

**FY 2017**  
**Environmental Collaboration and Conflict Resolution (ECCR)<sup>1</sup>**  
**Policy Report to OMB-CEQ**

On September 7, 2012, the Director of the Office of Management and Budget (OMB), and the Chairman of the President's Council on Environmental Quality (CEQ) issued a revised policy memorandum on environmental collaboration and conflict resolution (ECCR). This joint memo builds on, reinforces, and replaces the memo on ECR issued in 2005.

The memorandum requires annual reporting by departments and agencies to OMB and CEQ on progress made each year in implementing the ECCR policy direction to increase the effective use and institutional capacity for ECCR.

ECCR is defined in Section 2 of the 2012 memorandum as:

*“ . . . third-party assisted collaborative problem solving and conflict resolution in the context of environmental, public lands, or natural resources issues or conflicts, including matters related to energy, transportation, and water and land management.*

*The term Environmental Collaboration and Conflict Resolution encompasses a range of assisted collaboration, negotiation, and facilitated dialogue processes and applications. These processes directly engage affected interests and Federal department and agency decision makers in collaborative problem solving and conflict resolution.*

*Multi-issue, multi-party environmental disputes or controversies often take place in high conflict and low trust settings, where the assistance of impartial facilitators or mediators can be instrumental to reaching agreement and resolution. Such disputes range broadly from policy and regulatory disputes to administrative adjudicatory disputes, civil judicial disputes, intra- and interagency disputes, and disputes with non-Federal persons and entities.*

*Environmental Collaboration and Conflict Resolution can be applied during policy development or planning in the context of a rulemaking, administrative decision making, enforcement, or litigation with appropriate attention to the particular requirements of those processes. These contexts typically involve situations where a Federal department or agency has ultimate responsibility for decision making and there may be disagreement or conflict among Federal, Tribal, State and local governments and agencies, public interest organizations, citizens groups, and business and industry groups.*

*Although Environmental Collaboration and Conflict Resolution refers specifically to collaborative and conflict resolution processes aided by third-party neutrals, there is a broad array of partnerships, cooperative arrangements, and unassisted negotiations that Federal agencies may pursue with non-Federal entities to plan, manage, and implement department and agency programs and activities. The Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving are presented in Attachment B. The Basic Principles provide guidance that applies to both Environmental Collaboration and Conflict Resolution and unassisted collaborative problem solving and conflict resolution. This policy recognizes the importance and value of the appropriate use of all forms collaborative problem solving and conflict resolution.”*

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<sup>1</sup> The term ‘ECCR’ includes third-party neutral assistance in environmental collaboration and environmental conflict resolution

This annual report format below is provided in accordance with the memo for activities in FY 2017.

We understand that collecting this information may be challenging; however, the departments and agencies are requested to collect this data to the best of their abilities. The 2017 report, along with previous reports, will establish a useful baseline for your department or agency. Departments should submit a single report that includes ECCR information from the agencies and other entities within the department. The information in your report will become part of an analysis of all FY 2017 ECCR reports. You may be contacted for the purpose of clarifying information in your report. For your reference, prior year synthesis reports are available at <http://www.ecr.gov/Resources/FederalECRPolicy/AnnualECRReport.aspx>

## FY 17 ECCR Report

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|---|---|
| Name of Department/Agency responding:         | U.S. Army Corps of Engineers (USACE)  |
| Name and Title/Position of person responding: | Mr. Chris Page, Interim Assistant for Environment, Tribal and Regulatory Affairs, Office of the Assistant Secretary of the Army (Civil Works)<br><br>Dr. Hal Cardwell<br>USACE Collaboration and Public Participation Center of Expertise, Institute for Water Resources, USACE |
| Division/Office of person responding:         | U.S. Army Civil Works   |
| Contact information (phone/email):            | Mr. Chris Page (703) 697-0718<br><a href="mailto:Christopher.M.Page20.civ@mail.mil">Christopher.M.Page20.civ@mail.mil</a><br><br>Dr. Hal Cardwell<br>(703) 428-9071<br><a href="mailto:hal.e.cardwell@usace.army.mil">hal.e.cardwell@usace.army.mil</a>                         |
| Date this report is being submitted:          | February 2018   |
| Name of ECR Forum Representative              | Dr. Hal Cardwell  |

- ECCR Capacity Building Progress:** Describe steps taken by your department or agency to build programmatic and institutional capacity for environmental collaboration and conflict resolution in FY 2017, including progress made since FY 2012. Include any efforts to establish routine procedures for considering ECCR in specific situations or categories of cases. To the extent your organization wishes to report on any efforts to provide institutional support for non-assisted collaboration efforts include it here. If no steps were taken, please indicate why not.

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

## General Comments

In FY17, the U.S. Army Corps of Engineers (USACE) continued to build programmatic and institutional capacity for both ECCR 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 ECCR center and other programs that specifically focus on collaborative processes (see discussions below), 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, water supply, hydropower, environmental stewardship, emergency management, and recreation) and functional areas (e.g. planning, engineering & construction, operations & maintenance, and regulatory).

Across USACE Divisions and Districts strong support is shown for collaborative problem solving processes through the encouragement and provision of resources and training to staff and implement these processes. From the highest levels of USACE, the leadership commitment to collaboration is unwavering and constantly reiterated.

Although Districts and Divisions employ third-party neutrals and thus formal ECCR when appropriate, they report a preference for a proactive engagement approach with local cost-share sponsors, partners, and the public. Districts and Divisions prefer to develop local, state, regional, and national teams promoting collaborative planning to anticipate problems and identify alternative solutions early so as to reduce the likelihood and severity of environmental conflict. We highlight these experiences in the answers to Question 7.

### **a. Integrate ECCR objectives into USACE mission statements and strategic planning, including a focus on accountable performance and achievement.**

The USACE Campaign Plan has embraced collaborative approaches in several goals: [www.usace.army.mil/about/campaignplan/Pages/Home.aspx](http://www.usace.army.mil/about/campaignplan/Pages/Home.aspx). Many of the collaborative activities in this report fall within Goal 2, *Transform Civil Works*: “*Deliver integrated water resource solutions.*” This goal stresses collaboration in planning and budget development and calls for implementing stakeholder engagement strategies. Goal 3 is *Reduce Disaster Risks*: “*Deliver support that responds to, recovers from, and mitigates disaster impacts to the nation.*” Goal 3 includes an objective to “*Enhance interagency disaster preparation and mitigation capabilities*” with an associated action to “*Improve state-level collaboration with the Silver Jackets program (discussed below).*” Finally, Goal 4 is *Prepare for Tomorrow*: “*Build resilient people, teams, systems, and processes to sustain a diverse culture of collaboration, innovation and participation to shape and deliver strategic solutions.*” A key objective of this goal is to “*enhance trust and understanding with customers, stakeholders, teammates, and the public through strategic engagement and communication.*”

The 2014-2018 USACE Civil Works Strategic Plan is based on the principles of Integrated Water Resources Management - a holistic focus on water resource challenges and opportunities that reflects coordinated development and management of water, land, and related resources. The strategic plan builds institutional abilities and capacity for collaborative problem solving which is the core of ECCR processes. One of the cross-cutting strategies of the strategic plan is **Collaboration and Partnering**. USACE must “*build and sustain collaboration and partnerships at all levels to leverage authorities, funding, talent, data, and research from multiple agencies and organizations.*”

([www.usace.army.mil/Portals/2/docs/civilworks/news/2014-18\\_cw\\_stratplan.pdf](http://www.usace.army.mil/Portals/2/docs/civilworks/news/2014-18_cw_stratplan.pdf)). Performance

and achievement criteria for the CW Strategic Plan do not specifically include ECCR-related measures beyond annual USACE customer satisfaction surveys (see answers to Question 2).

USACE Communication Principles are the fundamental principles around which USACE plans its communication strategies with our stakeholders and partners. The USACE Communication Principles include but are not limited to:

- 1) *Effective communication, transparency and understanding are the very foundation of trust.*
- 2) *Communicate not just that people understand, but so that there is no possible way to misunderstand.*
- 3) *Shared information is power.*
- 4) *To succeed, requires early engagement of public and stakeholders.*

#### Environmental Operating Principles

Two out of USACE's seven Environmental Operating Principles highlight collaboration: #6 – “Leverage scientific, economic, and social knowledge to understand the environmental context and effects of Corps actions in a collaborative manner”; and #7 – “Employ an open, transparent process that respects views of individuals and groups interested in Corps activities.”

#### Guidance and Policy that requires stakeholder engagement

In FY17 USACE updated Planning Guidance Notebook Appendix B: Coordination, Communication and Collaboration to nest public participation within communication plans. Implementing guidance for watershed planning requires collaboration among stakeholders to identify problems and opportunities from any source in the watershed to establish shared visions for managing water resources. District outreach programs report use of the Quality Management System Enterprise Standard 28000 and 28100 in daily missions: Communication Planning Process and Strategic Engagement Process, respectively.

USACE's Collaboration and Public Participation Center of Expertise (CPCX) has proposed a new USACE Public Involvement Policy and has catalogued current USACE policies that guide public involvement in different mission areas. Proposed content for an agency-wide policy includes definitions, principles, and methods for how public involvement should be conducted across USACE. Draft Public Participation Principles are:

- 1) *Coordinate Internally*
- 2) *Be Prepared*
- 3) *Build Relationships and Trust*
- 4) *Maintain Open and Two-Way Channels of Communication*

Such a policy would give confer greater justification, guidance and top cover to Corps staff engaging in public participation efforts, enabling more appropriate and meaningful engagements.

#### **b. Assure that your agency's infrastructure supports ECCR**

Collaboration and Public Participation Center of Expertise (CPCX) - In October 2008 USACE established a Collaboration and Public Participation Center of Expertise (CPCX) to help USACE staff anticipate, prevent, and manage water conflicts, ensuring that the interests of the public are addressed in USACE decision making ([www.iwr.usace.army.mil/cpc/](http://www.iwr.usace.army.mil/cpc/)). CPCX is comprised of a small staff at the Institute for Water Resources and liaisons at each of the 8 Civil Works Divisions.

The Division-level CPCX Liaisons ensure that new ECCR tools/methodologies and training opportunities are shared across Districts. By maintaining staff in Public Affairs Offices as well as

creating positions such as the Silver Jacket Coordinator, Outreach Specialist, Public Involvement Specialist & other related positions to assist the District with stakeholder engagement, Districts are able to dedicate time and resources to a wide range of collaborative, interagency projects. Examples include:

- In FY17, Pittsburgh District and Nashville District acquired a Public Involvement Specialist who serves as a community planner in the Planning and Environmental Branch. The Public Involvement Specialist serves as a resource for Planning, Operations, Public Affairs, and the Executive Office. Investments made in the Public Involvement Specialist's training significantly increased the collaborative capacity of Pittsburgh District.
- The Louisville District funds an Outreach Coordinator position, and the coordinator supports national and regional CPCX efforts as Public Involvement Specialist.
- Pittsburgh District also relies on an Outreach Coordinator to identify, understand and develop strategies to handle sensitive political, environmental and economic concerns related to mission execution. The Outreach Coordinator actively engages regional stakeholder organizations and agencies directly to build relationships, to advance the notions of shared responsibility and collaboration, and to develop resilient solutions to complex water resources problems.
- Within Northwestern Division, Omaha, Portland and Kansas City Districts maintained staff in both the Public Affairs Office and an Outreach Specialist in the Planning Branch to assist the District with stakeholder engagement and public involvement activities. All are members of CPCX's Public Involvement Specialist cadre. These positions served as a regional resource to help enhance two-way communication and collaborative problem solving with stakeholders. One full-time Public Affairs Specialist supports Missouri River Recovery Program communication efforts. Seattle District maintained their capabilities solely within Public Affairs; Portland District capability is now maintained in both Public Affairs and Program Management.

Note that most of these positions are not full-time, but allow Districts to establish a focal point for engagement activities and to build internal capacity. In addition to activities supported by Public Involvement Specialists, CPCX continued to use its internal staff, the USIECR, and contractors to provide technical assistance to Districts, Divisions, USACE-HQ and other stakeholders on collaborative processes, including Shared Vision Planning, facilitation services, training, and courses on public involvement, risk communication and conflict resolution. These activities are reported on in appropriate places in this report.

In FY17, the USACE Collaboration and Public Participation Community of Practice (CoP) expanded its membership from 600 members in FY16 to more than 650 members agency-wide. The CoP published three editions of its newsletter *Collaboration Corner* and sponsored multiple webinars on Collaboration, Conflict Resolution, Risk Communication, and public involvement challenges, tips and successes. The CoP also provides information through an interactive web portal and fosters a network of USACE facilitators from across USACE Divisions and business lines. The CoP continued its second year of the "Gnarliest Collaboration Challenge" an effort to identify the most difficult collaboration challenges in the agency and fund a neutral third party to resolve these challenges. Four cases were supported in FY17 addressing needs in USACE's Navigation, Flood Risk, and Water Supply mission areas.

Finally, USACE has worked to expand its virtual infrastructure that supports ECCR including a Find-a-Facilitator Database with 43 USACE facilitators offering their services to others in USACE. CPCX updated its Collaboration Wiki with information on how to collaborate virtually with internal and external audiences. USACE will be piloting a GIS tool called Crowdsorce Reporter to enable online stakeholder input to projects. Pittsburgh District began developing a

tool called “Drop-A-Dot” which serves to track and map engagements as a way to store, present, and coordinate outreach efforts. The intention of the Drop-A-Dot tool is to better understand where and when District engagements have occurred, around what topics, and with which entities. Another internal tool to help track strategic engagements is used by the Southwestern Division called the Common Operating Picture via the Redi Viewing Platform, a Sharepoint-based viewer that pulls information from all USACE data platforms. Finally, both the Institute for Water Resources (IWR) and the Hydrologic Engineering Center (HEC) are developing “serious gaming” applications that incorporate interactive data models to involve stakeholders and educate publics about complex water resources management decisions.

### **c. Invest in support, programs, or trainings**

In FY17, CPCX continued to expand its Public Involvement Specialists Program. Public Involvement Specialists serve as internal consultants operating at the District level to support specific USACE projects across all USACE mission areas to enhance two-way communication and collaborative problem solving with stakeholders. Their responsibilities include assessing the need, timing and approach to public engagement, developing public involvement plans, designing and facilitating public involvement forums, and implementing public involvement activities. In FY17, three Public Involvement Specialists were added bringing the total to 24, serving Districts in all 8 of USACE’s Civil Works Divisions. In FY17 Public Involvement Specialists

- Provided technical assistance to over 40 projects including workshop/meeting design, facilitation, public involvement planning, and product development.
- Built awareness and capacity for Collaborative Resources & Processes by delivering 6 “Brown Bag Training” modules. For example, Public Involvement Specialists from San Francisco and Los Angeles Districts virtually co-delivered a training, *USACE Public Involvement Specialists and Collaboration Resources 101*, to South Pacific Division staff. The training included principles for public involvement and collaboration, as well as providing an overview of available collaboration resources for USACE staff.
- Supported Silver Jackets program & USACE’s Government-to-Government relationship with federally recognized tribes,
- Supported Levee Safety Communication Planning

Since the roll-out of the USACE Public Involvement Specialists program in FY14, Divisions have reported taking more notice of in-house capabilities and are increasing the use of Public Involvement Specialists and their skills on more controversial public projects.

In FY17, CPCX continued to support the HQ-USACE Levee Safety Program through the \*Public Awareness and Communications Team\* (PACT). The PACT was formed to support the USACE Levee Safety Program in developing, tracking and implementing public awareness, risk communication and sponsor/stakeholder engagement activities. It plays a central role in coordinating approaches, activities and materials related to external communication and engagement across Levee Safety activities. To date, the PACT has provided training and support to increase internal capacity and effectiveness among District staff for developing communications strategies and plans, and for conducting outreach to sponsors. PACT provided training workshops for every district between FY16 and FY17, and Districts are moving ahead with communication planning and outreach. For example, Los Angeles District’s Levee Safety Program hosted three one-day workshops to build risk communication capacity among their sponsors, and to clarify expectations of them to communicate levee-associated flood risk to their communities.

During FY17, CPCX continued to support the development of collaborative modeling approaches through the design and implementation of the San Antonio Multi Hazard Tournament in collaboration with Fort Worth District, San Antonio Water Authority, NOAA, USGS, and multiple other partners. The tournament used Shared Vision Planning principles to promote stakeholder discussions of tradeoffs on flood, drought and other water resource risks. In addition, CPCX joined with UNESCO's International Center for Integrated Water Resources Management and the Global Water Partnership to develop a prospective paper and delivered training in Ghana and Hungary on used of collaborative modeling for Integrated Water Resources Management.

Across the nation, USACE continued to build capacity in state-led "Silver Jackets" teams that advance collaborative problem solving for flood risk management. Forty-eight states and D.C. have active Silver Jackets teams that bring state and federal agencies together to help address state flood-risk management priorities. Although each state Silver Jackets team is unique, common agency participants include state agencies with mission areas of hazard mitigation, emergency management, floodplain management, natural resources management or conservation, etc. Federal participation typically includes USACE, Federal Emergency Management Agency and often others such as the National Weather Service and the U.S. Geological Survey. For example:

- Detroit District's Floodplain Manager participated in Silver Jackets teams for Michigan, Indiana, Wisconsin, and Minnesota, which facilitated collaborative solutions to state flood risk priorities.
- Huntington (WV) District staff led very active Silver Jackets programs in Ohio and West Virginia, and support effective Silver Jackets teams in Kentucky, Pennsylvania and Virginia. Each of these teams is dedicated to advancing interagency coordination and collaboration with federal, state, and local government entities.
- Louisville District continued collaboration efforts in 2017 as the lead USACE District for the Indiana and Kentucky Silver Jackets Interagency Flood Risk Management Teams, as well as active participation on the Ohio and Illinois teams.

To continue building their ECCR capacity, Districts supported staff members' attendance at the FY17 USACE Flood Risk Management/Silver Jackets Workshop. The workshop allowed staff to meet with partners from various agencies to share experiences with interagency projects and address opportunities to develop shared solutions for flood risk challenges.

Several USACE Districts have built robust outreach programs which allow them to communicate and collaborate with the public, stakeholders, project partners, and elected officials. The overall objective of these outreach programs is to clearly and concisely disseminate public information and embrace stakeholder engagement. District examples include:

- Chicago District: Efforts to incorporate ECCR in FY17 have included reaching out to local advocacy groups to facilitate communications between USACE and stakeholders and to advocate for our work. Programmatically, we seek out these groups whenever possible and appropriate to inform decisions and aid in our messaging and delivery of programs.
- Buffalo District maintains a robust outreach program to communicate and collaborate with the public, stakeholders, project partners, and elected officials. Led by the Buffalo District Outreach Program Specialist, Outreach Specialist, and Silver Jackets Coordinators, the outreach program has progressively grown to include regular meetings with state and Federal water resources agencies, and facilitating coordination and collaboration within project teams and with external stakeholder organizations to address local and regional water resource issues.

Training and Other Investments in ECCR Support (in addition to investments captured in Question 2)

- CPCX teamed with District experts and other partners to teach the following courses, and deliver various related webinars. These training activities reached more than 1200 students across USACE and, to a lesser extent, other federal and state agencies.
  - Collaboration and Conflict Transformation in Multi-Party Processes
  - Teambuilding and Leadership for Planning Associates
  - Facilitation and Multiparty Problem Solving skills for working with Native American Tribes
  - Effective Communication for Regulatory
  - Tribal Consultation Training for St. Paul District Regulatory and CW
  - Risk Communication Training Workshop at Association of State Floodplain Managers Annual Conference
  - Levee Safety Risk Communication Training Workshops and Webinars
  - Public Involvement and Teaming in Planning
  - Risk Communication and Public Involvement
  - Public Involvement and Communication
  - Emotions, Outrage and Public Participation
  - Risk Communication courses from Notre Dame of Maryland University
- CPCX supported a 90-day developmental assignment for a staff member from Southwestern Division to join CPCX to support regional and national collaboration, risk communication, and public involvement in emergency management activities.
- The USACE Engineer Research & Development Center's Facilitator Exchange Forum continues to provide quarterly webinars, newsletters and webpages to 200+ facilitators across USACE. Facilitation training has been provided to 46 USACE employees to date.
- To increase collaborative capacity, quality of environmental work and better inform decisions, Pittsburg District established the Pittsburgh District Environmental Advisory Board. The Board is tasked to: 1) Brainstorm District environmental issues, and develop approaches/solutions; 2) Share information internally; 3) Build awareness of the advantages of collaboration with other agencies, universities, NGOs; and 4) Engage other agencies to share information and coordinate collective actions to solve water and other natural resources problems
- USACE's Collaboration and Public Participation CoP is partnering with the U.S. Institute for Environmental Conflict Resolution to promote USACE involvement in the Udall Certificate in Environmental Conflict Resolution. 25 USACE employees took classes towards their certificate in FY17.
- The USACE continued building the core competencies of facilitation and collaborative problem solving by providing support for the online Fundamentals of Facilitation and Conflict Resolution training.
- USACE staff attended the 2017 Association for Conflict Resolution Environment Public Policy Conference, which included a preconference training on conflict resolution, mediation, and facilitation.
- Pacific Ocean Division leadership is open to investing in ECCR support, programs, or trainings as required by individual staff on a case-by-case basis.
- Louisville District Office of Council staff members are required to take courses that allow attorneys to participate in litigation, mediation, and alternative dispute resolution on contracts to include environmental contract actions. Attorneys perform these conflict resolution functions as key members of District teams to resolve pending District matters.
- The USACE Formerly Used Defense Sites Program began engaging Public Involvement Specialists. For example, Los Angeles District requested that their Specialist support these projects through "internal QA/quality assurance" to review Community Relations Plans

developed by contractors and to provide additional support if needed for public and stakeholder outreach efforts.

**d. Focus on accountable performance and achievement**

A significant area of growth for USACE is to improve accountability for adhering to agency guidance on collaboration and stakeholder engagement. Several Engineering Regulations require communication plans that include clear stakeholder engagement processes. However, development and adherence to these plans is inconsistent across the agency, resulting in reactive instead of proactive stakeholder engagement.

To focus on accountable performance and achievement, Divisions, Districts, and CPCX have taken steps to measure and report back on the quality and quantity of the services provided. Many of these efforts for evaluating the levels of performance and achievement are captured in Question 2 of this report. Two additional ways in which USACE remains accountable for their performance are listed below.

Customer Satisfaction Survey - To solicit feedback on customer/stakeholder satisfaction with USACE, Districts are encouraged to send annual surveys to customers and stakeholders. In the case of Omaha District, all survey results are shared with Branch Leadership and ratings below 2.0 (out of 5.0) or dissatisfied responses are shared with Executive Leadership. Project Managers are encouraged to follow up with customers/stakeholders who provide low ratings and customer survey scores are incorporated into their performance objectives.

Project Review Board Briefings - To keep leadership abreast of relevant achievements related to collaborative efforts, some Districts (e.g. Omaha and Kansas City) state that Project Managers include strategic engagement and communication with stakeholders, sponsors and customers at the monthly Project Review Board briefings with District leadership.

**2. ECCR Investments and Benefits**

- a) Please describe any methods your agency uses to identify the (a) investments made in ECCR, and (b) benefits realized when using ECCR.

Examples of investments may include ECCR programmatic FTEs, dedicated ECCR budgets, funds spent on contracts to support ECCR cases and programs, etc.

Examples of benefits may include cost savings, environmental and natural resource results, furtherance of agency mission, improved working relationship with stakeholders, litigation avoided, timely project progression, etc.

This ECCR report continues to be the primary tool that is used annually across the organization for identifying and documenting ECCR investments and benefits. Division Liaisons conduct quarterly data calls for this report as a way to increase accuracy and rigor.

USACE uses several tools for tracking and evaluating ECCR-related activities. Annually, USACE Districts survey USACE partners and stakeholders using the "Customer Satisfaction Survey."

CPCX has several evaluation tools for tracking both the center's ECCR activities as well as those across the agency. In FY17, CPCX implemented surveys of their direct services to Districts. CPCX also continued the pursuit to acquire OMB approval for updated ECCR-related evaluation surveys of facilitation services and training feedback. Furthermore, every five years, CPCX administers a quantitative survey and holds division-level workshops to assess USACE's collaborative capacity.

In FY17, Louisville District launched a database to track Stakeholder Engagement activities in their district in a quantitative way.

Rock Island District administers survey / comment cards after meetings to gauge success of activities and results.

Portland District mentioned that the Environmental Resources and Planning and Project Management branch chiefs are rated on external relationships, but did not mention how these are tracked or measured.

Field staff in Civil Works (Planning) mentioned that their Project Management Plans have some information on public involvement costs that could assist with tracking; however, not every project keeps these plans up-to-date, nor do all projects have public involvement plans.

Metrics which are or could be used to measure ECCR investments include:

- Cost of third-party facilitators (especially contracts for this support)
- Labor and travel costs for staff supporting ECCR activities (feasible for employees dedicated to these activities full time)
- Labor support provided specifically for ECCR activities associated with special designations (Public Involvement Specialists and Silver Jackets coordinators)
- Training related expenses
- Meeting attendance
- Meeting documentation, including accomplishments
- Number of webinars delivered and attendance
- Number of employees trained and affiliated expenses
- Number of stakeholders contacted

- b) Please report any (a) quantitative or qualitative investments your agency captured during FY 2017; and (b) quantitative or qualitative results (benefits) you have captured during FY 2017.

The investments and benefits captured for specific projects are listed in Table 1. In addition to these, USACE staff identified general investments and benefits.

Investments include routine budgeting and support of personnel time for interagency engagement on all studies.

This year, USACE staff recognized a large range of benefits, both direct and indirect, from ECCR activities generally, although the majority can only be tracked qualitatively.

These include:

- Clearing policy hurdles
- Meeting planning requirements
- Cost savings / costs avoided
- Timely project progression by avoiding litigation, clearing policy hurdles and meeting planning process requirements

- Collaborative interagency planning, improved working relationships, expedited reviews, and knowledge sharing
- Awareness and access to information and resources owned by various agencies
- Better planning for early dialogue, information exchange with the right parties for more informed decision making
- Improved working relationships with stakeholders, including a common understanding of USACE and stakeholder authorities, policies, roles and responsibilities
- Efficiencies by reducing duplicative efforts and leveraging the resources and expertise of a stakeholder community
- Development of technical tools that can help create a shared vision or understanding of technical information, such as SimSuite, LifeSim, and “serious gaming” frameworks
- Development of public messages and information plans
- Furtherance of our agencies’ missions
- More durable and comprehensive study solutions
- Improved stewardship of environmental and natural resources, socio-economic factors, and infrastructure
- Increased community resilience

TABLE 1: Investments and Benefits in ECCR activities by USACE in FY 2017.

| PROJECT / INITIATIVE                                     | LEAD | INVESTMENTS  | BENEFITS  |
|--|------|--|---|
| Formal training to enhance ECCR skills among USACE staff | CPCX | Multiple trainings and workshops, including 34 in-person courses/ workshops and 11 webinars. Over 1200 USACE staff and partners attended these events. | Increased skills and awareness related to ECCR among USACE workforce and partners.<br><br>Clarified actions to improve USACE culture to support collaboration.  |
| Public Involvement Specialists                           | CPCX | \$120k to support labor, travel and training for 24 specialists in districts   | Improved coordination and relationships with Tribes, sponsors, stakeholders and partners at all levels of government; improved access to information assists with timely progression (and thus costs savings) of Civil Works projects, Regulatory actions and furtherance of USACE mission; and more resilient ecosystem restoration projects.<br><br>Other team members receive on-the-job training for facilitation and collaboration by working with the PI Specialists. |

| <b>PROJECT / INITIATIVE</b>            | <b>LEAD</b>                | <b>INVESTMENTS</b>   | <b>BENEFITS</b>  |
|--|----------------------------|--|--|
| Silver Jackets Program                 | IWR and all U.S. Districts | Support for staff labor and expenses for fostering interagency coordination and related collaborative activities. These include competitive grants for Districts to participate in collaborative activities. | The investment in relationships and projects realizes states that are better able to respond to, and reduces the risk associated with natural hazards.   |
| Saginaw River Deepening Project        | Detroit District           | Engaged USEPA and Michigan Dept of Env'tl Quality early on in the project planning phase   | Fostered working relationships and the ability to gain their respective agencies technical assistance.   |
| Willamette River Project               | Portland District          | Leveraged funding from Bonneville Power Admin for facilitation of WATER Steering Committee   | <ul style="list-style-type: none"> <li>• More effective and efficient meetings with greater accountability and transparency</li> <li>• Improved communication and accountability on meeting schedules</li> <li>• Detailed meeting notes increased transparency and trust</li> <li>• Completion of the Hatchery and Genetics Management Plan (overcoming delays due to conflict)</li> </ul> |
| Third Party assistance (multiple)      | Portland District          | Leveraged applicants' resources (consultant) and worked with Oregon Solutions and Regional Solutions, both which acted as third parties to resolve and minimize conflict                                     | In permitting actions, added scrutiny, awareness, and kept things moving forward. The assistance provided a catalyst for bringing people together for a common purpose or direction.   |
| Port Everglades [in progress]          | Jacksonville (FL) District | Contracted facilitator   | Initial indicators of benefits are: improve communications among agencies, assist District with environmental compliance, and assist with maintenance of project schedule.   |
| Multiple projects by SPL PI Specialist | Los Angeles District       | \$55,000 direct funding for Public Involvement Specialist to support multiple business lines and projects.   | <ul style="list-style-type: none"> <li>• Resolved real estate issues which enabled on-time contract award.</li> <li>• Enhanced district capacity to train sponsors to communicate risk to residents.</li> </ul>  |

| <b>PROJECT / INITIATIVE</b>                          | <b>LEAD</b>            | <b>INVESTMENTS</b>  | <b>BENEFITS</b>  |
|--|------------------------|---|--|
| Multiple projects by SPN PI Specialist               | San Francisco District | \$10,000 for PI Specialist to provide services.   | Improved coordination with Tribes, sponsors, stakeholders and partners at all levels of government; improved access to information assists with timely progression of Civil Works projects, Regulatory actions and furtherance of USACE mission; and more resilient ecosystem restoration projects.                        |
| Lowell Creek charette                                | Alaska District        | Hired facilitators from another district (\$10k)  | Improved meeting execution   |
| J. Percy Priest Water Supply Reallocation Study      | Nashville District     | Gnarliest Collaboration Challenge awardee – CPCX provided expert facilitation support - \$35K   | CPCX's assistance through the GCC brought the stakeholder group to a place of open communication and made significant strides to trust between the parties. The feedback we received from the users will lead to a better, more thorough reallocation report, and lessen the likelihood of a lawsuit over the final study. |
| Los Angeles District Levee Safety Risk Communication | Los Angeles District   | Gnarliest Collaboration Challenge awardee – CPCX provided expert facilitation support via US Institute for Environmental Conflict Resolution - \$110K | Building trust and open lines of communications within different groups in the sponsoring agencies is crucial to developing risk communication plans that will ultimately help save millions of lives.   |
| Upper Mississippi River Sediment Transport           | Rock Island District:  | Gnarliest Collaboration Challenge awardee – CPCX provided expert facilitation support - \$9K  | Workshop allowed USACE and cooperating agencies to engage in idea- and knowledge-sharing. Workshop outcomes include valuable new ideas and alternatives.   |
| Chesapeake Bay Comprehensive Study                   | Baltimore District     | One CPCX facilitator over 12 months, and a facilitation team of 6 for a large stakeholder meeting.  | Improved collaboration with stakeholders (in-person and virtually) enabled sharing of information and feedback leading to better solutions.  |
| Communication Training Workshops for Levee Safety    | HQ USACE               | Estimate of \$467K to execute District workshops. About 200 USACE staff attended.   | Better coordination among team on this effort. Clarity on how to develop effective messages; of expectations for the initiative; of how to engage with the various stakeholders.   |

| PROJECT / INITIATIVE  | LEAD        | INVESTMENTS   | BENEFITS   |
|---|-------------|---|--|
| Levee Safety funding for the development of Engagement Strategies and Communication Plans | HQ<br>USACE | \$250K was spent on District staff labor on this task   | Districts used this funding to support coordination among staff across the District to develop strategies and plans. |
| Levee Safety Public Awareness and Communication Team                                      | HQ<br>USACE | \$973K invested to support the team's labor and travel for all activities, including preparation and facilitation for workshops | Increased capacity and additional resources to improve levee risk communication.                                     |

- c) What difficulties have you encountered in generating cost and benefit information and how do you plan to address them?

The primary challenges in quantitatively tracking this information remain unresolved. These include:

Most benefits are qualitative or intangible. Staff, partners, stakeholders and publics perceive these benefits, but can neither quantify them nor counterfactually prove what would have happened without ECCR support.

1. USACE financial tracking continues to be by project, not by activity type, so tracking the ECCR-related expenses would create an additional administrative burden. This is true despite the use of Project Management Plans and Communication Plans. Districts have limited capacity to revisit these plans, and they do not track ECCR-related activities separate from overall project metrics.
2. Expenses for hiring external facilitators or mediators is possible to track. However, in the many cases ECCR-related work is supported by internal USACE staff, and labor is typically managed by project rather than task, so ECCR contributions are not tracked separately.
3. South Pacific Division added that the current Smart Planning (3x3x3) requirements in the planning phase exacerbate the lack of documentation, due to limited project funds and streamlined schedules, which are now mandated by Congress. Thus, due to these project development pressures, staff rarely has time to adequately report on ECCR activities.

Future Tracking – 2018 goals:

- The majority of Districts do not have plans to develop a mechanism for tracking.
- Honolulu District's Public Involvement Specialist will gather information from other districts in the division and implement an assessment methodology.
- In the coming year(s), CPCX will request our field representatives to track qualitative or quantitative investments and benefits along with tracking of projects.
- South Pacific Division noted that in order to track ECCR activities separately, USACE would need a dedicated (line item) funding provided through USACE's annual performance based budgeting process, as promulgated in our annual Budget Engineer Circulars.

3. **ECCR Use:** Describe the level of ECCR use within your department/agency in FY 2017 by completing the table below. [Please refer to the definition of ECCR from the OMB-CEQ memo as presented on page one of this template. An ECCR “case or project” is an instance of neutral third-party involvement to assist parties in a collaborative or conflict resolution process. In order not to double count processes, please select one category per case for decision making forums and for ECCR applications.

|  | Total FY 2017 ECCR Cases <sup>2</sup> | Decision making forum that was addressing the issues when ECCR was initiated: |                                     |                      |                 |              | ECCR Cases or projects completed <sup>3</sup> | ECCR Cases or Projects sponsored <sup>4</sup> | Interagency ECCR Cases and Projects |                                    |  |
|--|---------------------------------------|---|-------------------------------------|----------------------|-----------------|--------------|---|---|-------------------------------------|------------------------------------|--|
|  |                                       | Federal agency decision   | Administrative proceedings /appeals | Judicial proceedings | Other (specify) |              |   |   | Federal only                        | Including non federal participants |  |
| <i>Context for ECCR Applications:</i>      |                                       |   |                                     |                      |                 |              |   |   |                                     |                                    |  |
| Policy development                         | <u>1</u>                              | <u>    </u>   | <u>    </u>                         | <u>    </u>          | <u>1</u>        | tribal       | <u>    </u>                                   | <u>1</u>                                      | <u>1</u>                            | <u>    </u>                        |  |
| Planning                                   | <u>10</u>                             | <u>8</u>  | <u>    </u>                         | <u>    </u>          | <u>2</u>        | inter-agency | <u>3</u>                                      | <u>4</u>                                      | <u>5</u>                            | <u>5</u>                           |  |
| Siting and construction                    | <u>    </u>                           | <u>    </u>   | <u>    </u>                         | <u>    </u>          | <u>    </u>     |              | <u>    </u>                                   | <u>    </u>                                   | <u>    </u>                         | <u>    </u>                        |  |
| Rulemaking                                 | <u>    </u>                           | <u>    </u>   | <u>    </u>                         | <u>    </u>          | <u>    </u>     |              | <u>    </u>                                   | <u>    </u>                                   | <u>    </u>                         | <u>    </u>                        |  |
| License and permit issuance                | <u>    </u>                           | <u>    </u>   | <u>    </u>                         | <u>    </u>          | <u>    </u>     |              | <u>    </u>                                   | <u>    </u>                                   | <u>    </u>                         | <u>    </u>                        |  |
| Compliance and enforcement action          | <u>    </u>                           | <u>    </u>   | <u>    </u>                         | <u>    </u>          | <u>    </u>     |              | <u>    </u>                                   | <u>    </u>                                   | <u>    </u>                         | <u>    </u>                        |  |
| Implementation/monitoring agreements       | <u>5</u>                              | <u>4</u>  | <u>    </u>                         | <u>    </u>          | <u>1</u>        | tribal       | <u>    </u>                                   | <u>    </u>                                   | <u>1</u>                            | <u>4</u>                           |  |
| Other (specify): <u>Risk Communication</u> | <u>2</u>                              | <u>2</u>  | <u>    </u>                         | <u>    </u>          | <u>    </u>     |              | <u>    </u>                                   | <u>1</u>                                      | <u>    </u>                         | <u>2</u>                           |  |
| <b>TOTAL</b>                               | <b><u>18</u></b>                      | <b><u>14</u></b>  | <b><u>    </u></b>                  | <b><u>    </u></b>   | <b><u>4</u></b> |              | <b><u>3</u></b>                               | <b><u>6</u></b>                               | <b><u>7</u></b>                     | <b><u>11</u></b>                   |  |
|  |                                       | (the sum of the Decision Making Forums should equal Total FY 2017 ECCR Cases) |                                     |                      |                 |              |   |   |                                     |                                    |  |

<sup>2</sup> An “ECCR case” is a case in which a third-party neutral was active in a particular matter during FY 2017.

<sup>3</sup> A “completed case” means that neutral third party involvement in a particular ECCR case ended during FY 2017. 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.

<sup>4</sup> Sponsored - to be a sponsor of an ECCR 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 ECCR case.

Note: If you subtract completed ECCR cases from Total FY 2017 cases it should equal total ongoing cases. If you subtract sponsored ECCR cases from Total FY 2017 ECCR cases it should equal total cases in which your agency or department participated but did not sponsor. If you subtract the combined interagency ECCR cases from Total FY 2017 cases it should equal total cases that involved only your agency or department with no other federal agency involvement.

#### 4. ECCR Case Example

Using the template below, provide a description of an ECCR case (preferably completed in FY 2017). Please limit the length to no more than 2 pages.

| Communicating Levee Safety Risks to 2.5 Million People  |
|---|
| <p>Overview of problem/conflict and timeline, including reference to the nature and timing of the third-party assistance, and how the ECCR effort was funded</p>  |
| <p>Due to the enormity of the task to convey levee safety risk communication messages to 18 local sponsors representing 2.5 million people, the Los Angeles District applied for technical support from the “Gnarliest Collaboration Challenge” program offered by the USACE Collaboration and Public Participation Center of Expertise (CPCX). With millions of people at risk, risk communication will be a long-term, ongoing effort that requires an effective and coordinated strategy. Los Angeles District’s Levee Safety Program Manager has been establishing relationships with all of the local levee sponsors. Because the sponsors tend to be very large organizations, the risk communication effort will require multiple people at the table within their organization. Building relationships understanding the concerns of each person within each sponsor organization was too much of a task for the District and their current resources. The District recognized the need for stakeholder engagement expertise to establish and build sponsor relationships and trust while establishing open lines of communications. Because this is a completely new kind of effort for the District, they recognized that the learning curve would be tremendous. The District looked to the CPCX to fill the experience gap in the project team. CPCX, in partnership with the U.S. Institute for Environmental Conflict Resolution, contracted a third-party facilitator to support this enormous effort.</p> |
| <p>Summary of how the problem or conflict was addressed using ECCR, including details of any innovative approaches to ECCR, and how the principles for engagement in ECCR outlined in the policy memo were used</p>   |
| <p>What makes this effort “gnarly” is the sheer number of people at risk and the jurisdictional complexity of the levee portfolio of the Los Angeles District. The third party facilitator assisted with conducting sponsor interviews, without USACE present. That information was used to build relationships and trust to create key messages and talking points for the communication plans and refine the workshop training. The sponsor interviews would include a stakeholder assessment and be a 2-way conversation to gain insights into the sponsor’s fears or understanding of levee risk communication. The information learned from the interviews were used to create three 1-day Risk Communication Workshops where USACE invited sponsors to learn about risk communication as it specifically relates to the USACE Levee Safety Program. The facilitator brought a high level of communication skills to the training.</p>   |
| <p>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 ECCR</p>   |

Building trust and open lines of communications within different groups in the sponsoring agencies is crucial to developing risk communication plans that will ultimately help save millions of lives. Risk communication is a collaborative effort by definition. It's an open 2-way exchange that requires the right resources to build the relationships with sponsors and partner with them to reach the communities behind levees. Levee safety policies and guidance are constantly being updated, and sponsors are doing their best to keep up. By helping the District meet the needs and concerns of the numerous sponsors, the facilitator helped strengthen relationships, which will lead to more effective risk communication, more risk-informed decisions and risk reduction, and will save lives. The facilitator provided credibility to the risk communications messaging. Without their help, sponsors might view levee safety risk communication as yet another requirement from USACE. Ultimately, with increasing storm severity and record rainfall across the U.S. these past few years, this effort is more important now more than ever.

#### Reflections on the lessons learned from the use of ECCR

Holding stakeholder interviews prior to conducting workshops was vital to the success of the workshops. It established rapport and revealed what should/shouldn't be covered in the workshops, making the workshops more effective. More time could have been spent on hearing from the sponsors on their success and failures in public outreach and communication. More time could have been spent on providing opportunities to practice the new skills or concepts learned during the workshop. In many cases, not enough of the right people from the sponsoring agency were present at the workshop because of the misperception that levee safety risk communication is solely a technical, engineering matter, when it also requires buy-in from decision-makers and the support of agency communication experts. More video and graphics helped, as many individuals are visual learners. Expanding the topic beyond only levees and including any flood risk (rivers, dams, levees, etc.) would be most effective.

**5. Other ECCR Notable Cases:** Briefly describe any other notable ECCR cases in the past fiscal year. (Optional)

#### **Completed in FY 2017**

##### Rock Island District: Upper Mississippi River Sediment Transport

Through the "Gnarliest Collaboration Challenge" technical assistance program, Rock Island District held a facilitated workshop to address contentious challenges in sediment management affecting navigation operations and habitat restoration. A Public Involvement Specialist from St. Paul District served as lead facilitator and used the opportunity to mentor Rock Island District staff interested in facilitation techniques, thereby expanding USACE's collaborative capacity for future cases.

The workshop investigated sediment transport patterns through Upper Mississippi River System Pool 11 (Wisconsin/Iowa) and identified mechanisms to reduce shoaling through the Hurricane Island reach near Dubuque, Iowa. The reach has high commercial navigation maintenance needs due to chronic shoaling at a flow split around Hurricane Island. USACE Operations staff warn that dredged material placement areas are nearing capacity, while permitting new placement areas presents significant agency coordination challenges in the areas of cost, real estate, compatible uses, and especially regulated

resources like endangered species and floodplain encroachment raising flood heights.

The Gnarliest Collaboration Challenge provided the space for USACE employees and representatives of cooperating agencies to safely engage in idea- and knowledge-sharing within a constructive, dynamic framework to ensure productivity. Workshop outcomes regarding new ideas and alternatives suggest value in holding similar workshops at other sites and in further refining ideas for Pool 11.

#### Pittsburgh District: Johnstown Interagency Stakeholder Visioning Meeting

USACE is conducting a feasibility study in the City of Johnstown, PA, to determine the amount and type of flood protection that will best serve Johnstown in the 21st century. The Pittsburgh District hosted an Interagency Stakeholder meeting with the city, Vision 2025 (a local community interest group) and an array of regional local, state and federal agency representatives to advance resolution of river issues affecting the community. Agency representatives sat down with elected officials and community leaders to further the efforts to build a shared vision for improving the environment, economy and quality of life for residents and visitors to the Johnstown area. This interagency partnering meeting created an opportunity for agencies to educate each other and the community leaders regarding the authorities and resources the federal and state agencies have available that align with Johnstown's river related goals. The meeting successfully brought all relevant organizations together to identify and discuss synergistic opportunities to contribute to accomplishing each agencies' goals for ecosystem restoration, economic development, and flood risk management plans.

#### Pittsburgh District: Berlin Lake Visioning Workshop

USACE Pittsburgh District organized a workshop with key stakeholders to discuss the future management of Berlin Lake, one of the reservoirs managed by the District. The workshop responded to outreach by stakeholders to their congressional representatives expressing concern about the way in which the water levels are managed over the summer months. The meeting had two purposes: 1) To have participants hear and share values and interests related to their future visions of Berlin Lake and its downstream reach. 2) To identify and discuss areas of particular interest and preferences for potential improvements to the management of Berlin Lake which satisfy all interests to the greatest extent possible. Discussion during small group breakouts at the meeting centered on the interests of the stakeholders, potential improvements needed at Berlin Lake, and information needed to inform change. The main competing interests for these attendees is that while the homeowners around the lake would like the lake levels to remain higher throughout the summer, the project is mandated to release water to augment downstream flows and leave room for flood storage during hurricane season. As a result of this discussion, USACE is seeking funding to study the effects of changing the release levels to better understand downstream impacts.

## **Ongoing in FY 2017**

### Nashville District: J. Percy Priest Dam and Reservoir

The Nashville District has been working on a water supply reallocation study at J. Percy Priest Dam and Reservoir for seven years. A new drought of record showed that the expected reservoir storage yield had dropped by around 30 percent, which caused great concern among users and prompted a series of third-party facilitated meetings conducted in FY 2017 through the CPCX's Gnarliest Collaboration Challenge program. CPCX staff worked with the project manager to formulate strategies to engage users. Support consisted of facilitation at three in-person meetings, with CPCX staff acting as a neutral third party facilitator. Prep calls with the PM and project delivery team were held before each session, as well as debriefing discussions after each session to identify areas for improvement. Initially there was hesitation due to fear of losing control or spending too much time and effort, but both District leadership and users were ultimately supportive; CPCX's assistance brought the stakeholder group to a place of free and constructive communication, leading to a lower likelihood of litigation over the final study.

### Rock Island District: Sandpiper Pipeline

Enbridge Corp. planned to install the Sandpiper Pipeline across northern MN and WI on roughly the same footprint they planned to replace the existing Line 3. The footprint overlaps tribal reservation boundaries or passes in close proximity to them. A third party (CPCX) assisted with the tribal collaboration in FY17. CPCX's involvement enhanced the cooperation and mutual understanding among agencies, tribes, project sponsors, and affected stakeholders in order to incorporate and address their interests and minimize delays in making informed and timely Federal permitting and review decisions.

### Portland District: Willamette Action Team for Ecosystem Restoration

The 2008 Willamette Project Biological Opinions (Willamette BiOps) identified numerous actions to reduce and minimize the effects of continued operation and maintenance of the Willamette Project on ESA-listed species and their critical habitats. The responsibilities of the Willamette Action Team for Ecosystem Restoration (WATER) are directed at making recommendations to the Federal Action Agencies (USACE, BPA, and Bureau of Reclamation) to implement certain measures in the Willamette BiOps. Since 2008, Portland District has been working with the state and federal agencies as well as tribes on the WATER steering committee to direct these efforts. Up until 2015 WATER experienced extensive communications shortfalls which resulted in mistrust and conflict between the committee members as well as schedule slips and delays in meeting the steering committee's objectives. A consulting firm was brought on in 2015 to facilitate the WATER steering committee meetings and provide conflict resolution to address these issues. These activities continued through FY 2017.

Using ECCR tools and techniques, the facilitator improved the efficiency and effectiveness of the steering committee meetings. With the facilitator's support, WATER integrated upfront ECCR objectives into their decisions and their strategic planning efforts, and the participating agencies improved coordination on emerging areas of conflict. The facilitator's support directly resulted in more effective actions by the WATER steering committee, including the completion of the Habitat and Genetic Management Plan which had previously been delayed. Support included providing accountability for committee members to meet agreed-upon goals and schedules, identifying communication shortfalls, facilitating more effective communication, and providing detailed meeting notes to increase transparency, enhance trust, and create greater accountability.

#### Portland District: Willamette BiOps Research Monitoring & Evaluation Team

The Willamette BiOps Research Monitoring & Evaluation (RM&E) Team used a neutral third party to facilitate meetings, moderate discussions, manage notes and track action items. The facilitator improved communication between parties, helping ensure that each party was heard and understood. Note-taking helped ensure objective documentation and tracking of discussions and actions items. Because the RM&E Team mission is mainly to develop information to support managers' decisions, meetings tend to run aground on unresolved policy issues. The facilitators helped manage meetings and identify policy issues that needed to be resolved by managers at the WATER Steering Team or the Managers Forum.

#### Baltimore, Norfolk Districts: Chesapeake Bay Comprehensive Water Resources and Restoration Plan Stakeholder Workshop

CPCX staff provided facilitation and meeting design support for Baltimore District's Chesapeake Bay Comprehensive Water Resources and Restoration Plan (CBCP) Stakeholder Workshop. Participating stakeholders included multiple federal, state and local agencies as well as academic institutions and civil society organizations from around the region. The CBCP is a roadmap for future projects to be implemented in each state within the Chesapeake Bay watershed as well as the District of Columbia. Stakeholders considered opportunities to leverage the related efforts of other agencies and organizations in the watershed, through which the sequencing and timelines of USACE and nonfederal actions could be aligned in order to achieve the maximum benefit for Chesapeake Bay through the CBCP. The group confirmed use of the 2014 Chesapeake Bay Agreement as a shared vision statement for the CBCP. This stakeholder workshop was the first of multiple opportunities for stakeholder input and review as the CBCP continues to be developed. This process will develop a coordinated, comprehensive master plan within the USACE mission areas for restoring, preserving, and protecting the Chesapeake Bay ecosystem.

#### Chicago District: Chicago River Riparian Project

Stakeholder relations were extremely strained during the Horner Park project along the Chicago River in 2013. Area residents were extremely concerned with the end results of the project. Misinformation and misunderstanding of the focus and goal of the restoration efforts were making the problem worse. Prior to beginning the River Riparian project in 2017, it was feared that a similar reaction would result from the Chicago District's proposed project. By using ECCR and engaging with The Friends of the Chicago River (FotCR), an independent third party advocate for river health, the Chicago District was able to bring another voice to the project to advocate for restoration along the Chicago River. As a trusted member of the Chicago conservation community, FotCR could speak to the benefits of the project. Their independence brought additional credence to the value of the benefits of the project. The key beneficial outcome of this case was a reduced amount of public dissent or outcry resulting from this project. Engaging with FotCR helped make the project more acceptable to the public.

#### St. Paul District: Tribal Consultation & Communication Strategy

St. Paul District's Regulatory Branch worked through USIECR to contract the Consensus Building Institute to provide Tribal facilitation through third-party assisted collaborative problem-solving related to ECCR objectives. This supports St. Paul District goals regarding up-front collaboration via the design and implementation of collaborative tools, techniques, and processes to facilitate effective tribal consultation, enhance communications with tribes and non-tribal stakeholders, and develop conflict resolution processes. CBI and CPCX worked in partnership to develop and facilitate a 3-day meeting held between Corps staff and representatives of 18 federally recognized tribes. St. Paul District awarded a second contract to the 106 Group for developing internal programmatic ECCR guidance. The 106 Group facilitated discussions with each tribe individually to discuss current concerns and expectations for communication with the Corps. The Regulatory Branch's tribal liaison was present at all meetings to offer technical expertise and to learn what the tribes desired. This work laid the foundation for Corps staff to continue to improve communication and consultation efforts on a programmatic basis. The goal is to develop strategies and approaches for transparent and effective tribal engagement processes, enhanced communications, and streamlined conflict resolution processes, to minimize current and future conflicts and misunderstandings and improve decision-making during permit evaluation.

#### Pittsburgh District: Lake Management Master Planning

Pittsburgh District, revisited the Master Plans for Mahoning Creek Lake, Michael J. Kirwan Dam & Reservoir, and Woodcock Creek Lake in FY17 and sought input on the public's preferences for the future management of these lakes. The updates will affect future use of natural resources and recreational activities at the lakes for the next 25 years. Public input is critical to the master plan updates. USACE invited the public to share the project aspects that are most important to them and ask them to share desired changes at the Lakes. Facilitated partner meetings & stakeholders meetings were held with the USACE staff to discuss needs, threats, and opportunities for the projects. An

open-house-style meeting for each project was then held to hear the public's preferences for the management of the lakes, to inform the public about the master plan update process and to share the proposed content as it's been developed through discussions with USACE partners.

#### Pittsburgh District: Seneca Nation Partnering Efforts

The Seneca Nation of Indian Territories is teaming with the Pittsburgh District to resolve sedimentation and harmful algal bloom issues associated with the Kinzua Dam pool on the Allegheny River. The feasibility study is the first Pittsburgh District project working directly with the Seneca Nation. Pittsburgh District's minimal experience working with Indian Nations resulted in early communication issues and exposed lingering animosity based upon historical events in the area. With support from Buffalo District's tribal liaison, including the District Public Involvement Specialist in the project team enabled her to facilitate key meetings, and created an environment through which the USACE and Seneca Nation staff members could effectively share their opinions and collaboratively evaluate alternative solutions. While both parties are still learning how to work together, the project illustrates the value of using a facilitator on studies with sovereign nations.

#### Rock Island District: Levee Risk Communication

Early in 2017 the Rock Island District released the results of a survey which indicated multiple levees were over their authorized elevations. Aware of the potential for conflict, Rock Island District developed a robust communication and outreach strategy focused on early and often coordination and collaboration with our sponsors and partners. Significant coordination needed to occur between the federal and state partners to ensure awareness of key issues and timeline. A majority of the time District staff served as the facilitator, convening meetings and ensuring clear lines of communication between the federal and state partners. This effort continues, but the upfront investment in a collaborative strategy has been an extremely effective way to minimize conflicts and challenges thus far.

#### Rock Island District: Upper Mississippi River Restoration program

The Upper Mississippi River Basin Association serves as the "caretaker" of the master plan for the USACE-led Upper Mississippi River Restoration program and, as such, serves as a third-party facilitator for USACE, DoI and the five basin states as they discuss major policy and budgetary issues, convene quarterly meetings, and develop major reports. As challenges arise, the Association works with the USACE program manager and the interagency coordinating committee to find collaborative solutions to the challenges. Regular quarterly meetings allows the interagency team to discuss solutions, set milestones and proactively explore ways to improve the partnership and the program.

Los Angeles District: Lake Master Plan Update Workshops

Los Angeles District facilitated two public workshops for the Prado Master Plan Update to apprise stakeholders on multiple USACE efforts in the Basin and included a participatory map-based workshop to elicit spatial inputs on existing conditions, and current and planned land uses within the basin.

Omaha, Kansas City Districts: Missouri River Recovery Management Plan

In FY 2017, Omaha and Kansas City Districts, USFWS and the Missouri River Recovery Implementation Committee (MRRIC) continued work on the Missouri River Recovery Management Plan and Environmental Impact Statement (EIS), a comprehensive planning effort coordinating Endangered Species Act requirements for the Missouri River. Two independent panels are associated with MRRIC: the Independent Science Advisory Panel (ISAP) is charged with reviewing scientific information and products generated by the lead agency teams and the Independent Socioeconomic Technical Review panel (ISETR) is charged with reviewing socioeconomic aspects of this effort. A Draft EIS (DEIS) and accompanying Science and Adaptive Management Plan was released for public comment in late 2016. The DEIS evaluates the direct, indirect, and cumulative impacts of six alternatives designed to meet endangered species objectives. The ISAP and ISETR provided an independent review of the DEIS and supporting documents and issued a report of their findings in 2017. The Management Plan process is scheduled to result in a Record of Decision in early 2018.

Jacksonville District: Port Everglades Harbor Improvement Project

The project's non-federal sponsor contracted a third-party to assist with facilitation of pre-construction environmental compliance for the navigation channel deepening project. Prior to project implementation, Jacksonville District reinitiated a Section 7 Endangered Species Act (ESA) consultation with the National Marine Fisheries Service and the District prepared a supplemental National Environmental Policy Act compliance document. Due to the high level of controversy associated with a similar navigation channel deepening project for Miami Harbor, a neutral third-party facilitator was contracted to help the project team work collaboratively with resource agencies and complete environmental compliance tasks. Interagency working group meetings began in July 2016 and continued into FY 2018. Their aim is to facilitate completion of the Section 7 ESA consultation and other environmental compliance actions.

**6. Priority Uses of ECCR:**

Please describe your agency's efforts to address priority or emerging areas of conflict and cross-cutting challenges either individually or in coordination with other agencies. For example, consider the following areas: NEPA, ESA, CERCLA, energy development, energy transmission, CWA 404 permitting, tribal consultation, environmental justice,

management of ocean resources, infrastructure development, National Historic Preservation Act, other priority areas.

In FY2017, USACE divisions and districts employed ECCR in nine thematic priority areas. The following topics are those areas that USACE divisions identified as priority or emerging areas of conflict where third-party ECCR was employed in 2017.

#### Coastal and Riverine Ecosystem Restoration

Ecosystem restoration projects frequently call for ECCR efforts. Examples in FY 2017 included the Chicago, Willamette, Missouri, and Mississippi rivers, as well as the Chesapeake Bay.

#### Water Supply Security

Water supply security continues to be a focus for USACE nationally and globally, along with sustainability and resilience in the face of natural uncertainty. Collaboration is essential for addressing these challenges. For example, Nashville District has been working on a water supply reallocation study at J. Percy Priest Dam and Reservoir for seven years. A new drought of record showed that the expected reservoir storage yield had dropped by around 30 percent, which caused intense concern among users and prompted a series of 3<sup>rd</sup>-party facilitated meetings that continued in 2017 via the CPCX's Gnarliest Collaboration Challenge.

#### Risk Communication

In FY 2017 risk communication emerged as a prominent use of ECCR by some USACE Districts. Both Rock Island and Los Angeles Districts recognized the potential for confusion, emotion and conflict when disseminating technical information and communicating flood risk to residents living behind levees. These Districts proactively designed and implemented ECCR action plans to coordinate messaging amongst partners, to communicate more effectively with publics and stakeholders, to maximize engagement and opportunities for feedback, and to minimize the frustrations that potentially lead to backlash and litigation.

#### Statutory Requirements & Federal Law

Many of the priority uses of ECCR occur because of statutory requirements such as NEPA, ESA and the NHPA. Often USACE Divisions and Districts consult with the state and federal entities with relevant expertise regarding threatened and endangered species, sediment and water quality issues, timing of projects and a host of other scientific and available technical tools and models to address issues of concern. USACE also conducts formal Government to Government consultation with Native American tribes on issues relating to the NHPA.

### Planning and Visioning

USACE Districts in FY 2017 recognized the potential downstream benefits of using ECCR processes and techniques in early phases of planning projects. Pittsburgh District employed this approach on several different projects, consulting with publics and stakeholders on their values and how they envisioned the futures of these projects. Such an approach, if followed through with continued opportunities for engagement, promises to reduce or eliminate future conflicts around the impacts of USACE projects.

### Navigation

USACE reports multiple uses of collaborative processes to address the environmental concerns that may accompany maintenance dredging for navigation. For example, Jacksonville District convened an interagency working group, facilitated by a neutral third party, for collaborative work on the Port Everglades Harbor Improvement project. Many additional Districts report use of non-3<sup>rd</sup> party collaborative processes.

### Energy Infrastructure

Controversies over pipelines and associated energy infrastructure have accelerated in recent years. USACE Districts have begun to respond to the trend by proactively instituting ECCR processes to address the concerns of publics and local stakeholders. In FY 2017 Rock Island District secured the support of a CPCX facilitator with special expertise in Native American tribal culture and collaboration on the Sandpiper Pipeline project -- a harbinger of similar efforts to come. Los Angeles, Omaha, and Mobile Districts also report (non-3<sup>rd</sup> party) collaborative engagements over mining.

### Native American Tribal Coordination

Many Districts report employing ECCR to inform and coordinate with Native American tribes in FY17, including Pittsburgh, St. Paul, Rock Island, Baltimore, Norfolk and Jacksonville. CPCX supports the efforts of District-level tribal liaisons and the USACE Tribal Community of Practice to comply with applicable laws, improve relationships and maintain open lines of communication.

### Recreation

A number of ECCR cases in FY 2017 involved reservoirs used for recreation purposes by a range of stakeholders. Managing water levels and seasonal draw down rates for ecosystem health without the involvement of such stakeholders risks backlash and litigation, whereas leveraging their knowledge and securing their agreement ensures a more effective and sustainable management regime.

**7. Non-Third-Party-assisted Collaboration Processes:** Briefly describe other significant uses of environmental collaboration that your agency has undertaken in FY 2017 to anticipate, prevent, better manage, or resolve environmental issues and conflicts that do not include a third-party neutral. *Examples may include interagency MOUs, enhanced public engagement, and structural committees with the capacity to resolve disputes, etc.*

USACE proactively addresses potentially controversial environmental issues associated with its projects and programs as early as possible to resolve these issues before they become significant conflicts. Across all Civil Works programs and missions, including navigation, flood risk management, hydropower, water supply, emergency management and ecosystem restoration, USACE promotes and benefits from collaborative working relationships with agency and stakeholder partners.

When engaged in planning and project coordination activities, USACE Districts request early involvement of appropriate federal, state, and local natural resource agencies to actively participate in the planning and implementation process, thus establishing a positive and collaborative working partnership. As part of this process, frequent interagency working meetings are conducted to discuss and resolve stakeholders' concerns. This approach also improves communication and relationships within the USACE organization. Improved communication, both internal and external, cultivates a working environment that improves planning, engineering, and management practices, increases participation from project sponsors, improves data collection and sharing, and improves mutual understanding of USACE and external agency processes.

Below, we report on some of the significant uses of environmental collaboration beyond neutral third-party facilitation by organizing the responses into categories:

- Formal/Institutionalized Working Groups or Agreements
- Tribal Engagement
- Business Processes and Culture
- Stakeholder Engagement Tools: Workshops and Trainings
- Scientific/Technical Consensus Building Tools
- Communication Tools

**Formal/Institutionalized Working Groups or Agreements**

- Great Lakes: USACE Districts met multiple times in FY17 with the Great Lakes Fish Commission, the Great Lakes Commission, and the International Joint Commission to assure appropriate coordination and communication among the organizations responsible for addressing the many competing demands and threats to the Great Lakes.

- MOU's for Environmental Missions: USACE Chicago District collaborates with USEPA Region 5 through the use of an MOU to resolve issues related to contaminant cleanup and ecosystem restoration.
- California Memoranda of Understanding: USACE participates in the Federal Leadership Committee under the MoU for the California Bay-Delta. This MoU guides interagency efforts to manage environmental conflict and to collaborate to find sustainable solutions in the Sacramento-San Joaquin Bay-Delta. Additional collaboration occurs under Division and District MoUs with the Nature Conservancy, a Sacramento District MoU with California Department of Water Resources, a multi-agency MoU for work on the Yolo Bypass in California, and an MoU between Sacramento District and the Central Valley Flood Protection Board.
- California Coastal Sediment Management Workgroup: USACE is an active member of the workgroup, whose mission is to facilitate regional approaches to protecting, enhancing, and restoring California's coastal beaches and watersheds through federal, state, and local cooperative efforts. The California Coastal Sediment Management Master Plan is a central part of the workgroup's mission and is an ongoing, collaborative effort to evaluate California's coastal sediment management needs and to promote regional, system-wide solutions.
- Memorandum of Agreement with California's Department of Transportation: Under this recent MoA, the Los Angeles District Regulatory office established an Executive Working Group to identify and prioritize non-compliance cases for resolution, identify training opportunities for Caltrans staff and leadership, and explore programmatic initiatives to assist with ongoing permit requirements.
- Middle Rio Grande Endangered Species Collaborative Program: Albuquerque District co-leads coordinated efforts among 16 Federal, State, local and Tribal signatories to prevent extinction, preserve reproductive integrity, improve habitat, support scientific analysis, and promote recovery for endangered species while existing water uses continue and future water development proceeds. USACE led development of an adaptive management plan, develops Program Guidance and numeric models, maintains the Program's Database Management System, and participates in the Minnow Action Team.
- National Historic Preservation Act: USACE districts consulted and collaborated with State Historic Preservation Offices and conducted face-to-face Tribal consultation in carrying out its Civil Works missions.
- Endangered Species Act: Likewise multiple USACE districts conducted regular coordination as well as formal consultation with the USFWS under Section 7 of the Endangered Species Act to advance its projects. Honolulu District's Regulatory Branch reports an existing programmatic agreement with NMFS for Endangered Species Act consultation and is in the process of developing a programmatic agreement with NMFS for Essential Fish Habitat consultation.
- Coordinated NEPA Review of Sediment Diversion Project: USACE's Vicksburg District developed and signed a multi-agency MoU for the Environmental Impact Statement for the proposed Mid-Barataria Sediment Diversion project. The project will divert up to 75,000 cfs of sediment-laden water from the Mississippi River to the mid-Barataria Basin. The MoU established agency

roles and responsibilities in the preparation of the EIS for the project and established a procedure for conflict resolution.

- Southern California Dredged Material Management: This federal/state interagency group coordinates review of dredging projects and policy issues in southern California to reduce redundancy and delays in permit processing, promote consistency in dredging project reviews, and develop consensus recommendations among regulatory staff.
- Post-Disaster Infrastructure Recovery: New Orleans District was the lead coordinating agency for National Infrastructure Recovery efforts after catastrophic flooding across Louisiana in 2016. USACE leveraged resources and recovery options both at the Federal level, and through state and local governments. Infrastructure recovery efforts identified linkages to other recovery support functions such as Economic, Housing, National and Cultural Resources, etc.
- Coastal Wetlands Planning, Protection and Restoration Act: Non-assisted collaboration and conflict resolution is built into the CWPPRA process through almost daily collaboration and communication with state and federal agencies on the planning and implementation of coastal restoration projects across Louisiana's coast. Annual meetings with local governments and the public allow discussion of potential coastal restoration projects; open meetings of the technical committee and task force as public comment allows parishes and members of the public stay engaged throughout the CWPPRA planning process.
- Mitigating Effects of Transmission Lines on Historic Properties: A 2017 Memorandum of Agreement with Dominion Power and state and federal agencies defined the mitigation measures to resolve adverse effects to historic properties south of Jamestown, VA. The MoA was instrumental in USACE's decision to issue Dominion Power a permit to impact navigable waters and wetlands.
- Bakken Federal Executive Group: Omaha District actively participates at both the command and staff levels in the Bakken Federal Executive Group which was established to improve communication and coordination among states, tribes, federal agencies, and industry to acquire, synthesize and share expertise and science-based information to maintain environmental quality and to support timely decisions regarding oil and gas resources in the Bakken Formation and Williston Basin (ND).
- Working Group for the Houston Ship Channel: Galveston District initiated the interagency group to provide feedback and decisions concerning sediment and dredge material management in the Houston Ship Channel. Originally chartered for the Houston-Galveston Navigation Channel Project, the working group realized the overlap that one project could have on other sections of a bigger project and agreed to work together.
- Guadalupe Watershed Integration Working Group: San Francisco District continued participation in the interagency and stakeholder group that coordinates and tries to resolve permitting and environmental issues for the watershed.

## **Tribal Engagement**

As part of the federal trust responsibility, USACE offers consultation on all projects that may affect tribal land or cultural sites. Whether formal or informal, on an *ad hoc* or ongoing basis, consultation entails collaboration and communication designed to foster input, productive discussion, and issue resolution before it requires conflict resolution. To achieve this, USACE employs tribal liaisons to serve as the envoy to tribal governments. Some specific tribal engagements in FY17 included:

- Expedited Tribal Consultation for Emergency Levee Repair: Spurred by excessive rainfall, emergency levee repairs mandated expedited tribal consultation in California. Early coordination by USACE with tribes, the federal Advisory Council on Historic Preservation, and State Historic Preservation Office regarding the construction, allowed all parties to reach an initial consensus and approval thus allowing consultation to take place concurrently with contracting.
- Lower Basin Programmatic Agreement, Missouri River Restoration Program: USACE conducted nine Government-to-Government consultations on the Environmental Impact Statement for the draft management plan. This agreement with tribes will ensure that Section 106 of the Historic Preservation Act is addressed at sites from Rulo NE to the confluence of the Missouri and Mississippi Rivers.
- Missouri River Restoration Implementation Committee: Outreach in FY17 by USACE and tribal partners brought two additional Tribes into the interagency committee.
- Detroit District Annual Forum: Annual face-to-face meetings provide a forum for tribes to present their goals and for USACE to present USACE authorities that may address tribal needs.
- Tribal Competency Training: Huntington District proactively partnered with tribes to develop cultural competency training for state and federal staff.
- Omaha District's Regulatory program engaged in multiple meetings and consultation with Tribes on oil pipeline projects, reservoir expansion, mining programs, and nationwide permit renewals.
- South Pacific Division Partnering Meetings: With the support and executive leadership of Tribes, numerous issues are discussed and conflicts resolved or avoided at these regular meetings.
- Navajo Nation and Tribal Council Coordination: Tribal Liaison and Outreach Coordinators from three USACE Districts and South Pacific Division continued coordination with the Navajo Nation and Tribal Council regarding essential services needed for cultural resources restoration/preservation, flood risk management, infrastructure improvement and ecosystem restoration.
- South Mountain Freeway Project: Los Angeles District Regulatory Division met with tribes and subsequently held two public meetings in Arizona.

## **Business Processes and Culture**

- **Principles and Best Practices:** Multiple USACE Districts and Divisions report development and use of principles and best practices for proactive communication with stakeholders to reduce environmental conflict in the execution of USACE missions. While these vary across USACE, many are based on the agency's communications principles, encourage the development of collaboration skills and use of collaboration professionals (such as internal Public Involvement Specialists), and are consistent with principles in the ECCR memo.
- **Regional-level Engagement in the Northeast:** USACE's North Atlantic Division conducts regular senior level meetings with other Federal Agencies, Regional Partners (e.g. state and federal environmental agencies), and stakeholders to strengthen and support similar collaborations undertaken at the District-level with local representatives. This regular collaboration has been critical in strengthening inter-agency partnerships and advancing shared responsibilities. A notable example involved policy conflicts with the National Park Service as part of the Fire Island to Montauk Point coastal flood risk study; environmental collaboration at the regional level advanced the policy discussion to the Secretarial level at the end of FY 2017, with resolution anticipated in early FY 2018. Other examples include: the National Hurricane Program; and regional efforts to identify suitable sand sources for coastal storm risk management projects while accommodating off-shore energy opportunities and economically critical navigation routes and fishery resources.
- **Interagency Meetings for the Chesapeake Bay:** To improve communication and reduce conflict USACE holds quarterly meetings with the USFWS and NMFS on Chesapeake Bay environmental issues to discuss Fish and Wildlife Coordination Act, Endangered Species Act, and other regional environmental issues. Monthly interagency (state and federal) meetings discuss potential regulatory permits and projects, present studies and obtain feedback.
- **Collaboration for Oyster Restoration:** In its implementation of the Chesapeake Bay Oyster Restoration program USACE holds meetings and field investigations with the watermen and other stakeholders and representatives of the Governor's Office to improve awareness of future oyster restoration efforts in Maryland.
- **Regulatory Regional Outreach:** Nashville District co-sponsored three regional joint outreach event with state and federal resource agencies to encourage collaboration among stakeholders on compensatory mitigation credits from mitigation banks and in-lieu fee programs, the re-issuance of the 2017 Nationwide Permits, and the development/roll-out of mitigation guidance that is rooted in sound science and is compliant with all applicable laws. Through the Southern California Wetlands Recovery Project, Los Angeles District similarly co-leads the interagency review team in developing an area-wide in-lieu fee program to restore wetlands, quantify the ecological lift, and ultimately sell credits to permittees within the area.
- **Collaboration for Ecosystem Restoration:** New York District reports successful use of environmental collaboration techniques in the Hudson-Raritan Estuary

Ecosystem Restoration Feasibility Study and through EPA's New York-New Jersey Harbor & Estuary Program's Restoration Work Group;

- Norfolk Coastal Storm Risk Management Project: Proactive environmental collaboration contributed to favorable reviews of the draft Feasibility Report detailing a plan to construct a combination of storm surge barriers, floodwalls, berms, nonstructural features and Natural and Nature-Based Features to reduce coastal flood risk in Norfolk;
- Collaboration for Coastal Storm Risk Management on Staten Island NY: To reduce conflict with a large and varied group of Federal, State and Local stakeholders, New York District has held frequent and early outreach meetings, monthly calls with all agencies, and comprehensive email communications about project needs and future activities. This collaboration has facilitated the coordination for Rights of Entry, Permit Applications as well as Project Partnership Agreement, and other project actions.
- Issue Resolution Conference for Norfolk Harbor Deepening Project: Norfolk District report success of a structured day-long meeting among USACE and the local (governmental) sponsor that resulted in mutually agreement on the economic analysis assumptions for the study.
- Collaboration on Historic Preservation: With Michigan's Historic Preservation Office, Detroit District developed a programmatic agreement for routine operations and maintenance of existing federal harbor navigation structures (breakwaters). Huntington District used public meetings with State and local agencies to enhance public engagement with knowledgeable local historical societies and better understand community needs to determine path forward on the disposition of a historic property.
- Migratory Birds at Confined Disposal Facilities: Face-to-Face and telephone meetings with the USWFS address current and future migratory bird issues associated with Operations and Maintenance activities at Combined Disposal Facilities for dredged materials.
- Endangered Species Act Consultation for Civil Works activities: Los Angeles, Huntington (WV) and Louisville Districts all report coordination with US Fish and Wildlife Service and state agencies through sharing proposed actions, and partnering meetings to better manage feedback.
- District Waterways Association: Huntington (WV) District operations staff coordinate navigation activities with stakeholders through participation in the Huntington District Waterways Association.
- NEPA Review: USACE engages in multiple interagency meetings and informal discussions with state and federal agencies early and often in the NEPA review process. For larger or more complex projects, such as Bluestone Dam, USACE holds Public Meetings to inform the public and seek input from the public, local, state and federal agencies.
- Dam Safety Modifications Public Involvement: The Pittsburgh District hosted a public meeting and dam safety project tour of the East Branch Dam to update the public on the construction progress; and to show integral features of work such as grouting, cutoff wall construction, and instrumentation devices for dam safety. The District also facilitated stakeholder meetings with local businesses

and interests groups to discuss impacts of lake levels on the upcoming recreation season and to develop action items.

- River Recreational Users Summit Annual Meeting: The Pittsburgh District organized a working group of river recreational interests to review the operation of its Inland Navigation System and receive input on how the operations impact recreational users and associated interests.
- Designated Staff to Support Collaboration:
  - Many Districts report using District-level Public Involvement Specialists to design public engagement processes, facilitate public meetings, provide risk communication support, and support intra- and inter-agency collaboration.
  - South Pacific Division's designation of a senior-level Watershed and Floodplain Program Management position represents growing interest at the command level for multi-agency and multi-stakeholder collaboration to reach water resources solutions. The position has a focus on California Bay-Delta interagency collaboration and the Tribal Partnership Program.
  - Albuquerque District employed a climate science specialist to engage federal, tribal and state partners to develop climate change resilience in the region. The specialist provides qualitative and quantitative information on climate to support Civil Works projects, enhancing sponsor confidence with Tribes and stakeholders.
  - Philadelphia District reports that regular participation by staff archaeologist in meetings with State Historical Preservation Offices and in pre-application meetings with the Tribal representatives provide an opportunity to apprise tribes and local stakeholders and avoid conflicts.
- International Fish Summit in Canada: New England District conducted a cross-boundary summit meeting to discuss salmon restoration and other common interests within the Saint John Watershed. The summit brought together tribes from both the US and Canada as well as federal agencies from both countries and the bi-national International Joint Commission.
- Compliance for Harbor Deepening: New York District reports ongoing collaboration on the NY/NJ Harbor Regional Air Team with state and federal regulators to address the Clean Air Act compliance requirements for the New York Harbor Deepening Navigation program.
- Ecosystem Restoration versus Recreation at Pennsylvania Dam: To address stakeholder concerns over potential impacts to lake-based recreational features of ecosystem recreation project at Foster Joseph Sayers Dam, Baltimore District implemented a public engagement strategy that included a public meeting, a poster session, and opportunities for continued input throughout the study.
- Public Involvement for Controversial Biological Opinion on the Willamette: Portland (OR) District's Public Involvement Specialist designed and implemented a Public Engagement Plan for implementing the Willamette Biological Opinion Reasonable and Prudent Alternatives for the Detroit Downstream Passage Project. A critical element of the plan was senior level

engagement between USACE and state and federal resource agencies that fostered interagency collaboration on the Public Engagement Plan and NEPA scoping.

- Interagency River Planning: Los Angeles District participated in development of various interagency plans including the Santa Ana River Parkway & Open Space Plan as part of the Technical Advisory Committee, the Lower Los Angeles River Master Plan and as part of the Working Group.
- Interagency Coordination for Regulatory: USACE's Mobile, Vicksburg and Nashville Districts hold monthly interagency meetings with federal and state agencies to discuss coal mining issues in Alabama. To address permitting issues, streamlining efforts, consistency issues, Regulatory staff routinely meet with state and federal agencies in Alabama and Mississippi and hosted an annual statewide interagency coordination meeting for Mississippi. Similarly, substantial coordination with local state and federal agencies allowed Mobile District to renew the Alabama Regional General Permit program. Collaboration also led to the development of a multi-district Programmatic Agreement with the US Fish and Wildlife Service to provide a more streamlined and predictable Endangered Species Act review process for projects throughout Mississippi, while maintaining proper protection for listed species. Coordination by Mobile District with both Georgia and Alabama Power Companies established Programmatic General Permits for reservoirs in Georgia and Alabama. This streamlined permitting mechanism for small, routine, minimal impact projects reduces redundant permitting processes and provides one primary point-of-contact for the public.
- Sea Turtle protection during Beach Nourishment: Charleston District's collaboration with local, federal and state stakeholders led to a standardized sea turtle protection program for beach nourishment projects while satisfying environmental compliance requirements. During July 2017 construction a sea turtle nest was discovered and relocated. The eggs later hatched successfully and the project remained on schedule.
- Collaboration for Protection of Archeological Resources: To address unauthorized digging in a prehistoric mound on USACE property, USACE collaborated with US Fish and Wildlife Service and the local land lessee to document evidence, perform the Archaeological Resources Protection Act Damage Assessment, and notify the consulting tribes of the outcome. The mound was ultimately backfilled to ensure long-term preservation and protection with tribal participation.
- Partnership Forums: Galveston and Tulsa Districts report hosting series of Partnership Forums to address the needs of their stakeholders and provide specific feedback on their projects. The forums promote understanding of partner challenges, group decision making, and prompt issue resolution. Tulsa stakeholders requested training on contracting and real estate processes to promote efficient planning and decision making to ensure the project timelines are met.
- Dredged Materials in San Francisco Bay: With USEPA and state agencies, San Francisco District participates in regular meetings at the staff and command level on the Long-Term Management Strategy for dredged materials

in San Francisco Bay to resolve issues related to placement of dredged material in the bay, ocean, or upland and/or beneficial use.

- Climate Change Approaches for San Francisco Bay: San Francisco District participates in numerous interagency meetings such as Coastal Hazards Adaptation Resiliency Group to build consensus on regional approaches to counteract climate change/sea level rise in San Francisco Bay.
- Compliance with the Migratory Bird Treaty Act: When trees with active nests were erroneously removed and resulted in take of protected migratory bird species and inevitably delays in project construction for Hamilton City, a close working relationship between USACE Sacramento District and the USFWS allowed quick issue resolution. Nests were removed without further take and project construction was able to resume.

### **Stakeholder Engagement Tools: Workshops & Trainings**

USACE districts use a variety of stakeholder engagement strategies including public meetings and interactive workshops. Techniques are tailored to the needs and interests of the project and community:

- Regulatory 101 Workshop in Denver: Omaha Districts' Denver Regulatory Office held a free Regulatory 101 workshop to provide information on the Regulatory Program to the public, consultants, environmental organizations, and federal, state and local agencies.
- Sacramento District Regulatory Program Workshops: Each quarter the Sacramento District holds multiple workshops to provide information about the Regulatory Program requirements and processes to permit applicants, consultants, attorneys, congressional staff and the general public.
- Los Angeles District Regulatory trainings: USACE has provided several training sessions for USFWS staff that have resulted in better understanding between the agencies and allowing more effective collaboration. Staff also held a permitting workshop to engage with regulatory customers including environmental consultants and other agency personnel.
- Vegetation on Levees Training: USACE is developing a vegetation science class for non-agency civil engineers on how to properly vegetate levees without violating the USACE Levee Safety Policy, and provide with concrete science to support leaving vegetation on levees when possible.
- Aquatic Invasive Species Workshop: With federal, state and local governments, Buffalo District co-hosted an aquatic invasive species workshop and iMapInvasives field session. The audience included citizen scientists and natural resource professionals with a focus on species identification, survey techniques, available management options, and invasive species data management systems.
- Ice Jam Workshops: In conjunction with state and federal partners, USACE's Buffalo District hosted 8 ice jam workshops throughout New York and Ohio. The education and training workshops engaged partners, elected officials, and first responders from tribal, state and local governments to promote open

communications, proactive discussions related to response capabilities, services available, and transparency.

### **Scientific/Technical Consensus-Building Tools**

- University Collaboration on River Meanders: USACE collaborated with state and university officials in California to create a Meander Migration Model to simulate how a river behaves over time. The model has already allowed USACE to eliminate one project site from future construction, thereby creating a cost savings.
- Technical Collaboration Meets ESA requirements and Improves Outcomes: When an omission in contract specifications put USACE at risk for being in non-compliance with the Endangered Species Act and applicable permit requirements for the Sacramento River Bank Protection Project, Sacramento District collaborated with USFWS and NMFS to create an innovative method to modify the original design using a material that would not adversely affect water quality. The new method was so successful in preventing site erosion that it is now being adopted as the preferred method and will be integrated into future projects.
- University Collaboration on River Meanders: USACE collaborated with state and university officials in California to create a Meander Migration Model to simulate how a river behaves over time. The model has already allowed USACE to eliminate one project site from future construction, thereby creating a cost savings.
- Lake and Watershed Partnerships: Through the interagency East Fork Watershed Cooperative, Louisville District contributes scientific data and participates for the study William H. Harsha Reservoir and its watershed. The District also advises the Lower Salamonie Watershed Committee in support of its role to facilitate implementation of best management practices within the watershed.
- Jamaica Bay Science and Resilience Institute: New York District participates in participation in this public agency council to increase joint understanding of how disturbances impact natural and human systems in urban watersheds through resiliency-focused research of Jamaica Bay, New York.
- Strategic Habitat Unit Working Group: Mobile Districts participates in this interagency working group to collaboratively explore and implement ways to address endangered species and water quality issues in Alabama's priority watersheds.
- Consensus Building for Water Supply Storage: For the past few years Vicksburg District worked with hydropower and industrial users, including the federal Southwest Power Administration to come to an agreement on the approach to unreimbursed Municipal and Industrial water supply storage at DeGray Lake, AR. USACE has built consensus by holding regional hydropower summit meetings and calls and by addressing contentious issues, such as the Corps' methodology for calculating impacts to hydropower.

- Multi-Hazard Tournaments: Fort Worth District hosted two multi-hazard tournaments (MHTs) in FY17. An MHT is a tabletop gaming exercise using computer models that helps stakeholders work through solutions to hazard scenarios. Through this effort agencies and stakeholders collaboratively developed a greater understanding of watershed management and agency approaches to mitigation.
- Collaboration Resolves Dredging Conflict over Endangered Species: When USACE and USFWS differed on the preferred dredging method (Hydraulic dredging) in the Delta, a meeting of state and federal staff allowed for open debate on the pros and cons of each dredging method. The collaboration created a platform for open communication and resulted a consensus solution.

### **Communication Tools**

USACE uses a variety of communication tools and channels to inform and garner feedback from publics and stakeholders, such as websites to share information on district missions, programs, and projects and for posting NEPA documents. Rollout plans for the release of major documents include approved key messages and talking points, pre-approved press releases and social media posts. Districts use the Federal Register for publishing notices of intent to prepare Environmental Impact Statements notices of agency and public comment periods, notices of inventory completion for Native American human remains and funeral objects and opportunities for final NEPA public review. Districts use QMS processes to guide programmatic and project communication efforts. USACE places legal advertisements in local newspapers to communicate project activities and request project input from the public. Social media (e.g. Facebook, Flickr, Youtube and Twitter) supplement traditional outreach to create a learning environment, encourage shared dialogue amongst interested stakeholders and agency representatives, while providing a forum to submit comments and concerns.

8. **Comments and Suggestions re: Reporting:** 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.

Comments centered on clarity of the questions and on challenges in collecting data across the broad spectrum of USACE functional areas.

Comments on clarity of questions included:

- The table in question 3 could benefit from additional definitions and examples for each of the categories. Still a little unclear on what many of the terms might mean.

- All of my cases from question 5 are captured in the table in question 3. Perhaps asking to identify the context & forum in Q5 would make tracking easier.

Challenges in data collection from field offices include

- We only surveyed Public Affairs and Planning this year; Next year, we will work to make sure we ask for input from the other branches as well
- With Public Involvement Specialists not present in every district, reporting requires a balance between interactions with the PI specialists, the Public Affairs folk (which requires additional collaboration on that front) and Project Management/Planning/Regulatory folk. The data call ends up touching a lot of people. Past year, we had difficulty because the Public Affairs and the PI Specialists were drawing from the same pool of resources, and overlapped requests. This year, the new Public Affairs chief did not have the relationships to elicit responses, resulting in holes in response rate. We need to embed PI folk into every district, or we need to rely on the Public Affairs folk. Piece-mealing the solution is fraught with difficulty.
- Collaboration and conflict resolution happens in every business line; the biggest challenge in collecting data for this effort is coordination across business lines. The past few years I have worked through the assistant chiefs for each department and asked them to work with their staff to identify any efforts that need to be captured in this report.
- Face-to-face discussions with several contacts were more productive than group emails, but scheduling demands of other contacts made that follow-up difficult to achieve. An option may be to have the ECCR data query added to project review board as an action item for which all participants would provide updates.

***Please attach any additional information as warranted.***

**Basic Principles for Agency Engagement in  
Environmental Conflict Resolution and Collaborative Problem Solving**

|   |  |
|---|--|
| <b>Informed Commitment</b>                | Confirm willingness and availability of appropriate agency leadership and staff at all levels to commit to principles of engagement; ensure commitment to participate in good faith with open mindset to new perspectives  |
| <b>Balanced, Voluntary Representation</b> | Ensure balanced inclusion of affected/concerned interests; all parties should be willing and able to participate and select their own representatives  |
| <b>Group Autonomy</b>                     | Engage with all participants in developing and governing process; including choice of consensus-based decision rules; seek assistance as needed from impartial facilitator/mediator selected by and accountable to all parties   |
| <b>Informed Process</b>                   | Seek agreement on how to share, test and apply relevant information (scientific, cultural, technical, etc.) among participants; ensure relevant information is accessible and understandable by all participants   |
| <b>Accountability</b>                     | Participate in the process directly, fully, and in good faith; be accountable to all participants, as well as agency representatives and the public  |
| <b>Openness</b>                           | Ensure all participants and public are fully informed in a timely manner of the purpose and objectives of process; communicate agency authorities, requirements and constraints; uphold confidentiality rules and agreements as required for particular proceedings  |
| <b>Timeliness</b>                         | Ensure timely decisions and outcomes   |
| <b>Implementation</b>                     | Ensure decisions are implementable consistent with federal law and policy; parties should commit to identify roles and responsibilities necessary to implement agreement; parties should agree in advance on the consequences of a party being unable to provide necessary resources or implement agreement; ensure parties will take steps to implement and obtain resources necessary to agreement |