FY2011) ON
ENVIRONMENTAL CONFLICT RESOLUTION**

FOR THE COUNCIL ON ENVIRONMENTAL QUALITY

**OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
(CIVIL WORKS)**

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Section 1: Capacity and Progress

1. Describe steps taken by your department/agency to build programmatic/institutional capacity for ECR in 2011, including progress made since 2010. If no steps were taken, please indicate why not.

[Please refer to the mechanisms and strategies presented in Section 5 of the OMB-CEQ ECR Policy Memo, including but not restricted to any efforts to a) integrate ECR objectives into agency mission statements, Government Performance and Results Act goals, and strategic planning; b) assure that your agency's infrastructure supports ECR; c) invest in support or programs; and d) focus on accountable performance and achievement. You are encouraged to attach policy statements, plans and other relevant documents.]

General Comments

In 2012 USACE took various steps to build programmatic/institutional capacity for both ECR and non-third-party-assisted collaborative environmental problem-solving processes, both at the headquarters level, and across the 38 Districts and 8 Divisions in the US where USACE executes its Civil Works program. While USACE has an ECR center and other programs that specifically focus on collaborative process, the bulk of USACE's collaborative activities relate to specific, ongoing Civil Works projects across all mission areas (e.g. flood risk management, navigation, ecosystem restoration) and functional areas (e.g. planning, construction, operations, and regulatory).

Across USACE Divisions and Districts there is strong support for collaborative problem solving processes with staff being encouraged with resources and training to align their activities with and implement these processes. From the highest levels of USACE, the leadership commitment to collaboration is unwavering and constantly reiterated.

Rather than rely on third-party ECR, Districts and Divisions report a preference for proactive public involvement. They develop local, state, regional, and national teams promoting collaborative planning to anticipate problems and identify alternative solutions early so as to reduce the risk and magnitude of future environmental conflicts. Some units of USACE reported that collaborative processes that did not require formal third party ECR were working well and thus did not see a need to build programmatic /institutional capacity for formalized ECR. Districts report that ECR is frequently neither scoped nor budgeted in initial project development, design, or construction and that fund for long-term ECR involvement is generally not available. Some Districts note that insufficient resources currently limit the ability to build capacity.

Integrating ECR objectives into USACE mission statements and strategic planning:

USACE Campaign Plan & Civil Works Strategic Plan – USACE has embraced collaborative approaches to environmental problems through its Campaign Plan

and the newly released 2011-2015 Civil Works Strategic Plan. Collaboration and Partnering is one of the new Strategic Plan's cross cutting strategies (www.usace.army.mil/CECW/Documents/news/2011-15_cw%20stratplan.pdf). Both documents commit the Corps to implement collaborative approaches to effectively solve water resource problems. Within the plans, the Corps commits to develop and implement collaborative approaches to improve behavior, accelerate organizational change and solve water resource problems. The plans call for a focus on effectively engaging external agencies to blend multiple approaches & analysis methods, to synchronize complementary interagency efforts, and to orchestrate timing of resources to optimize and integrate multi-agency implementable solutions.

www.usace.army.mil/about/campaignplan/Pages/Home.aspx During FY11, strategies and activities were developed and executed at the Headquarters, District and Division Levels to implement the collaborative objectives of the Campaign Plan. Work has progressed on appropriate ways to measure and display the achievement of collaborative goals.

At the District level, USACE's Walla Walla (WA) District plans to add ECR to the Environmental Compliance strategic plan that includes the improvement of external communications and effective public processes and to align ECR efforts with the District's Operations Plan. The District will promote ECR by supporting staff outreach, education, and training and documentation of other useful forms of alternate dispute resolution such as un-assisted principled negotiation, etc. The District will seek financial support to implement an ECR Program as insufficient resources currently limit the ability to build capacity.

ECR Support and Programs

- Conflict Resolution and Public Participation Center

Created in FY09, the USACE's Conflict Resolution and Public Participation Center of Expertise (CPC) has the mission to help Corps staff anticipate, prevent, and manage water conflicts, ensuring that the interests of the public are addressed in Corps decision making

(www.iwr.usace.army.mil/cpc/). During FY11, the Center provided technical assistance to Districts and Divisions on collaborative processes, published a baseline assessment of USACE collaborative capacity, released several reports on environmental conflict resolution and collaborative processes, secured formal recognition of a Collaboration and Public Participation Community of Practice (CoP), and supported ECR activities across government agencies.



By focusing on its five goals of consultation services, capacity building, information exchange, policy support, and research, the Center of Expertise contributes to both

Goal 2 and 4 of the USACE Campaign Plan. CPC works to “deliver enduring and essential water resource solutions through collaboration with partners and stakeholders” (Objective 2b) and “communicate strategically and transparently” (Objective 4b).

- Collaboration and Public Participation Community of Practice

In FY11, USACE formally recognized the new Collaboration and Public Participation Community of Practice (CoP) and designated the Director of Civil Works as the CoP’s Champion. The CoP is directed by a steering committee from across USACE, promotes information sharing across its 270+ members through an interactive web portal, webinars, and hosts a network of USACE facilitators from across USACE divisions and business lines.

- Collaboration Case Study database

During FY11, CPC, through interviews with USACE personnel involved in exemplary projects, developed a database on collaboration case studies to help capture best practices and lessons learned across the Corps on collaborative processes.

- Dedicated Staff in South Pacific Division

USACE’s South Pacific Division has a Regional Watershed Planner to focus specifically on supporting collaboration in the region. The Division also has a Special Advisor to the Commander for Integrated Water Resources Management who focuses on building collaborative relationships with other agencies and stakeholders.

- Guidance and Partnerships in Hawaii and Alaska

In FY11 Honolulu District developed a guidance document for implementing public involvement processes for larger Civil Works projects. .

In FY11 Alaska District partnered with other agencies in the Arctic Landscape Conservation Cooperative, the Alaska Climate Change Executive Roundtable, the Western Arctic Landscape Cooperative, and multiple climate change teams

- Building & Supporting Regional Interagency partnerships

In FY11 USACE’s Southwestern Division facilitated a Regional Water Planning Summit with the Kansas Water Office, Oklahoma Water Resources Board and the Texas Water Development Board that focused on strategies to meet future water demands. One of the potential actions identified during the planning strategy meeting is the establishment of USACE liaison positions in state water offices.

Within USACE’s North Atlantic Division, USACE supports the National Ocean

Policy and the National Ocean Council to cultivate Regional Planning Bodies in New England and the Mid-Atlantic that develop Coastal Marine Spatial Plans to guide Federal and State activities in the coastal zone. These interagency venues foster open communication among federal, tribal, and state agencies as well as academic and other non-governmental organizations (see www.midatlanticocean.com & www.cmsp.noaa.gov/activities/nroc.html)

Operations Plans for the USACE's Kansas City and Omaha Districts for FY11-13 include collaboration with the Missouri River Recovery Implementation Committee (MRRIC - a congressionally established multi-stakeholder advisory group) and other stakeholders to implement water resource solutions in the Missouri River Basin.

- Building & Supporting National partnerships

To identify and leverage opportunities for collaborative efforts and to create a joint national dialogue for water priorities between states, tribes and the federal resource agencies, USACE led the Building Strong Collaborative Relationships for a Sustainable Water Resources Future Initiative (www.building-collaboration-for-water.org/). Activities in FY11 include signing of a MOU between USACE, the National Oceanic and Atmospheric Administration and the US Geological Survey. The purpose of the MOU is to form a partnership of federal agencies to address America's growing water challenges by developing integrated information and services to adapt to uncertainty, climate and land-use changes, and increasing demand on limited resources.

The USACE Responses to Climate Change Program is identifying practical collaborative approaches to the application of climate science through pilot studies with other federal state and non-governmental partners. Relevant pilot studies are mentioned in the current report under USACE's response to Question 6.

- USACE Collaborative Capacity Assessment Initiative

In FY11, USACE published the final report from its 18-month "Collaborative Capacity Assessment Initiative". The report provides specific recommendations on how to enhance the ability of the Corps to collaborate with external stakeholders to successfully carry out water resources planning and management missions. The findings and recommendations presented in this report are based on a quantitative survey and insights and feedback from workshop participants across the Corps.

- Collaborative Modeling Symposium

In FY11, USACE co-chaired and organized the third national workshop on Collaborative Modeling for Decision Support in conjunction with the American Water Resources Association summer workshop on Integrated Water Resources Management (IWRM). This symposium brought together planners, modelers and conflict resolution specialists from the US and around the world to discuss experiences in applying collaborative modeling to implement IWRM. Outputs from

this workshop include interagency development of a UNESCO document on Guidelines for Using Collaborative Modeling for IWRM and related presentations at the 2012 World Water Forum (www.computeraideddisputeresolution.us/workshop2011.cfm).

How USACE infrastructure supports ECR:

- Formal Structures and Processes

USACE commanders at every Division have identified points of contact (POCs) for Conflict Resolution and Public Participation. These POCs facilitate two-way information transfer between USACE Districts/Divisions and the CPC / USACE-HQ. These POCs compile the base information for this annual ECR report to CEQ/OMB, serve as a vehicle for other USACE-HQ data calls on the use of collaborative processes, and function as the CPC's representative in each Division.

For FY12, the new Collaboration and Public Participation CoP and USACE's Mississippi Valley Division have proposed to write an internal Quality Management System process related to the availability and use of ECR. It will be simple, but will serve as a resource for USACE staff that is based on a widely-used internal management system.

- Policy Revisions and Reports

As part of its post-Katrina response, USACE developed recommended policies and actions to encourage public involvement in implementing USACE's flood risk management mission. In FY11 the USACE report "Public Involvement Framework & Implementation Plan for Flood Risk Management," underwent external vetting and review. While not explicitly addressing 3rd party-assisted ECR, the policy recommendations both build capacity and develop guidance and business processes for how and when to apply 3rd party ECR within flood risk management programs.

In FY11, USACE published various ECR-related documents including: *State of Collaboration in the Corps: A Field Perspective*; *Converging Waters: Integrating Collaborative Modeling with Participatory Processes to Make Water Resources Decisions: Intersection of Collaborative Modeling and IWRM* in AWRA's Water Resources Impact; and *Collaborative Modeling for Decision Support in Water Resources: Principles and Best Practices* in collaboration with the American Society of Civil Engineers.

- Collaborative Process Training

The US Institute for Environmental Conflict Resolution provided four days of Collaboration Skills Training to 31 Corps and US Fish and Wildlife Service employees who interact with the Missouri River Recovery Implementation Committee (MRRRIC) on a near-daily basis, including those in leadership positions.

MRRIC members will be offered the opportunity to participate in a one-day training session in advance of the next MRRIC meeting, in February 2012.

The Public Involvement and Teaming in Planning course was updated and delivered three times in FY11, training approximately 60 USACE staff in public participation, and collaborative processes.

A multi-day Risk Communication and Public Participation course was accepted as a part of the formal USACE training program

Half day training sessions in Risk Communication, Collaborative modeling, and public Participation were delivered to various internal and external audiences.

Section 2: Challenges

2. Indicate the extent to which each of the items below present challenges or barriers that your department/agency has encountered in advancing the appropriate and effective use of ECR.

NOTE: For each item below, a USACE Division checked only one level of challenge. The responses were summarized and the level of challenge that received the most checks was reported. If “not a challenge/barrier” received the most checks, but “major” or “minor” also received a check, then “minor” was the level reported.

	Extent of challenge/barrier		
	Major	Minor	Not a challenge/barrier
	Check <u>only</u> one		
a) Lack of staff expertise to participate in ECR	<input type="checkbox"/>	√	<input type="checkbox"/>
b) Lack of staff availability to engage in ECR	<input type="checkbox"/>	√	<input type="checkbox"/>
c) Lack of party capacity to engage in ECR	<input type="checkbox"/>	√	<input type="checkbox"/>
d) Limited or no funds for facilitators and mediators	<input type="checkbox"/>	√	<input type="checkbox"/>
e) Lack of travel costs for your own or other federal agency staff	<input type="checkbox"/>	√	<input type="checkbox"/>
f) Lack of travel costs for non-federal parties	<input type="checkbox"/>	√	<input type="checkbox"/>
g) Reluctance of federal decision makers to support or participate	<input type="checkbox"/>	√	<input type="checkbox"/>
h) Reluctance of other federal agencies to participate	<input type="checkbox"/>	√	<input type="checkbox"/>
i) Reluctance of other non-federal parties to participate	<input type="checkbox"/>	√	<input type="checkbox"/>
j) Contracting barriers/inefficiencies	<input type="checkbox"/>	√	<input type="checkbox"/>
k) Lack of resources for staff capacity building	<input type="checkbox"/>	√	<input type="checkbox"/>
l) Lack of personnel incentives	<input type="checkbox"/>	√	<input type="checkbox"/>
m) Lack of budget incentives	<input type="checkbox"/>	√	<input type="checkbox"/>
n) Lack of access to qualified mediators and facilitators	<input type="checkbox"/>	√	<input type="checkbox"/>
o) Perception of time and resource intensive nature of ECR	√	<input type="checkbox"/>	<input type="checkbox"/>
p) Uncertainty about whether to engage in ECR	<input type="checkbox"/>	√	<input type="checkbox"/>
q) Uncertainty about the net benefits of ECR	<input type="checkbox"/>	√	<input type="checkbox"/>
r) Other(s) (please specify): USACE Web site policies make it difficult to provide quality information to our stakeholders	<input type="checkbox"/>	√	<input type="checkbox"/>
s) No barriers (please explain): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 3: ECR Use

3. Describe the level of ECR use within your department/agency in FY 2011 by completing the table below. [Please refer to the definition of ECR from the OMB-CEQ memo as presented on page one of this template. An ECR “case or project” is an instance of neutral third party involvement to assist parties in reaching agreement or resolving a dispute for a particular matter. In order not to double count processes, please select one category per case for decision making forums and for ECR applications.]

	Cases or projects in progress ¹	Completed Cases or projects ²	Total FY 2011 ECR Cases ³	Decision making forum that was addressing the issues when ECR was initiated:					Of the total FY 2011 ECR cases indicate how many your agency/department	
				Federal agency decision	Administrative proceedings /appeals	Judicial proceedings	Other (specify)	Sponsored ⁴	Participated in but did not sponsor ⁵	
<i>Context for ECR Applications:</i>										
Policy development	3	1	4	3	_____	_____	1	State Agency decision	4	_____
Planning	_____	5	5	4	_____	_____	1	Design oversight group (50+ agencies)	4	1
Siting and construction	_____	_____	_____	_____	_____	_____	_____		_____	_____
Rulemaking	_____	_____	_____	_____	_____	_____	_____		_____	_____
License and permit issuance	1	1	2	1	1	_____	_____		2	_____
Compliance and enforcement action	_____	_____	_____	_____	_____	_____	_____		_____	_____
Implementation/monitoring agreements	1	_____	1	1	_____	_____	_____		_____	1

¹ A “case in progress” is an ECR case in which neutral third party involvement began prior to or during FY 2011 and did not end during FY 2011.

² A “completed case” means that neutral third party involvement in a particular matter ended during FY 2011. The end of neutral third party involvement does not necessarily mean that the parties have concluded their collaboration/negotiation/dispute resolution process, that all issues are resolved, or that agreement has been reached.

³ “Cases in progress” and “completed cases” add up to “Total FY2011 ECR Cases”.

⁴ Sponsored - to be a sponsor of an ECR case means that an agency is contributing financial or in-kind resources (e.g., a staff mediator's time) to provide the neutral third party's services for that case. More than one sponsor is possible for a given ECR case.

⁵ Participated, but did not sponsor - an agency did not provide resources for the neutral third party's services for a given ECR case, but was either a party to the case or participated in some other significant way (e.g., as a technical expert advising the parties).

Other (specify): Congressional legislation implementation, Funding Prioritization, Comply w/ Sec 5018 of WRDA 2007	3	_____	3	3	_____	_____	_____		2	1
TOTAL	8	7	15	12	1	_____	2		12	3
	(the sum should equal Total FY 2011 ECR Cases)			(the sum of the Decision Making Forums should equal Total FY 2011 ECR Cases)					(the sum should equal Total FY 2011 ECR Cases)	

4. Is your department/agency using ECR in any of the substantive priority areas you listed in your prior year ECR Reports? Indicate if use has increased in these areas since they were first identified in your ECR report. Please also list any additional priority areas identified by your department/agency during FY 2011, and indicate if ECR is being used in any of these areas. Note: An overview of substantive program areas identified by departments/agencies in FY 2010 can be found in the FY 2010 synthesis report.

List of priority areas identified in your department/agency prior year ECR Reports	Check if using ECR	Check if use has increased in these areas
Navigation	√	√
Flood Risk Management	√	√
Hydropower	√	√
Water Supply	√	<input type="checkbox"/>
Recreation	√	√
Emergency Management	√	<input type="checkbox"/>
Ecosystem Restoration	√	√
Regulatory	√	√
List of additional priority areas identified by your district/division in FY 2011	Check if using ECR	
Tribal Program (water rights)	√	
International Treaty Coordination	√	
_____	<input type="checkbox"/>	
_____	<input type="checkbox"/>	

Please use an additional sheet if needed.

5. It is important to develop ways to demonstrate that ECR is effective and in order for ECR to propagate through the government, we need to be able to point to concrete benefits; consequently, we ask what other methods and measures are you developing in your department/agency to track the use and outcomes (performance and cost savings) of ECR as directed in Section 4 (b) of the ECR memo, which states: *Given possible savings in improved outcomes and reduced costs of administrative appeals and litigation, agency leadership should recognize and support needed upfront investments in collaborative processes and conflict resolution and demonstrate those savings and in performance and accountability measures to maintain a budget neutral environment* and Section 4 (g) which states: *Federal agencies should report at least every year to the Director of OMB and the Chairman of CEQ on their progress in the use of ECR and other collaborative problem solving approaches and on their progress in tracking cost savings and performance outcomes. Agencies are encouraged to work toward systematic collection of relevant information that can be useful in on-going information exchange across departments.* [You are encouraged to attach examples or additional data]

A primary example of USACE's assessment of ECR is the annual USACE Civil Works Program Customer Satisfaction Survey. Distribution was expanded this year beyond cost-share sponsors to other partners and stakeholders. Tulsa District did observe improvement in customer satisfaction over the years that the survey has been administered. This Annual ECR Report also provides the opportunity to evaluate the use of ECR within USACE, and Southwestern Division noted an increase in benefits when using ECR, over the years of record. Another example of use of a survey included that by the Missouri River Recovery Implementation Committee (supported by Omaha District), which administered USIECR's survey for the use of third party neutrals.

Project documentation and measuring and tracking outcomes serves to measure the success of the purpose of the study. South Pacific Division & the Engineer Research and Development Center both noted thorough study documentation. Walla Walla District measures study outcomes, and Little Rock and Tulsa Districts, and their study partners for the Interior Least Tern and Arkansas River Basin Project have been carefully monitoring planning metrics from the study.

In addition, Walla Walla District is "developing implementation plans for incorporation of ECR into our National Environmental Policy Act (NEPA) and Planning processes" including "the tracking of outcomes and use of ECR at the program scale where frequency of use is noted, total costs of resolution and final disposition are clearly noted."

USACE's Conflict Resolution and Public Participation Center (CPC) is continuing research on evaluating collaborative modeling for decision support with presentations at the American Water Resources Association (AWRA)

Conference in June 2011 and several discussions on how to expand to other mechanisms beyond the existing survey tool. Also, CPC gathered feedback from liaisons in the field to learn how to better support use of ECR and increase the fields' skills in collaboration and public involvement.

6. Describe other significant efforts your agency has taken in FY 2011 to anticipate, prevent, better manage, or resolve environmental issues and conflicts that do not fit within the Policy Memo's definition of ECR as presented on the first page of this template.

To help avoid environmental conflicts USACE regularly engages in collaborative practices without the use of a third party. Below we divide our discussion into four different types of non-third party collaborative activities to demonstrate the breadth of actions conducted across the USACE. Please note that this is not intended to be all-inclusive, but represents a sampling based on input from the eight USACE Civil Works Divisions & the Engineering Research and Development Center.

Formal Coordination Processes (e.g. MOUs/MOAs, Federal programs, steering committees/regional groups, etc.)

USACE has multiple nationwide MOU's and MOA's with various other federal resource agencies (e.g. US Fish and Wildlife Service, Federal Energy Regulatory Commission, Nuclear Regulatory Commission, Natural Resources Conservation Service, the U.S. Geological Service, the Bureau of Reclamation, the Federal Highway Administration, DOE's Sandia and Oak Ridge National Laboratories) where issues are identified early on, and dealt with through pre-existing relationships and understandings prior to conflict development, and joint programs are developed. Similarly USACE District and Division offices execute regional agreements with States (e.g. Natural Resource offices, Offices of Historic Preservation), develop Lake-wide Area Management Plans, form Regional Sediment Management teams with other agencies, and hold regular multi-agency management and coordination meetings.

Of particular note are the formal collaborative agreements developed between USACE and other federal and state agencies with flood risk management and response capabilities within the Silver Jackets program. This joint USACE/Federal Emergency Management Agency program supports state-led teams to coordinate flood management activities. All 50 states now have Silver Jackets programs; Silver Jackets teams develop MOUs to establish goals and coordination mechanisms for the state teams. Similarly Regional Sediment Management programs promoted by USACE bring multiple agencies together to address sediment issues along the nation's coasts and estuaries.

South Pacific Division

USACE is an active participant in interagency efforts to manage environmental conflict in California's Sacramento-San Joaquin Bay Delta. Led by a special advisor to the South Pacific Division's commander and a dedicated Bay-Delta watershed specialist USACE participates in the Federal Leadership Committee established under the 6-agency California Bay-Delta Memorandum of Understanding (MOU). Under the MOU, the Federal agencies developed an

Interim Federal Action Plan to address the goals of the MOU. Currently, the Council on Environmental Quality hosts a bi-weekly teleconference with federal agency representatives from Washington, D.C. and within the Bay-Delta region. Beyond this formal federal interagency effort, USACE participates in many levels of the Bay Delta Conservation Plan (BDCP) process where state, federal, and local water agencies, state and federal fish agencies, environmental organizations, and other interested parties work to manage water flow and habitat restoration actions for the recovery of endangered and sensitive species and their habitats in the Sacramento-San Joaquin River Delta. The Corps is a Liaison Advisor to the Delta Conservancy Board, and participates on the Federal Interagency Task Team of the Delta Stewardship Council, and in workings of the Interagency Flood Management Collaborative. The Corps also leads cooperative efforts to coordinate, plan, and implement beneficial reuse of sediment in both the delta and San Francisco Bay through the Delta and San Francisco Bay Long Term Management Strategy processes.

Through an MOA with the state of California USACE also is supporting the California DWR to engage stakeholders in the technical analysis for its semi-decadal water plan. The goal of this plan is to prepare the California DWR to use the Shared Vision Planning method for the development of a comprehensive water-management plan.

Other formal coordination processes reported by USACE's South Pacific Division include a Regional MOU with The Nature Conservancy, the California Coastal Sediment Master Plan process, and Middle Rio Grande Endangered Species Collaborative Program. To proactively avoid environmental conflict, senior leaders from the Corps, USFWS, NMFS, EPA and California DFG attend bi-annual partnering sessions to discuss environmental and regulatory policy issues in the region.

South Atlantic Division

Within USACE's South Atlantic Division, formal coordination processes that seek to avoid environmental conflict include an Interagency Coordination Agreement with Florida Department of Environmental Protection, an multi-agency MOA with the National Marine Fisheries Service, the Navy and Coast Guard on a Right Whale Early Warning System, Regional/Programmatic Biological Opinions for the South Atlantic, the Gulf of Mexico and on shore protection. USACE also participates in the Everglades Coalition, an alliance of 54 local, state and national conservation and environmental organizations, leads an Executive Steering Committee in the Savannah Harbor Expansion Project, and participates in the Gulf Coast Ecosystem Restoration Task Force and Gulf of Mexico Regional Ecosystem Restoration Strategy.

Pacific Ocean Division

In USACE's Pacific Ocean Division, Honolulu District participates regularly in numerous steering committees/regional groups for a variety of topics to keep the lines of communication open with our other federal agencies and our State and Territorial counterparts. Examples of this include participation in the Quarterly Hawaii Military/Federal/State Agency Coordination Meeting, participation in hazard mitigation and climate change regional groups such as Pacific Risk Management Ohana, the Hawaii Coastal Zone Management Sponsored Ocean Resources Management Plan Working Group, and the Pacific Islands Climate Change Cooperative. Noteworthy collaborative planning processes in Hawaii include the shared visioning process used for the West Maui Watershed Study as well as processes to coordinate public and agency input in the Ala Wai Watershed Study and the Tsunami Study in American Samoa. Noteworthy collaborative activities in Hawaii that support USACE's regulatory responsibilities include the Standard Local Operating Procedures for Endangered Species in the Central and Western Pacific region agreement with the National Marine Fisheries Service, and an August 2011 MOU with the Department of the Navy (DoN) on procedures to integrate and expedite permitting requirements for the proposed nuclear carrier wharf in Apra Harbor, Guam.

Mississippi Valley Division

During FY11 USACE's Mississippi Valley Division executed a regional MOA with the National Mississippi River Museum and Aquarium and an MOU with the Natural Resources Conservation Service. USACE continues its active participation in the EPA-led Gulf hypoxia task force and the Mid-West Natural Resources Group, a consortium of 14 Federal agencies in the upper Mississippi River watershed.

Southwestern Division

A highly successful formal coordination mechanism in use by USACE's Galveston (TX) District is the Interagency Coordination Team (ICT). ICTs are chartered standing teams of state and federal resource agencies that attempt to reach consensus on all major planning studies where an Environmental Impact Statement will be prepared. Since the routine use of ICTs, USACE's Galveston District has not been sued over our NEPA coordination and documents, and has realized increased efficiencies.

USACE is a major proponent of the Western States Federal Agency Support Team (WestFAST - www.westgov.org/wswc/WestFAST.htm) where eleven federal agencies coordinate to address priority issues identified by the Western Governor Association and the Western States Water Council. WestFAST contributes to programmatic capacity for ECR by helping build federal, state,

tribal, and other stakeholder organizations relationships in the West.

North Atlantic Division

In executing its responsibilities for engineering and water resource planning support to the Army's Africa and European Command USACE's North Atlantic Division conducts quarterly video teleconferences to synchronize these efforts with the Army, Department of State and other involved entities.

Similarly, through quarterly meetings of the New York and New Jersey (NY/NJ) Harbor Deepening Senior Partnership, USACE's New York District and stakeholders address environmental and economic development issues and allow harbor deepening projects to move forward on schedule and within budget. Many of the same partners are working with USACE to implement marsh island restoration in Jamaica Bay, New York through its NY/NJ Harbor Deepening Environmental Beneficial Use Program.

Another notable regional example of collaboration is USACE's New York District's work with more than 60 organizations in partnership with NY/NJ Harbor Estuary Program in development of the draft Hudson-Raritan Estuary Comprehensive Restoration Plan (CRP). In the CRP stakeholders worked to develop ambitious restoration targets as the master plan and blueprint for future restoration of the harbor estuary.

Other formal interagency agreements in North Atlantic Division include the Anacostia Watershed Restoration Partnership Steering and Management Committees, the Maryland Dredged Material Management Executive and Management Committees and Harbor Team, and an MOA with the Maryland Port Administration on the Cox Creek Dredged Material Containment Facility.

Great Lakes and Ohio River Division

USACE's Great Lakes and Ohio River Division is an active participant in the Asian Carp Regional Coordinating Committee, an interagency assemblage of federal, state and non-governmental organizations, which was formed due to intense public and stakeholder interest in preventing Asian carp from entering the Great Lakes. It's Monitoring and Rapid Response Working Group assures that the best available technologies are used to support rapid response measures needed to prevent dispersal of Asian carp through the Chicago Sanitary and Ship Canal into Lake Michigan. For the related Great Lakes and Mississippi River Interbasin Study, USACE has established an Executive Steering Committee with local, state, federal and international representatives and signed formal agreements with multiple federal agencies. USACE also participates actively in the Great Lakes Regional Working Group – a federal consortium to implement the Great Lakes Restoration Initiative

In Tennessee, through an MOU signed by agencies and non-governmental organizations, USACE participates in a multi-agency effort to develop a Strategic Mollusk Plan which identifies the roles of each agency to protect and restore mollusk resources in the state.

Northwestern Division

In USACE's Northwestern Division, the Anadromous Fish Evaluation Program use multiple coordination mechanisms to review technical information to assist the Corps in making informed engineering, design, and operational decisions for the eight mainstem Columbia and Snake River projects and provide safe, efficient passage through the mainstem migration. Here a multi-agency Fish Facility Design Review Work Group provides technical input in the review of new or modified structures that affect fish passage. The technical review of facility design by this group of federal, state and tribal experts ensures that the best biological information available is incorporated into each structure's design criteria. Similarly a Study Review Work Group of federal, state and tribal technical experts reviews the design and implementation of biological studies to evaluate fish passage behavior and survival at these projects. Thirdly, an interagency Technical Management Team uses a contracted facilitator to develop recommendations on dam and reservoir operations as part of this overall program. Furthermore, USACE relies on technical experts from federal agencies, state, and tribes and a contracted facilitator in the System Configuration Team to develop proposals, plans, and budget priorities for physical improvements to structures, including monitoring and evaluation. Finally, USACE relies on a formal team of tribes and agencies (created by an MOA) to coordinate USACE actions to protect Pacific lamprey.

In the same river system, USACE uses regular meetings of Cultural Resources Cooperating Groups to seek consensus with regional tribes, federal agencies and the state Historic Preservation Offices regarding the management of cultural resources in the region and to inform the USACE's National Historic Preservation Act compliance in the operation and maintenance of hydropower facilities.

Other MOAs and MOUs in use or under development within the Division include those on: cultural resources coordination with the Shoshone Paiute Tribes of the Duck Valley Reservation; Grays Harbor Crab Mitigation with multiple state and federal agencies, and the Chief Joseph Dam Fish Hatchery with the Confederated Tribes of the Colville Reservation

USACE's Seattle District Levee Vegetation Framework is a partnership of federal, State, Tribe and local agencies formed to address vegetation issues affecting non-federal levees within the Seattle District.

Business Processes and Culture (e.g. scoping meetings, charettes, public workshops, training, etc.)

Standard USACE business processes call for collaboration with stakeholders in many USACE activities. From public notices to scoping meetings, to workshops and interagency project delivery teams, to regular tribal consultation, to less formal agency and public coordination and outreach activities, USACE collaborates with its partners, tribes and stakeholders to meet legal, regulatory and policy requirements, and because it makes sense as a public engineering agency. USACE requires the development of public involvement plans for all new projects that require extensive stakeholder input and often coordinates through its contractors (Architectural and Engineering firms) to ensure that public involvement is a key component of Scope of Work for planning and design of projects. Below we offer a selection of some of the particularly distinctive USACE business processes that foster collaboration.

Highlights from USACE's Savannah District include: workshops for consultants, non-governmental organizations and the public on regulatory policies and procedures; a public workshop where USACE technical experts explained and answered questions about a Draft EIS; presentations at the annual meeting of the Lake Hartwell Homeowners Association.

USACE's Wilmington (NC) District uses weekly conference calls, project status reports, web-site postings, and frequent face-to-face stakeholder meetings to foster trust and close working relationships on water management issues with stakeholders across North Carolina and Virginia. The District holds an annual State/Corps/Agency/ Stakeholder Navigation Operations & Maintenance Meeting that is open to the public where next year's maintenance dredging program and beach nourishment activities are collaboratively and openly discussed.

In USACE's Mississippi Valley Division, ongoing work for the 100-year flood protection around New Orleans is a good example of continued public interaction. At the basin's other end, the Fargo-Moorhead project along the borders of Minnesota and the Dakotas involved much public input to arrive at a selected alternative.

Within USACE's Southwestern Division, staff coordinate on a daily basis with project sponsors and stakeholders involved in our Continuing Authorities Program projects, associated with emergency streambank stabilization, flood risk management and ecosystem restoration. More specific USACE collaborative efforts are underway with state and local agencies to develop a watershed management plan that will include alternatives for increasing the capacity of Millwood Lake and preventing the sediment problem from recurring.

Through the Planning Assistance to States program, USACE's Tulsa District worked with multiple organizations to leverage resources to help the Oklahoma Water Resources Board and water users throughout the state develop a state plan to manage the available supplies to meet current and future water needs

To advance multi-organization cooperation, USACE and the Kansas Water Office initiated a pilot demonstration of a potential program to place a federal employee at the Kansas Water Office. Based on the WestFAST model (see above), the Kansas pilot project goal is to create positive understandings between federal and state agencies of each other's needs, processes and legal requirements.

USACE's Walla Walla (WA) District reports several significant collaborative efforts:

- For the McNary Shoreline Plan, small community meetings augmented open public meetings and multiple, extended public comment periods; all comments were published and responses coordinated with the National Marine Fisheries Service and the US Fish and Wildlife Service.
- For the Dworshak Nutrient Study, open meetings were held for both Environmental Protection Agency purposes and USACE purposes to share information and to collect comments supporting environmental permitting and NEPA processes.
- As part of levee repairs and vegetation management for the Milton-Freewater Levee USACE formed an interagency working group with federal and state agencies to streamline permits for critical structural repairs in 2011, to set the conditions for permits for 2012 work, and to develop a woody vegetation management plan.

To develop consistency across agencies and to build relationships USACE's Seattle District staff organized a training session titled "Inspecting Plants and Planting" with staff from the USACE and two state agencies. For similar reasons USACE staff attended a training session sponsored by the US Fish and Wildlife Service on the River Restoration Analysis Tool.

Within USACE's Great Lakes and Ohio River Division, USACE conducted two Public Scoping Meetings in each of twelve different cities within the Great Lakes and Mississippi River basins in FY11. The extensive public scoping effort was considered necessary and appropriate due to the near-term threat Asian carp may pose to the Great Lakes via dispersal through the Chicago Sanitary Ship Canal and the passionate concerns by Great Lakes stakeholders and users of that waterway. Nearly 1,000 comments were received during the process. As expected, these stakeholders expressed strong interest in the project, as well as an array of differing perspectives and desired outcomes.

These comments have informed and helped focus the efforts for this large complex project, and they led to a commitment by the USACE to fully evaluate the costs and benefits of at least one alternative to prevent inter-basin transfer of aquatic nuisance species.

USACE's Buffalo District uses task forces in Cleveland and Toledo to help resolve dredged material management issues in these particular harbors; these task forces have also provided a forum to air environmental concerns in advance of formal dispute resolution. Other regular USACE coordination and outreach efforts are facilitating environmental sensitive dredging of the Buffalo River and moving that Great Lakes' "Area of Concern" towards cleanup and delisting.

Of particular note, USACE's Huntington (WV) District's Zoar Dam Safety Modification Project required substantial efforts in the form of public workshops, onsite office hours, and scoping meetings to develop an in-depth understanding the historic value of the village of Zoar, Ohio.

Communication Tools (e.g. web sites, speakers' bureaus, web meeting software, social networking, etc.)

To proactively inform and engage stakeholders, USACE uses the full range of communication tools; USACE hosts countless websites (some more extensive than others), distributes fact sheets, use regular conference calls and webmeetings, newsletters, and media training and appearances as part of its normal business. Below we highlight innovative or extensive uses of collaboration tools

In many districts permit applicants can use an AVATAR website to aid in the application process for Department of the Army permits.

To address the tremendous desire for information on the Missouri and Mississippi floods, USACE made extensive use of social media tools such as Facebook and Twitter. While these fora did not replace traditional media briefings, they served as a quickly updatable information source for the public and the media, and allowed USACE to quickly identify and communicate on issues of high public concern.

Within the Northwestern Division, work groups of the Missouri River Recovery Implementation Committee (MRRIC) have recently started using web meeting software, Adobe Connect to meet between MRRIC meetings. MRRIC also has periodic Webinars to share information and uses a WebEx site for file sharing.

Within USACE's Great Lakes and Ohio River Division, Sharepoint sites have been especially helpful to both internal and interagency collaboration and dialogue for large and complex projects that require multi-disciplined project

teams with multiple stakeholders. Districts have employed social media tools such as Twitter and Facebook to solicit public input and to disseminate critical information to interested stakeholders.

Scientific/Technical Consensus Building Tools (e.g. joint fact finding, independent/interagency science review committees, collaborative modeling, interactive visualization or gaming tools, etc.)

Environmental conflicts are characterized by their technical complexities, and the water issues in USACE's Civil Works programs are no exception. As an engineering agency, USACE staff has a high degree of technical expertise, but to avoid and manage potentially conflict processes, USACE must use collaborative processes to gather the best information and build consensus on technical issues. For example, many of the formal fisheries-related work groups cited above in the Columbia and Snake River basin are geared specifically towards scientific and technical reviews and collaboration. Whereas interagency technical workgroup, expert panels, peer review and involvement by technical experts from other agencies on USACE teams are standard practices, below we highlight especially extensive or innovative uses of scientific/technical consensus building tools and processes.

As part of USACE's Comprehensive Everglades Restoration Program (CERP), USACE staff are co-located with the South Florida Water Management District including with multiple state and federal agencies manning the Interagency Modeling Center. A major component of CERP - "Restoration Coordination and Verification (RECOVER)" - is responsible for linking science to Everglades restoration planning, evaluation and assessment.

During the Great Mississippi Flood of 2011 USACE used other agencies such as the US Geological Survey to help with data collection and observations such as water quality and sediment data.

Within Mississippi Valley Division, a novel aspect of the Saint John's New Madrid flood protection project is four independent external peer reviews at key decision points to verify the plans and science during revision of NEPA documents. USACE's Ecosystem Restoration Planning Center of Expertise uses virtual teams from around the nation to perform Agency Technical Reviews and support Independent External Peer Review and science model certification to support planning decisions.

Within USACE's Tulsa District, the Red River Basin Chloride Control Project's used technical consensus building tools that also help serve as communication tools. Although this project used 3rd parties, the following technical models could also be used in other collaborative settings: Comprehensive Aquatic Ecosystems Model; IWR-PLAN; and Impact Analysis for Planning (IMPLAN).

USACE's Tulsa District has also worked with stakeholders to model existing condition and future alternative land use practices in the Oologah Lake watershed of northeast Oklahoma and southeast Kansas. The "shared vision-type" model is helping those stakeholders develop a common understanding of issues and identify potential next steps to improve water quality and associated aquatic ecosystems. Through the USACE Response to Climate Change Program, a pilot study in this watershed will leverage technical expertise from regional federal climate science programs and potentially the Western States Water Council to further advance collaborative and coordinated applications of climate science. To advance regional readiness, USACE's Tulsa District facilitated "table top" exercises with local, state, tribal and federal organizations that simulated theoretical dam breaches.

USACE's Southwestern Division chairs an expert panel to provide technical support to the International Boundary and Water Commission's Dam Safety Projects at Amistad and Falcon Reservoirs located along the border between the United States and Mexico.

USACE's Seattle District uses a water quality science panel of government and university experts to examine solutions for migrating fish through Biological Opinion for the Lake Washington Ship Canal. The District uses a Nearshore Science team as well as four working groups to provide technical input and guidance on the Puget Sound Nearshore Ecosystem Restoration Project. Seattle District's levee rehabilitation work on the Skagit River formed technical and policy oversight groups with members from federal agencies, tribes, and local governments to develop a tool to craft and evaluate alternatives that offset environmental impacts while meeting flood risk management objectives.

Through USACE's Norfolk District's Chesapeake Bay Oyster Restoration project with the Virginia Marine Resources Commission, collaborative efforts include a form of joint fact finding in modeling commercial benefits of oyster sanctuaries as well as quantifying the potential environmental benefits of rotational harvest grounds.

Ongoing for 12 years, USACE's New York District uses a Regional Air Team of federal and state regulators to address Clean Air Act compliance requirements and resolve conflicts that could delay or suspend construction on the USACE Navigation program

In USACE's Great Like and Mississippi River Interbasin Study, USACE embedded state and federal personnel into USACE teams assessing the risk of interbasin transfer of aquatic nuisance species at potential aquatic pathway locations in six states. USACE also formed a 15-members Agency Technical Review Team comprised of senior subject matter experts from the state and federal agencies. While the number of participants and agencies directly involved has posed schedule management issues, the transparent and

proactive process of bringing the best available experts from partner agencies that share responsibility for invasive species management into product development has created dialogue and brought many potential areas of environmental conflict to the surface. Further, collaboration among the experts is leading to formulation of clear statements that define the nature and extent of the problem at each discrete location along with corresponding opportunity statements that reflect the collective capabilities, authorities and responsibilities of natural resource partner agencies to prevent the spread of ANS between the Great Lakes and Mississippi river basins.

Section 4: Demonstration of ECR Use and Value

- 7 Briefly describe your departments'/agency's most notable achievements or advances in using ECR in this past year.

This year's notable achievements in ECR range from private third party engagement to engaging the National Policy Consensus Center (NPCC), to USACE itself serving as a third party neutral. Some USACE Divisions reported no use of ECR this year, either because they were not the lead federal agency (and therefore not responsible for pursuing or leading the federal conflict resolution activities), or because their projects simply did not warrant the involvement of a neutral third party (Great Lakes and Ohio River, North Atlantic, Mississippi Valley and Pacific Ocean Divisions).

In addition to the ECR cases highlighted in question 8, below is a list of this year's notable achievements as reported from USACE Divisions and Districts:

USACE-Bureau of Reclamation Stream Restoration Workshop

The Engineering Research and Development Center reported that both USACE and the Bureau of Reclamation have undertaken stream restoration efforts, yet little information had been shared concerning best practices and the potential for collaborative approaches. Thus the two agencies organized a collaborative problem solving effort during a workshop in May 2011 with assistance from a Certified Professional Facilitator.

Several challenges were identified such as jointly integrating science and engineering into practice, addressing important information gaps, and leveraging agency experience and expertise. Recommended collaborative efforts included developing working groups, a joint review of agency Research & Development activities, communication and technology transfer and project level coordination. Participants experienced several "Aha" moments of discovery during the workshop and field investigation. More effective restoration practices were identified and the opportunity to conduct joint restoration efforts and knowledge sharing were identified.

Miami Harbor Navigation Improvements

In USACE's South Atlantic Division, parties plan to petition against issuance of a State permit/water quality certification for Miami Harbor navigation improvements. The University of Florida's Natural Resources Leadership Institute was asked to convene with petitioners, USACE, and project sponsor in Miami in October 2011. The parties met to discuss project scope, purpose, benefits, and impacts. Petitioners are better informed but still plan to petition. At this time the outcome and benefit of this 3rd party effort are uncertain.

Columbia River Treaty

USACE's Northwestern Division, and Bonneville Power Administration (BPA) are collaborating on a review of future options pertaining to the Columbia River Treaty with Canada. The Treaty Review will result in a recommendation to the U.S. Department of State by September 2013 as to whether it is in the best interests of the nation to continue, terminate or seek to amend the Treaty. That recommendation has significant implications for many regional stakeholders. In October 2010, USACE and BPA convened a Sovereign Review Team (SRT) consisting of representatives from 4 States (OR, WA, ID and MT), 15 Federally-recognized tribes, and 11 Federal agencies to collaborate on gaining regional consensus regarding the pending recommendation. The Sovereign Review Team meets monthly and Technical sub-teams meet more frequently. Neutral third-party consultants facilitate both the Sovereign Review Team and the Technical teams. This effort is ongoing and is not scheduled for completion in until 2014.

While the process has not been completed, the SRT with the support of the facilitator has been successful in completing several interim milestones, including developing a "Sovereign Participation Process" document, study goals and objectives, sideboards for the scope of analysis, and preliminary alternatives for evaluation. The key beneficial outcome to-date has been establishment of a working forum through which the sovereign interests in the Columbia river Basin can work together to seek consensus on a critical recommendation regarding the future of the Columbia River Treaty

Collaborative Approach for Water Supply Permitting

Omaha District initiated the Collaborative Approach for Water Supply Permitting (CAWS) with EPA Region 8 and Colorado Department of Natural Resources (CDNR) to help define and clarify issues related to Environmental Impact Statement (EIS) development for Regulatory permitting on several water supply projects on the Front Range of Colorado. Three meetings facilitated by the Keystone Center were held between April and July 2011.

Workshop participants included management and staff from USACE's Denver Regulatory Office, EPA Region 8 Wetlands and NEPA Programs and the CDNR/Colorado Water Conservation Board (CWCB). Objectives of the workshop were: 1) to build mutual understanding of considerations that contribute to water demand and the roles of each entity; 2) to improve working relationships through mutual understanding and discussion; and 3) to build agreement, where possible, on the Colorado Front Range water supply deficit, how water conservation is addressed and each entity's role in the Section 404 permitting process.

USACE, EPA and CDNR/CWCB agreed on how USACE will address future water conservation, when USACE is functioning as the lead agency on a municipal water supply EIS requiring a Section 404 permit. Challenges included keeping discussions from going “into the weeds”, Federal, state and local agency management difficulties integrating new processes with existing policies and agency authorities, and developing a new level of confidence and trust between agencies.

Mouth of the Columbia River (MCR) Regional Sediment Management Plan (RSMP)

The purpose of the MCR RSMP was to assemble the existing understanding of the system into an acceptable framework by which to beneficially use dredge material at the MCR project while minimizing the impacts to species of concern. All of these beneficial use sites are expected to ultimately reduce the Operations & Maintenance costs in both the short term and long term through reduced dredging cost, protection of the navigation channel-jetty system, inlet stability, and an extension of capital investments (cyclical major rehabilitation).

The plan was developed through a collaborative process between, USACE Portland District, US EPA Region 10, States of OR and WA, and key stakeholder interests. Portland State University was tasked with facilitating and drafting the MCR RSMP in cooperation with a Science Advisory Team. Since completing the RSMP a more formal adopting of the plan has been undertaken through the signing of a Declaration of Cooperation by key stakeholders. The signing of this document signified an agreement of support for the plan.

Currently the implementation of the plan has provided the necessary regulatory framework to facilitate a wide variety of environmental clearances consistent with existing laws. This facilitation has decreased process time and provided a further level of transparency. Furthermore the plan has provided a means of targeting critical monitoring activities for species of concern rather than all impacts. This prioritization of species with monitoring activities has also provided the framework for an adaptive management plan for the upcoming operational season.

Perhaps the most important progress will be the likelihood of placing as much as 300,000 cubic yards of clean sands within the littoral system south of the MCR South Jetty this upcoming operational season (summer 2012). This site was used as a small scale demonstration/research site six years ago; the placement this summer will be ten times that amount. We anticipate the lessons learned from this first season of implementation will refine the development of next season.

8. ECR Case Example

- a. Using the template below, provide a description of an ECR case (preferably completed in FY 2011). Please limit the length to no more than 2 pages.

Matilija Dam Ecosystem Restoration Project

Overview of problem/conflict and timeline, including reference to the nature and timing of the third-party assistance, and how the ECR effort was funded

The Matilija Dam Ecosystem Restoration Project was stalled due to conflicts between stakeholder views on the proper method for dam removal and management of sediments that have been trapped behind the dam. The California Coastal Conservancy proposed a series of workshops led by a third party trained in conflict resolution to try to achieve some sort of agreement and “way forward” that stakeholders could buy into. This issue has been lingering for years. The series of workshops took place from approximately December 2010 through April 2011. The California Coastal Conservancy funded the third party facilitator and project funds supported USACE participation. This is an on-going process with elements continuing in FY 2012.

Summary of how the problem or conflict was addressed using ECR, including details of any innovative approaches to ECR, and how the principles for engagement in ECR were used (See Appendix A of the Policy Memo, attached)

The problem was addressed by bringing a third party mediator from the Center for Collaborative Policy (California State University Sacramento) to ensure all parties could equally participate. This ensured conversation and decision making was shared amongst stakeholders and not monopolized by certain groups, agencies, or individuals. A mission statement was established with input from all stakeholder groups at the outset of the series of workshops. The methodologies used by the facilitator ensured an informed commitment was being made by all stakeholders and balanced representation was achieved. The facilitator’s structured approach to discussion also allowed for an openness that was not apparent prior to her involvement.

Identify the key beneficial outcomes of this case, including references to likely alternative decision making forums and how the outcomes differed as a result of ECR

The key beneficial outcome of this case was that all parties were able to get on the same page about the parameters with which the project could move forward. The initial goal was to leave the series of workshops with a clear path forward. Discussions had a sense of more openness and accountability. A suite of potential alternatives that could be further explored was decided upon and data gaps were identified. A technical advisory committee was created as a result of these meetings to help fill in those data gaps; the committee initiated meetings in December of 2011.

Reflections on the lessons learned from the use of ECR

ECR seemed beneficial in a general sense. The process fostered better, more focused discussion on solutions to the issues the project is facing rather than heated debate where stakeholders were not willing to budge from their “party line”. ECR seemed to bring the stakeholder group together to foster a good faith effort to allow for a consensus based approach to reinvigorate project support.

- b. Section I of the ECR Policy identifies key governance challenges faced by departments/agencies while working to accomplish national environmental protection and management goals. Consider your departments'/agency's ECR case, and indicate if it represents an example of where ECR was or is being used to avoid or minimize the occurrence of the following:

	Check <u>all</u> that apply	Check if	
		Not Applicable	Don't Know
Protracted and costly environmental litigation;	<input type="checkbox"/>	<input type="checkbox"/>	√
Unnecessarily lengthy project and resource planning processes;	<input type="checkbox"/>	<input type="checkbox"/>	√
Costly delays in implementing needed environmental protection measures;	√	<input type="checkbox"/>	<input type="checkbox"/>
Foregone public and private investments when decisions are not timely or are appealed;	<input type="checkbox"/>	<input type="checkbox"/>	√
Lower quality outcomes and lost opportunities when environmental plans and decisions are not informed by all available information and perspectives; and	<input type="checkbox"/>	<input type="checkbox"/>	√
Deep-seated antagonism and hostility repeatedly reinforced between stakeholders by unattended conflicts.	√	<input type="checkbox"/>	<input type="checkbox"/>

Red River Basin Chloride Control Project

Overview of problem/conflict and timeline, including reference to the nature and timing of the third-party assistance, and how the ECR effort was funded

The Red River Basin Chloride Control project is located in northwest Texas and southwest Oklahoma. This project is designed to control natural chloride brine emissions at ten major source areas to improve water quality for municipal, industrial, and agricultural use. The project was authorized for construction with passage of Section 203, Flood Control Act of 1966, as amended by Section 201, Flood Control Act of 1970, and Section 1107, Water Resources Development Act (WRDA) 1986. As part of the planning process USACE is facilitating a conflict resolution process involving fishery and associated recreation interests at Lake Texoma and water supply interests in the region. On one side of the conflict are concerns that any reduction in the amount of chloride would reduce sport fish numbers and negatively impact the lake fishery and associated recreation. On the other side of the issue are concerns about the lack of suitable water sources for sustainable municipal, industrial and agricultural growth in the region.

Summary of how the problem or conflict was addressed using ECR, including details of any innovative approaches to ECR, and how the principles for engagement in ECR were used (See Appendix A of the Policy Memo, attached)

The conflict resolution process has evolved to its current approach which uses the basic principles of engagement for ECR. For instance, the March 2010 Review Plan for the Area VI component of the project includes provisions for the use of various proven models to assess impacts and a future Independent External Peer Review (IEPR) process. A professional facilitator was hired in late FY 2011 to help USACE, conflicting interest groups, resource agencies and other stakeholders identify a shared vision approach to determine next steps. Collectively the participants agree that the outputs from the models will be used to help communicate impacts from different alternatives and scenarios. Additionally a panel of three fishery experts is providing unbiased professional opinions in the conflict resolution process.

Identify the key beneficial outcomes of this case, including references to likely alternative decision making forums and how the outcomes differed as a result of ECR

The use of a panel of non-USACE nationally recognized experts, models that stakeholders trust, and a future IEPR is an ECR approach the stakeholders are currently confident in. This ECR approach is an open and transparent process as opposed to using "black box" models and conducting all technical work and reviews solely with USACE resources.

Reflections on the lessons learned from the use of ECR

The Red River Basin Chloride Control Project is a long-term effort. As the project progressed USACE has transitioned to the current proactive ECR approach.

- c. Section I of the ECR Policy identifies key governance challenges faced by departments/agencies while working to accomplish national environmental protection and management goals. Consider your departments'/agency's ECR case, and indicate if it represents an example of where ECR was or is being used to avoid or minimize the occurrence of the following:

	Check <u>all</u> that apply	Check if	
		Not Applicable	Don't Know
Protracted and costly environmental litigation;	<input type="checkbox"/>	<input type="checkbox"/>	√
Unnecessarily lengthy project and resource planning processes;	√	<input type="checkbox"/>	<input type="checkbox"/>
Costly delays in implementing needed environmental protection measures;	<input type="checkbox"/>	<input type="checkbox"/>	√
Foregone public and private investments when decisions are not timely or are appealed;	√	<input type="checkbox"/>	<input type="checkbox"/>
Lower quality outcomes and lost opportunities when environmental plans and decisions are not informed by all available information and perspectives; and	√	<input type="checkbox"/>	<input type="checkbox"/>
Deep-seated antagonism and hostility repeatedly reinforced between stakeholders by unattended conflicts.	√	<input type="checkbox"/>	<input type="checkbox"/>

9. Please comment on any difficulties you encountered in collecting these data and if and how you overcame them. Please provide suggestions for improving these questions in the future.

USACE encountered no real difficulty in collecting the information for this data call. The primary difficulty faced is that most of USACE’s work focuses on collaborative and partnering processes rather than on ECR by its formal definition, which requires use of a neutral third party. One district asked if questions in the ECR template can be geared more towards non-formal ECR use, while other Districts and Divisions reported that they do not use ECR and have “negative” responses to most of the questions. During development of the next ECR template, consideration should be made of including more questions that address partnering and collaborative processes.

One District reported that in certain instances, ECR would have been beneficial, but due to factors such as project funding and schedule constraints a third-party was not engaged. Another District reported that the depth of inquiry and amount of labor expended to respond to this data call were likely limited due to USACE’s financial structure and having to charge against individual projects.

Below are responses from Districts and Divisions to additional questions USACE included in this year’s ECR Policy Report Template.

Are there projects or programs in your District/Division where you would be interested in facilitation support?

# of Divisions Interested	Facilitation Support
3	USACE Facilitators
3	Contract Facilitators
2	USIECR Facilitators

Are there projects or programs in your District/Division where you would be interested in other technical assistance?

# of Divisions Interested	Technical Assistance
2	Public Involvement/ Communication Plan
2	Vertical Integration Support
1	Situational Assessment
1	Workshop Design
1	Consultation

Would your District/Division be interested in onsite training?

<u># of Divisions Interested</u>	<u>Technical Assistance</u>
6	Public Involvement & Team Building in Planning
5	Risk Communication & Public Involvement
5	Collaborative Leadership
4	Shared Vision Planning
2	Facilitation

Do you have collaboration successes in your District/Division that you'd like included in our Collaboration Database?

4 Divisions are interested in sharing collaboration successes.