

FY 2019 TEMPLATE
Environmental Collaboration and Conflict Resolution (ECCR)¹
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.”

This annual reporting template is provided in accordance with the memo for activities in FY 2019.

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

The report deadline is February 22, 2020.

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 FY 2019 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 2019 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: <https://udall.gov/OurPrograms/Institute/ECCRReport.aspx>

FY 19 ECCR Report Template

Name of Department/Agency responding:	U.S. Army Corps of Engineers (USACE)
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Date this report is being submitted:	February 2020
Name of ECR Forum Representative	Dr. Hal Cardwell

1. ECCR Capacity Building Progress

- a) Describe any **NEW, CHANGED, or ACTIVELY ONGOING** steps taken by your department or agency to build programmatic and institutional capacity for environmental collaboration and conflict resolution in FY 2019, including progress made since FY 2018. Please also include any efforts to establish routine procedures for considering ECCR in specific situations or categories of cases, including any efforts to provide institutional support for non-assisted collaboration efforts. Please refer to your agency's FY2018 report to only include new, changed or actively ongoing ECCR capacity building progress. **If none, leave this section blank.**

(Please refer to the mechanisms and strategies presented in Section 5 and attachment C of the [OMB-CEQ ECCR Policy Memo](#) for additional guidance on what to include here. Examples include but are not restricted to efforts to

- integrate ECCR objectives into agency mission statements, Government Performance and Results Act goals, and strategic planning;
- assure that your agency's infrastructure supports ECCR;
- 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.

Over the past year, the US Army Corps of Engineers (USACE) has continued to take steps 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. Although Districts and Divisions employ 3rd-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. Question 7 highlights USACE efforts to work collaboratively at the local, state, regional, and national level to reduce the likelihood and severity of environmental conflict.

USACE's Collaboration and Public Participation Center of Expertise (CPCX) actively works across USACE to build capacity for ECCR by helping 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/). CPCX comprises a small staff at the Institute for Water Resources and liaisons at each of the 8 Civil Works Divisions. Ongoing programs in FY19 that built capacity included 1) the **Grand Collaboration Challenge**, where experts provide technical assistance in ECCR to complex challenges at projects around the US; 2) information sharing across the Collaboration and Public Participation Community of Practice that expanded to over 1400 members this year; 3) the **Public Involvement Specialists** program that identifies and trains subject matter experts at the District-level to provide local, regional and national level support on collaborative processes, 4) a national working group on collaborative technologies; and 5) training programs that are covered below.

A synthesis of ongoing steps at Districts and Divisions to build capacity for ECCR reveals four general areas of focus:

PERSONNEL —

- Public Involvement Specialists at 20 of the 38 Districts provide training and technical assistance in ECCR processes at the home District, participate in national cohort mentoring and training activities. By delivering training classes or introducing collaborative engagement principles to project teams engaging, Public Involvement Specialists play a consultative role in collaborative engagements in addition to the cases where they lead the planning or execution of engagements.
- Two Districts report incorporating elements of conflict resolution into annual performance objectives. Omaha District incorporated scores from an annual customer satisfaction survey into annual performance objectives; Chicago District established a performance metric which specifically addresses problem solving and ensures that staff practice effective communication and sound conflict resolution fundamentals internally and externally.
- The continued support of a dedicated senior Watershed and Floodplain Program Manager position within South Pacific Division reflects USACE's commitment to comprehensive watershed planning, floodplain management, and employing a systems approach to solving complex water resources issues. In addition to prioritizing floodplain management coordination through outreach and collaboration using the full suite of USACE programs, the position includes a focus on tribal issues in general and the Tribal Partnership Program in particular. Other duties include policy advisor to the Division Commander and Senior Executive Service members, California Bay-Delta interagency collaboration and primary instructor on related training. In light of the growing interest and appreciation for multi-agency

and multi-stakeholder collaboration to reach water resources solutions that meet broad goals and objectives, this position demonstrates the Division's leadership role in the watershed planning arena.

CERTIFICATION — Professional certifications are highly valued in an engineering organization like USACE, and the increasing numbers of USACE staff earning the Udall certificate in Environmental Collaboration reflects this importance. Through the annual training, Public Involvement Specialists receive a minimum of one in-person yearly training to build consistent expertise. As a result of strategic investments in these training classes many Public Involvement Specialists either have earned their Udall certificate or will achieve certification this year. Additional collaboration training through leadership development courses or other classes also allow USACE staff to achieve other career-specific certifications.

INCREASED BREADTH — A Civil Works program of more than \$20B in FY19 (including supplemental funds) offers many opportunities for ECCR. The key issue is building awareness across an organization of more than 25,000 employees. To increase the breadth of service areas in FY19, USACE reports the following activities to broaden the programs that use ECCR:

- CPCX began the third Collaborative Capacity Assessment, a semi-decadal quantitative and qualitative survey of collaboration strengths and weakness across the USACE organization. The results will inform the next five-year strategic plan for CPCX.
- The Public Involvement Specialist in Pittsburgh assisted multiple programs and communities of practice within the District and nationally such as Natural Resource Management, and Planning.
- A collaborative technologies team drafted a How-To-Guide and gave a national webinar on using an online geospatial platform for engaging stakeholders virtually (Crowdsourcer Reporter).
- CPCX made structured outreach to HQ offices not previously engaged with the ECCR center to learn their needs and develop targeted programs and trainings to assist them.

POLICY — A fourth area of focus in FY19 for building programmatic and institutional capacity was the development of policy at the headquarters and District levels:

- In March of 2019, USACE Headquarters issued a new *Engineering Pamphlet on Stakeholder Engagement, Collaboration, and Coordination* (ER5-1-11 - https://www.publications.usace.army.mil/Portals/76/ER_5-1-11.pdf?ver=2019-05-02-093141-910) which guides stakeholder involvement in the planning for Civil Works projects.
- In July, USACE issued a new communications policy document titled *USACE Communication Planning Instructions and Template* that consolidates guidance from three branches of the agency. The document enhances clear, consistent communication across diverse USACE elements and contains a worksheet on *Determining Stakeholder Engagement Level*.
- Pittsburgh District drafted a new strategic plan with a specific objective to engage with stakeholders to shape the District's vision. This portion of the strategic plan

institutionalized recurring events to facilitate communication and collaboration with stakeholders.

- Part of Omaha District's Operations Plan calls for "improving delivery of Civil Works solutions in close collaboration with stakeholders". Specifically, the District looks to leverage USACE leadership to meet annually with congressional and state government staff to discuss project status, water resource challenges and program crossover issues.
- With the previously mentioned Collaborative Capacity Assessment Survey a first step in determining agency needs, the CPCX initiated an update of their 5-year Strategic Plan.
- USACE's national program for Environmental Stewardship incorporated stakeholder outreach as a key part in its new strategic plan.
- In August, USACE's Sacramento District met with the U.S. Fish and Wildlife Service and National Marine Fisheries Service (NMFS) to discuss the 15JUL2019 Delegation of Authority memo signed by the Assistant Secretary of the Army for Civil Works, that allowed USACE to enter into interagency support agreements for these agencies to provide technical support to USACE projects as part of the Fish and Wildlife Coordination Act's Transfer Funding Agreement.

- b) Please describe the trainings given in your department/agency in FY 19. Please include a list of the trainings if possible. If known, provide the course names and if possible, the total number of people trained. Please refer to your agency's FY2019 report to include only trainings given in F 2019. **If none, leave this section blank.**

In FY19, USACE staff of diverse roles and backgrounds (e.g., regulatory, planning, project management, engineering) all benefitted from classes in risk communication, public participation, relationship management, negotiations, National Environmental Policy Act and environmental considerations. The broad range of people being trained provides direct benefits to USACE from a common language and a common appreciation of the value of working collaboratively internally and externally.

The most closely aligned classes include:

- Risk Communication and Public Participation (5 Days) (60 Students);
- Public Involvement Team Building in Planning (5 Days) (50 students);
- Public Involvement and Communication (5 Days) (30 students);
- Relationship Management (5 Days) (30 students);
- Interagency Collaboration and Conflict Transformation in Multi-Party Processes (5 Days) (25 students);
- Collaboration in NEPA (2 days — US Institute for Environmental Conflict Resolution) (20 Students);
- Interagency Managing by Network webinar course (1 year) (3 students and 1 instructor)
- Partnerships in Natural Resource Management (NRM);
- Mini-training for the Flood Risk Management and Silver Jacket programs on Team

Development (2-3 days) (60 students).

- Dam and Levee Safety Risk Communication (2-3 days) (100 students).
- Webinars titled – “Working with Cooperating Agencies”, “How to Naturally Manage our Resources through Collaboration and Public Participation”, and “Get on the Bus, Gus! How to Rev up a Team and Drive it Home” (~60 attendees per 1 hr webinar).
- The Water Solutions Network training for cross-sector collaboration among leaders focused on the future of California water management (year long – 1 student)
- USACE Regulatory Strong Leaders Session #2 (2 days) (12 Students) –
- Collaboration and public involvement tools segments of Teambuilding for Planning Associates (10 days) (10 Students).
- Collaboration and public involvement tools segments of Regional Leadership Development Programs Leadership

2. ECCR Investments and Benefits

- c) Please describe any **NEW or CHANGED or INNOVATIVE** investments made in ECCR in FY2019. Examples of investments may include ECCR programmatic FTEs, dedicated ECCR budgets, funds spent on contracts to support ECCR cases and programs, etc.

Please refer to your agency’s FY2018 report to only include new, changed, or innovative investments made in ECCR. **If none, leave this section blank.**

In FY19 a large number of USACE Districts reported new and increased investment in ECCR. These investments include development of new processes and relationships, partnering with the relationship as the focus and an understanding of investments in collaboration as ways to reduce the cost of the inevitable conflict among agency missions and authorities.

Districts and Divisions report dedicating human and financial resources to ECCR-activities. These additional staff investments supplement public affairs staff and tribal liaisons at Districts.

Investments in dedicated staff time include

- Pittsburgh District dedicated partial full-time equivalencies to an Outreach Coordinator and to the interagency Silver Jackets coordinator.
- Kansas City District invested in three Outreach Specialists to assist with stakeholder engagement and public involvement as well as a Silver Jackets coordinator responsible for teams in multiple states
- San Francisco District funded 1 full-time staff to support the Bay Restoration Regulatory Integration Team. This interagency state / federal team is dedicated to improving the permitting process for multi-benefit habitat restoration projects and associated flood management and public access infrastructure in the San Francisco Bay and along the shoreline of the nine Bay Area counties (excluding the Delta Primary Zone).
- Sacramento District dedicated a full time staff to interagency coordination for the San Francisco Bay-Delta
- Buffalo District has an overhead account specifically designated to fund outreach engagements
- Multiple Districts support increased financial investments in their Public Involvement

Specialists through project or overhead funds.

Investments in tools to support collaboration include:

- Significant investment in communication plan development and implementation on a large, complex, and controversial urban levee improvement project in Sacramento District with continued funding anticipated during project construction.
- Investment in Collaborative Technologies workgroup in identifying and piloting technology tools such as Crowdscore Reporter to assist in collaboration and stakeholder engagement.
- Chicago District dedicated one staff member to plan and support a facilitated table-top exercise to collaborate with stakeholders on to plans related to Asian carp management in the Great Lakes.

Investments in training and contracting include

- Kansas City District invested in a Public Engagement contractor to assist in the design and facilitation of an EIS scoping outreach effort.

Multiple district supported building its ECCR capacity staff through attendance at the 2019 USACE Flood Risk Management/Silver Jackets Workshop where staff shared interagency experiences and developed shared solutions for flood risk challenges.

- d) Please describe any **NEW or CHANGED or INNOVATIVE** benefits realized when using ECCR.

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.

Please refer to your agency's previous report to only include new or innovative methodology to identify ECCR investments and benefits. **If none, leave this section blank.**

USACE continues to realize benefits in from ECCR in terms of improved governance, time and cost savings, and better outcomes for individual agencies and for the nation. In addition, the rapid pace of change and the uncertainty in government has illustrated the advantages and need of solid relationships as a platform for future engagements.

Some new, changed, or innovative benefits from ECCR that were cited by the Districts include:

- As a benefit from a table-top exercise on Asian Carp, the Chicago District reports that action agencies understood the required resources that may be needed in various potential situations that affect the risk of establishment in the Great Lakes.
- Pittsburgh District reports that ECCR tools helped identify an effective strategy for engaging the Seneca Nation of Indians and allow an aquatic ecosystem restoration study to proceed.
- The use of collaborative technologies, such as the Crowdscore Reporter, during multiple lake Master Plan updates provided a way for USACE to engage with more stakeholders and capture a broader audience's perspective. Use of the tool also saved staff time versus engaging these distant audiences with public meetings.

- Portland District reports that an early focus on meeting design and outside facilitation of initial interagency meetings helped set a tone of professionalism and collaboration that has been carried forward into the other workshops and set a collaborative standard for study.
- Districts report flood risk reduction through multiple flood risk communication outreach events with emergency management stakeholders including communities at risk downstream of dams and tribal communities
- Districts cite that collaborative efforts have built capacity with USACE staff to implement future collaborative efforts.
- South Pacific Division reports that an inter-agency collaborative data gathering effort has built green infrastructure capacity regionally.
- For USACE's Regulatory Program, collaborative efforts provide numerous benefits, including reduced consultation time under federal environmental laws, more streamlined permitting processes, reduced permitting time, improved interagency partnering, better public and interagency relations and less interagency environmental conflict.
- ECCR interventions have assisting multiple agencies to think regionally in how to manage the placement of sediment along the California coast and offshore.
- Facilitation and collaborative engagement during extensive pre-planning for a large and highly controversial Environmental Impact Statement in Alaska District established communications plans and stakeholder involvement processes that will serve as templates for future projects of this complexity across the country.

3. ECCR Use

Describe the level of ECCR use within your department/agency in FY 2019 by completing the three tables 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 2019 ECCR Cases ²	Decision making forum that was addressing the issues when ECCR was initiated:			
		Federal agency decision	Administrative proceedings /appeals	Judicial proceedings	Other (specify)
<i>Context for ECCR Applications:</i>					
Policy development	3	3	_____	_____	_____
Planning	11	11	_____	_____	_____
Siting and construction	2	2	_____	_____	_____
Rulemaking	--	_____	_____	_____	_____
License and permit issuance	--	_____	_____	_____	_____
Compliance and enforcement action	1	1	_____	_____	_____
Implementation/monitoring agreements	2	2	_____	_____	_____
Other (specify): <u>partnering, operations & management.</u>	4	1	_____	_____	3 (partnering)
TOTAL	23	20	_____	_____	3
		(the sum of the Decision Making Forums should equal Total FY 2019 ECCR Cases)			

² An “ECCR case” is a case in which a third-party neutral was active in a particular matter during FY 2019.

<i>Context for ECCR Applications:</i>	Interagency ECCR Cases and Projects	
	Other Federal Agencies Only	Including non federal participants (includes states, Tribes, and non governmental)
Policy development	1	2
Planning	_____	11
Siting and construction	1	1
Rulemaking	_____	_____
License and permit issuance	_____	_____
Compliance and enforcement action	_____	1
Implementation/monitoring agreements	_____	2
Other (specify): <u>partnering, operations & management</u>	1	3
TOTAL	3	20

<i>Context for ECCR Applications:</i>	ECCR Cases or projects completed ³	ECCR Cases or Projects sponsored ⁴
Policy development	_____	3
Planning	2	11
Siting and construction	1	2
Rulemaking	_____	_____
License and permit issuance	_____	_____
Compliance and enforcement action	_____	1
Implementation/monitoring agreements	1	2
Other (specify): _____	1 (partnering)	4
TOTAL	5	23

³ A "completed case" means that neutral third party involvement in a particular ECCR case ended during FY 2019. 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.

⁴ 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 2019 cases it should equal total ongoing cases. If you subtract sponsored ECCR cases from Total FY 2019 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 2019 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 2019). If possible, focus on an interagency ECCR case. Please limit the length to **no more than 1 page**.

Brandon Road Lock & Dam Fish Barrier Tabletop Exercise

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.

This classic environmental conflict case about invasive species is a follow-on to the Great Lakes and Mississippi River Interbasin Study that evaluated options to prevent the spread of aquatic nuisance species between the Great Lakes and the Mississippi and Ohio River Basins. Environmental groups are strongly in favor of severing the aquatic connections between the basins due to predictions that the establishment of Asian carp in the Great Lakes could devastate an aquatic ecosystem already in peril from overfishing and other invasive species. The primary connection is the Chicago Sanitary and Ship Canal. As the name indicates, its purposes are navigation and sanitary sewerage. The plumbing for a significant portion of the Chicago metropolitan area relies on this canal, and a fair amount of water transportation moves through the canal. The situation presents significant challenges and opportunities for engaging, educating and inviting participation on solutions to this complex problem.

An international interagency team, the Monitoring and Response Workgroup (MRWG) of the Asian carp Regional Coordinating Committee works to prevent the fish's establishment in the Great Lakes. The MRWG has initiated an annual tabletop exercise to maintain collaboration and prevent conflict with stakeholders in the Chicagoland region. The Illinois Department of Natural Resources (ILDNR) contracted a neutral third-party to facilitate the two-day meeting with funds from the Great Lakes Restoration Initiative provided by the US Environmental Protection Agency (USEPA).

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.

The 2019 table-top exercise was co-hosted by the USACE Chicago District, ILDNR, and USEPA. All parties participating at the exercise were generally accepting of the proposed response actions for each potential scenario discussed. Dialogue with action agencies and stakeholders helped revise the contingency response plan for the following year. The third party facilitator directed the meeting process that allowed participants to ask questions, to gain a better understanding of the proposal, and to voice their support or concerns.

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.

The table-top exercise improved awareness for stakeholders and partners of the risks for Asian carp establishment in the Great Lakes and the subsequent consequences. The exercise allowed feedback from potentially affected parties under various response scenarios and ultimately reduced the risk for conflict or controversy should an action need to be taken. There is now pending authorization language in WRDA 2020 with vocal support from multiple states and federal

agencies.

Reflections on the lessons learned from the use of ECCR.

The use of a neutral third-party facilitator signaled to stakeholders that the governmental agencies were not just directing action but were genuinely seeking input and collaboration. Use of a neutral was critical in providing a forum where multiple disagreeing parties were able to hear the concerns of others, ask questions and gain a better understanding about the proposed plan and the next steps for a regionally and internationally significant project.

5. Other ECCR Notable Cases

Briefly describe any other notable ECCR cases in the past fiscal year. **(OPTIONAL)**

Great Lakes and Ohio River Division — 5 cases

CHICAGO DISTRICT (LRC): Brandon Road Lock & Dam Fish Barrier Tabletop Exercise

See Q4 above.

PITTSBURGH DISTRICT: Mahoning River Water Control Manual Update (Scoping Phase)

USACE's Pittsburgh District, owns and operates three multi-purpose reservoirs in the Mahoning River Basin that reduce the risk of flooding to downstream communities, provide environmental flows to sustain water quality, and provide other benefits such as recreation, aquatic ecosystem enhancement, and water supply. In FY19, USACE kicked off a Water Management Update process that looks at the operations of Mosquito Creek, Michael J. Kirwan, and Berlin Reservoirs in relation to the projects' authorized purposes and basin-wide interests. There are many stakeholders with competing interests in the basin (e.g., recreation, water quality, and flood risk reduction), who would like to see improvements with the changes in reservoir operations that could result from this process.

As part of the scoping phase of this water management update effort, USACE engaged both the public and partner (i.e., resource agencies) interests to better understand what those competing interests were and to identify areas of potential agreement. Both public meetings and partner meetings were facilitated by USACE staff acting as the third party neutral, having no other stake in the update process. Funding for the facilitation was provided by Pittsburgh District.

Pittsburgh District hosted a facilitated kick-off meeting for relevant resource agencies to share their interests pertaining to the reservoirs and the larger basin in question and to express their initial reactions to concerns and opportunities that presented themselves with respect to potential reservoir operation changes. Participants were also invited to contribute to the process by providing data and to participate in future discussions of suitable reservoir operation scenarios. Discussion questions were shared prior to the meeting to spark thinking, encourage conversations internal to each organization, and ultimately increase the likelihood that each agency representative would come prepared to speak on behalf of their agency. As part of this meeting, attendees ate lunch together and shared one fond memory or experience from Ohio (where the reservoirs are located) during introductions; both activities were facilitated with the intent to begin building relationships throughout the multi-year process.

A particular group of stakeholders at one of the reservoirs had been especially vocal with their concerns. Due to the high interest in this update process from the stakeholders at this particular reservoir, disproportionate attention and communication efforts had previously been directed toward this group. However, to ensure that interests from all three reservoirs and their stakeholders were

captured, USACE decided to host public meetings at each reservoir to encourage participation from less vocal stakeholders and to engage stakeholders farther downstream in addition to stakeholders from near the reservoirs.

While only the scoping phase has been completed for this project, a proper foundation has been set for future engagements during this water management process. By encouraging other agencies to share their interests and asking them to go beyond consultation and towards more substantial involvement and collaboration, USACE is strengthening its relationships with these resource agencies. Additionally, the public engagement activities cultivated representation from all interest groups and stakeholders, rather than focused narrowly on the interests of a single, vocal group. Moving forward, the information gathered in the scoping phase should allow USACE to make better-informed and more representative decisions about operations at these reservoirs.

PITTSBURGH DISTRICT: Environmental Advisory Board (EAB) Climate Change Discussion

USACE's Pittsburgh District invited representatives from other climate-change oriented organizations to attend a presentation and discussion with Dr. Brenda Ekwurzel, Director of Climate Science at the Union of Concerned Scientists.

Dr. Ekwurzel's presentation, titled "Confluence of Weather and Climate at the Headwaters of the Ohio: Pittsburgh District USACE," served as the preface to a fruitful, facilitated discussion with climate change-oriented organizations on the actions various organizations in the region can take to prepare for climate change and its impacts.

While certainly not a contentious issue between many of the like-minded individuals in the room, the facilitated discussion on climate change helped to bring to light ways in which the individuals in the room could act collaboratively to continue addressing climate change according to their organization's purview and authorities. The meeting, hosted on behalf of Pittsburgh District's EAB, helped achieve the District's mission to bring in and engage with partners to identify synergies in efforts and potential solutions to environmental problems that plague all of us.

PITTSBURGH DISTRICT: Kinzua Dam and Allegheny Reservoir Master Plan Update – Scoping Phase.

USACE' Pittsburgh District is updating the Kinzua Dam and Allegheny Reservoir Master Plan. The District sought input on concerns and ideas for the future management of the reservoir from partners, stakeholders, and the public. In particular, The District hosted facilitated discussions with key partners, including the Seneca Nation of Indians (SNI), with whom USACE has had a strained relationship with over the years due to conflict over land ownership.

A focus of these meetings was to improve USACE's partnership with the SNI and with other state and local partners. The facilitated partner meetings gave an opportunity for more frank and in-depth discussion with those organizations that are intimately involved and affected by the management of the Allegheny reservoir. While many of the concerns brought up by the SNI and the other partners may not have been directly relevant to the Master Plan process, these engagements provided an opportunity to open the lines of communication. The end goal was for the District's partners to feel engaged and included in the process and the protection of the resources.

The District Public Involvement Specialist helped the team plan for and execute the public meeting, which the PI Specialist facilitated along with two other USACE staff members.

Pittsburgh District met with the SNI separately from other partners and stakeholders. This gave them the opportunity to address their concerns/issues privately and with the full attention of the District. The meeting was led by the District biologist who had a personal relationship with some of the SNI members, along with one of the District's senior military commanders.

Another meeting was then held with the remainder of the USACE partners, in which a similar discussion was facilitated. Following these partner meetings, a public meeting was held to capture other interests not identified by the partners. While highly contentious and emotional, the public meeting gave the SNI another chance to have a voice and role in this update. The SNI were also given the opportunity to write and condense all their comments and send them to USACE for review.

PITTSBURGH DISTRICT: Johnstown Risk Communication Planning Workshop

Attendees at the workshop included organization representatives who have a responsibility to public safety, to communicate risk to the public, or serve in a decision-making capacity for the City of Johnstown, Pennsylvania.

The workshop objectives were to: 1) Share and discuss results of USACE's Risk Assessment of the Johnstown Levee System with community leaders; 2) Leverage existing City/ County experience and expertise regarding communicating to the Johnstown public; 3) Discuss shared goals for communicating levee-related flood risk to the community; and 4) Determine the best avenues through which to communicate levee-related flood risk. Because the Johnstown Levee System is a federal responsibility rather than a local sponsor responsibility, this workshop had to strike the balance between USACE needing to collection information to execute their communication responsibilities and not executing their communication responsibilities without consulting with the key flood risk stakeholders, thereby inciting a public reaction without also preparing those local organizations who would likely bear the brunt of responding once the risk communication had begun.

The USACE Public Involvement Specialist helped the team plan for and execute the workshop, which the PI Specialist then facilitated. USACE's national levee safety Public Awareness and Communications team also trained the Pittsburg District staff and provided guidance on workshop development. The workshop itself consisted of many small group discussions to build an outline for a communication plan that would be used to communicate the results of the USACE Risk Assessment. Through this workshop, the District was able to explain their communication requirements and needs, and also involve the local officials in the development of the communication plan.

Mississippi Valley Division (MVD) — 3 cases

ROCK ISLAND DISTRICT: Brandon Road Lock & Dam Fish Barrier Tabletop Exercise

See Q4 above.

ROCK ISLAND DISTRICT: Upper Mississippi River Basin Association Planning Assistance to States

Building off the success of the FY18 Upper Mississippi River System (UMR) Flood Risk & Sediment Management Integrated Water Resource Management Pilot, USACE and the Upper Mississippi River Basin Association are continuing to use the Systemic Development of Informed Consent (SDIC) model as part of their regional planning process to address sediment, flood, & drought issues on the UMR. In year 1 (FY19) of a 2 year USACE study, a series of six listening sessions were held with stakeholders, residents, and surrounding community leaders throughout the basin. Using a non-USACE facilitator and the SDIC planning process, participants were encouraged to freely share their views on the issue areas and provide insight on what they believe needs to be done to address these important river issues. In year 2 of the study (FY20), these discussions of local ideas and local actions will be incorporated into a planning report that will be used to facilitate development of a future regional resilience plan for the UMR.

ST. PAUL DISTRICT: Tribal Outreach and Indigenous Advisory Group, International Joint

Commission Souris River Basin Study

In collaboration with the US-Canada International Joint Commission (IJC), USACE supported efforts through third-party facilitated engagement with indigenous people in the US and Canada. St Paul District's archaeologist supported outreach to tribal representatives, establishing relationships and participation in bi-national workshops in the Souris River Basin at the International Peace Gardens. Her leadership and existing network of tribal contacts in multiple watersheds helped expand the outreach appropriately to tribes with strong ties to the basin that no longer live there. What is new is that the IJC and participating agencies are leveraging the 3-year International Souris River Basin Study to open dialog, establish relationships, and develop an Indigenous Advisory Group that will continue after the end of the three year study.

North Atlantic Division — 2 cases

BALTIMORE DISTRICT: D.C. Levee Risk Communication

Communities in Northwest and Southwest Washington, D.C. are located in low-lying areas. Due to their proximity to the Potomac River, they are prone to riverine, tidal, and interior flooding. In 1939, USACE constructed a levee to reduce risk. A recent levee inspection was completed by the agency, which identified the levee as being in good condition. However, extreme floods that cause water to come over the levee and cause levee failure could lead to loss of life, billions of dollars in damages and major disruptions regionally and to the national government. Due to these severe consequences, the levee has been assigned a "high" risk classification.

Communicating levee safety and flood risk is inherently difficult. Levees often carry negative connotations in the media, and flood risk is often misunderstood by the general public. Increasing flood risk awareness, especially in areas that have not recently experienced flooding, is critical in reducing future risk of life safety and property damage. The challenge in this case was to properly communicate flood risk at a public meeting in Southwest Washington, D.C. and to avoid or manage contentious discussions with local residents.

USACE worked with federal and local partners to develop flood risk communication materials, disseminate public meeting information (i.e., at local Advisory Neighborhood Committees), and to establish an effective agenda. In addition, the team worked closely with a neutral third-party facilitator to identify potential questions and responses from the community. Materials were prepared for the dissemination of information in understandable, layman's terminology. The facilitator also helped manage the agenda and expectations from the public.

The team was able to improve relationships with stakeholders and avoid excessive conflict during the Question and Answer portion of the meeting. The team also provided stakeholders with invaluable information regarding flood risk reduction activities and best practices.

BALTIMORE DISTRICT: East Campus Facilitated Lessons Learned Sessions

The USACE East Campus Integrated Program Office (ECIPO) contracted a third-party facilitator (Leadership Strategies) to host a facilitated conversation with USACE employees, project owners and contractors to review, clarify, discuss, analyze, and expand upon the lessons learned from five completed construction projects for the National Security Agency in the East Campus field office at Fort Meade, MD. USACE project managers/employees and project owners gained invaluable knowledge on how to improve overall efficiency and effectiveness for future construction projects.

Northwest Division — 2 cases

PORTLAND DISTRICT: Willamette Valley System Environmental Impact Statement (EIS)

The District has a tight timeline to complete an EIS for the continued operation of the 13 dam system in the Willamette Valley. This is a highly complex project with a vast array of stakeholders that requires a robust outreach and engagement plan; thus, it was selected for the CPCX's **Grand Collaboration Challenge**. The District identified a need for assistance in developing the engagement plan including the use of collaborative technology and the development of a NEPA scoping process that would cover stakeholders in 4 sub-watersheds spanning a diverse range of mission areas and issues from agricultural water supply to recreation to listed species. The team simultaneously needed a cooperating agency coordination process involving over a dozen agencies and tribes. To stay on schedule, the NEPA scoping and cooperating agencies efforts needed to be designed and implemented in 4-6 months. Getting the CPCX and the contractor on board quickly was essential for meeting the timeline.

The ECCR problem being addressed was how to tackle the complexity of a 13-dam, multipurpose system operations under evaluation while taking into account a vast array of conflicting stakeholder interests. The CPCX helped with meeting design and early facilitation of a cooperating agency kick-off meeting and facilitated the first week of meetings. The format of hybrid open house/presentation allowed the USACE to provide basic information to all attendees and to have in-depth 1-on-1 conversations with participants after the presentation.

By setting up stations and directing participants to them to interact with USACE employees 1-on-1, the meeting design reduced the incentive to grandstand. The benefit was meaningful engagement with stakeholders and better-informed public comments. Additionally, having a facilitator for the first kick-off meeting with Cooperators helped to set a tone of professionalism and collaboration that has been carried forward into the other workshops. Having a facilitator the first week of meetings enabled an evaluation of how the meeting format was working and how to make needed adjustments. A planner from the Sacramento District was employed as a facilitator for the first charrette, She helped keep the group on task, did an excellent job of summarizing the charrette, and provided meeting products that have been used as models and templates in follow-on work.

NORTHWESTERN DIVISION: Missouri River Basin Interagency Roundtable

The Missouri River Basin Interagency Roundtable (MRBIR) is a forum for federal agencies advocating a collaborative approach to solving issues within the Missouri River watershed. Members of MRBIR, including USACE's Northwestern Division, seek opportunities for collaboration, coordination, and communication among the federal agencies to facilitate more comprehensive interagency efforts that would normally be beyond the scope of just one of the agencies. MRBIR is facilitated by a third-party neutral (the John S. McCain III National Center for Environmental Conflict Resolution), rotates the Chairperson among the federal agency members, holds monthly conference calls, and meets in person twice yearly. In addition, it has formed working groups to address various topics including climate change, tribal relations, sediment transport, ecosystem function, and the Missouri River Recovery Implementation Committee.

Pacific Ocean Division — 1 case

HONOLULU DISTRICT: Ala Wai Canal Flood Risk Management Project

The Ala Wai Canal Flood Risk Management Project completed the Feasibility Stage in December 2017 with the submittal of the Chief's Report to Congress. The Record of Decision for the Federal Environmental Impact Statement was signed by the Assistant Secretary of the Army for Civil Works in September 2018 and was funded in July 2018. In late January / early February 2019, the local sponsor at that time (the State of Hawaii Department of Land and Natural Resources - DLNR) sent letters to property owners that may be impacted by the project as described in the Feasibility Study. The letters indicated that some of the properties would be purchased to raze and grade for retention basins. In response to public outcry in the media and to address incorrect information that was being

shared in social media, USACE, DLNR, and the City and County of Honolulu Department of Design and Construction (the new local sponsor) held a town hall meeting to clarify the purpose and impacts of the project on March 2019. The City and County of Honolulu funded the neutral facilitator.

The facilitator explained the meeting agenda and distributed the microphone for commenter use throughout the audience, allowing as many people to speak as possible during the time allotted. The use of a facilitator in the town hall meeting allowed the attendees to express concerns about the project in a respectful and timely way that may not have been possible if someone identified as affiliated with the project had been facilitating the meeting.

In addition, the District Public Involvement Specialist and the Civil Works project manager facilitated the Canal Flood Risk Management Project team meeting, which ensured timely project progression. Specifically, the efficiency of the meeting due in part to facilitation led to receiving buy-in from team members related to Quality Assurance that was necessary for ensuring the leadership buy-in to the project path forward.

South Atlantic Division — 4 cases

SAVANNAH DISTRICT: Savannah Harbor Expansion Project, Post Authorization Change Report for Fish Passage at New Savannah Bluff Lock and Dam.

Savannah District funded a facilitator for several meetings regarding the proposed project during fiscal year 2019. The meetings included the Georgia Ports Authority, congressional and state representatives, water users along the Savannah River, several local chambers of commerce, local business owners and the public.

During the meetings, Savannah District staff and the facilitator presented posters and slides to answer questions and address concerns about the proposed project. The effort was supported by the CPCX through the **Grand Collaboration Challenge**. Ultimately the District successfully managed the controversy and was able to complete the report.

SAVANNAH DISTRICT: South Atlantic Coastal Study, Georgia Outreach Facilitation

For public outreach to communities and organizations in coastal Georgia, Savannah District used a facilitator for the South Atlantic Coastal Study partnering meeting with the Georgia Department of Natural Resources, county and local municipalities, non-governmental organizations and scientists. The intent of the meeting was to discuss opportunities to improve coastal resiliency and reduce the risk of damage to infrastructure from coastal storms.

SAVANNAH DISTRICT: Savannah River Below Augusta, Planning Charrette

Savannah District used a facilitator for planning charrette for the Savannah River Below Augusta ecosystem restoration study.

JACKSONVILLE DISTRICT: National Historic Preservation Act Programmatic Agreement for Puerto Rico

Jacksonville District's Regulatory Program is negotiating a Programmatic Agreement (PA) to address Regulatory Program compliance with Section 106 of the National Historic Preservation Act in Puerto Rico. The District is updating a PA that was originally created in 2012 and reinitiated Section 106 consultation with the Puerto Rico Historic Preservation Officer in March 2019. The purpose of the PA is to streamline Section 106 reviews of minor transportation projects in Puerto Rico. The lead agency is the Federal Highway Administration. Other signatories to the PA include the Jacksonville District,

the Puerto Rico Historic Preservation Officer, the Advisory Council on Historic Preservation and the Puerto Rico Highway and Transportation Authority. The District will use the final PA as the mechanism for meeting their Section 106 responsibilities associated with Regulatory permit issuance for Federal Highway Administration projects. The team used the Udall Foundation's U.S. Institute for Environmental Conflict Resolution as a neutral third party facilitator. In May 2019, the interagency team held a face-to-face meeting to establish goals and discuss specific revisions to the PA, develop a revised PA outline and review the revised PA draft. In November 2019, the team held a second face-to-face meeting to further discuss revisions to the draft PA. A second draft of the revised PA is due by early 2020, with a final draft expected by May 2020.

South Pacific Division — 7 cases

LOS ANGELES DISTRICT: Tijuana River Watershed Planning Assistance to States Bi-National Study

The issue is the need to coordinate with government of Mexico to collect necessary data to model an entire watershed. The Tijuana River flows into the Pacific Ocean within the U.S., just south of San Diego, but two-thirds of the watershed lies in Mexico. The Tijuana River brings significant pollution and sediments to the outflow, which require a bi-national watershed effort to address. This study is focused on technical modeling efforts including baseline existing conditions, hydrologic flood frequency analysis, floodplain and sediment transport analysis. Data gathering is challenging across governments.

The only way USACE and the City of San Diego can obtain the necessary data from the government of Mexico is through negotiations with the International Border Water Commission (IBWC), both the U.S. and Mexico branches. Emails and verbal communications requesting data went on for a long period of time, delaying the project. This effort is paid for through by USACE.

A face-to-face meeting between representatives of the Mexican government, IBWC, USACE and the City took place in May 2019. Live Spanish-English translation was exactly what was needed to establish relationships, clarify data requests and better understand the usage of the data. The data was eventually received later in 2019, allowing the technical team to proceed with the modeling analysis.

LOS ANGELES DISTRICT: Veterans Affairs Long Beach Hospital workshops and partnering sessions

Los Angeles District's Public Involvement Specialist facilitated a series of workshops and partnering sessions with staff and executives from USACE and the Veterans Affairs (VA) hospital, including the following:

- Government partnering session, using Federal Mediation & Conciliation Service. Following a contentious project turn-over from the VA to USACE, the government-only partnering session focused on laying a foundation for the partnership going forward.
- Quarterly partnering sessions plus monthly email communications regarding issues for resolution pertaining to the Community Living Center and the Mental Health Facility, respectively.
- Mental Health Facility After Action Review (AAR) – the PI Specialist conducted two AAR workshops with USACE and VA staff, to review lessons learned from a contentious project. The VA construction contract for a new Mental Health Facility at the VA Long Beach was days from being awarded when staff were told to turn over the plans and specifications to USACE. That set the clock back over two years when plans and specifications needed to be revised extensively to meet USACE requirements. This resulted in significant frustrations by

both VA and USACE staff and significant project delays. Lessons learned from this transition were gleaned from this AAR and applied to subsequent VA-USACE projects to improve delivery.

SACRAMENTO DISTRICT: National Nuclear Security Agency Agreement for Los Alamos National Laboratory Construction

Over the course of several repeated negative experiences and funds lost due to delays in construction, the relationships between two Federal agencies (USACE and National Nuclear Security Agency - NNSA) suffered and were impacting work decisions. Sacramento District's Public Involvement Specialist was recruited as a third party to work through an After Action Review (AAR) and facilitate discussion on next steps, roles and responsibilities, and concurrence on the need for the Memorandum of Agreement to be more clearly followed and implemented in subsequent stages. Problems were addressed through a series of conference calls and one half-day meeting, to engage all levels of leadership (from project managers up to Senior Executive Service-level at both agencies). The process helped achieve: clear(er) understanding of the existing agreement; increased empathy with opposing views; appreciation for the limits of each agency; explicit commitment to improve communication and relationships and to resolve conflicts at the lowest possible level (vs. elevating to SES); and a decision with regard to future work.

SAN FRANCISCO DISTRICT: Bay Model Master Plan

The Bay Model Master Plan process kicked off with two public meetings in the spring of 2019. The public meetings were timed to be inclusive to all interested members of the public, stakeholders, and partners of the Bay Model Visitor Center (BMVC). The Public Involvement Specialist from Sacramento District assisted the team in this process by providing his expertise and leading them through best practices. Working with him and our staff GIS specialist, the team used ESRI Crowdsourcer Reporter to capture comments from the public and stakeholders. Crowdsourcer Reporter is a GIS application that allows interested parties to geo-locate comments on a map of an area (or project) of interest.

The PI Specialist professionally facilitated the public kickoff meetings. The kick-off meetings were complemented by mini-breakout sessions for specialized staff (plan formulation, environmental, cultural) to discuss specific details. In addition to email and written letters, the Crowdsourcer Reporter tool allowed the public to provide comments on any aspect of the property. The model provided an inside and outside layer so any points could be made to indicate where concerns were either inside the Bay Model itself or on the associated property such as garden areas, parking lot, the pier etc.

The primary beneficial outcome of using Crowdsourcer Reporter was the ease of collecting and tracking comments. From the team's perspective, it was beneficial to collect a majority of comments in one section and to know exactly what was being referenced. The application also permitted anonymous commentary, which is not possible by email. Additionally, members of the public were able to share the link to friends, family, and neighbors.

The map included boundary lines to indicate the exact geographic region under consideration by the Master Plan. This feature was important to provide the clarification to the public about exactly what was being considered and where, which made it easier for them to provide relevant comments.

SAN FRANCISCO DISTRICT: San Francisco Waterfront Study

The San Francisco Waterfront study leveraged facilitation support from the **Grand Collaboration Challenge** to develop a public involvement and stakeholder outreach timeline. This product incorporates project milestones, mandatory environmental compliance meetings, along with the non-

Federal sponsor outreach strategy for public involvement. The timeline is a great reference for the project team and non-federal sponsor to use as the study progresses toward future project milestones.

SAN FRANCISCO DISTRICT: Middle Harbor Enhancement Area Technical Advisory Committee Facilitation Support

San Francisco District's Public Involvement Specialist supported a Technical Advisory Committee meeting at the request of the non-Federal sponsor (the Port of Oakland) and other stakeholders. During previous meetings, parties had grown increasingly frustrated with the lack of progress by the committee in providing technical advice on key project components because of conflicts arising during the meetings. FY19 efforts focused on hosting a design charrette to support the Committee's selection of adaptive management measures to meet the objectives of the project.

LOS ANGELES DISTRICT: Santa Ana River Mainstem / BNSF Bridge Protection Construction Project Partnering

Los Angeles District's Public Involvement Specialist facilitated several partnering sessions, including one staff level and one executive level with the District Commander and an Assistant Vice President of BNSF Railroad, to identify problems and clarify ways ahead.

6. Priority Uses of ECCR

Please describe your agency's **NEW or CHANGED** 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. Please refer to your agency's FY2018 report to only include new or increased priority uses. **If none, leave this section blank.**

By and large, priority uses ECCR by USACE in FY19 remained consistent with previous years.

FY19 did see a rise in the number of facilitated partnering efforts, the primary purpose of which is often to strengthen relationships in addition to identifying lessons co-learned with partners. Historically such initiatives have generally been directly conducted by the main parties without third-party facilitation, but in FY19 USACE seemed to have embraced the notion that even these efforts would benefit from neutral facilitation.

This trend of a rise in third-party neutral facilitated construction project partnering meetings may have been partially influenced by the 2017 publication of the USACE Acquisition Instruction (UAI), wherein Section 5136.104, paragraph (e) states, "Formal, facilitated partnering is required for technically complex projects, for compressed durations, and for larger dollar values."

7. Non-Third-Party-assisted Collaboration Processes (Optional)

Briefly describe other **significant** uses of environmental collaboration that your agency has undertaken in FY 2019 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. If none, leave this section blank.*

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 (including Silver Jackets)
- Tribal Engagement
- Business Processes and Culture
- Stakeholder Engagement Tools, Workshops and Trainings
- Scientific/Technical Consensus Building
- Communication Tools

Formal/Institutionalized Working Groups or Agreements

USACE districts participate in a variety of formal or institutionalized working groups and agreements. Below are some specific examples cited by Districts in FY19, starting with the many cited examples of the Silver Jackets program –Silver Jackets teams bring together multiple state, federal, and sometimes tribal and local agencies to learn from one another in reducing flood risk and other natural disasters.

Silver Jackets

- Buffalo District Silver Jackets Program has strong relationships throughout the region and annually hosts a meeting with the New York State agency that sponsors USACE Flood Control Projects. Similarly Pittsburgh Districts cites the effectiveness of quarterly meetings of the state-led interagency Silver Jackets teams that promote collaborative problem solving in Ohio, Pennsylvania, West Virginia, and New York Silver Jacket quarterly team meetings.
- Kansas City District used the Silver Jackets team to create an Emergency Action Plan in Abilene, KS. The project consisted of tabletop exercises that worked to help the community understand the options for flood risk management and to select one for further development

- Through Silver Jackets, San Francisco District develops facilitator-led workshops on enhancing the permit process for Flood Risk Management projects with other agencies and stakeholder groups.
- Through Silver Jackets, Los Angeles District participated in the Whittier Narrow Dam/City of Pico Rivera - Multi-City Flood Response Plan Working Group Flood and started and interagency After Fire Tools Stakeholder Roundtable to develop GIS/Hydrology & Hydraulics modeling tools to support identification and risk communication of flood after fire risks. Working with Sacramento District, Los Angeles District staff facilitated tribal Flood Preparedness & Emergency Response Workshop workshops with almost a dozen tribes, and state and federal agencies with emergency preparedness and response expertise to discuss resources and best practices from tribal representatives
- Through Silver Jackets, USACE staff in California developed an initiative to enhance interagency coordination in the permitting process to reduce flood risk in Southern California. To develop this initiative Los Angeles District conducted extensive outreach with external stakeholders. Two stakeholder workshops will occur in FY20.
- Through Silver Jackets, St. Louis District is in the final phase of completing a multi-jurisdiction floodplain management plan that has pointed to early warning measures as the primary solution to minimize future flood risk. As a result, local governments along the Joachim Creek (MO), partnered with USGS for the installation of a stream gage and the National Weather Service completed small-scale hydrologic modeling. Starting this year, when the creek is predicted to exceed flood stage, local emergency managers and residents will receive flood warnings with the necessary lead time for them to take appropriate protective action of life and property.
- Rock Island District reports that damages from the 2019 Midwest floods prompted the Iowa Silver Jackets to garner funds to identify non-structural actions to reduce structure damages and support on-going collaboration with the City of Davenport.

Other Formal/Institutionalized Working Groups or Agreements

- Pursuant to their dredging activities, Chicago District is part of a state-hosted Sand Management Working Group in Illinois that strengthens relationships between agencies and sets the stage for potential projects.
- Detroit District actively engaged with the Great Lakes Fish Commission, the Great Lakes Commission, and the International Joint Commission.
- Louisville District participates in local partnerships like the Lower Salamonie Watershed Committee and the East Fork Watershed Cooperative and has partnerships with state agencies in Kentucky, Indiana, and Ohio for multiple projects including harmful algal bloom response.
- Sustainable Rivers Program is a national program in cooperation with The Nature Conservancy (TNC), to adjust and modify reservoir operations to improve downstream habitat and restore ecosystem functions that have been degraded by USACE projects. This national program is sustained by both a national MOA and Great Lakes and Ohio River Division MOA with TNC.
- Honolulu District's Regulatory Branch has an existing programmatic agreement with the National Marine Fisheries Service (NMFS) for Endangered Species Act consultation and is developing a programmatic agreement with NMFS for Essential Fish Habitat consultation.
- Charleston District formed an Interagency Coordination Team with representatives from 13 federal, state, and local agencies for the Charleston Peninsula Coastal Flood Risk Management Study. This team provided valuable technical insight on natural and cultural resource considerations for the study.
- Mobile and Nashville Districts finalized a MOA with the Alabama Department of Transportation (ALDOT) and Federal Highway Administration wherein the state will fund a full-time Regulatory Project

Manager position in Mobile District to handle the permit process for all ALDOT projects within the state. This agreement will streamline the permit process, promote early and routine coordination and provide increased consistency and predictability in the permit process. Mobile District is working on a similar funding agreement with the Mississippi Department of Marine Resources.

- Mobile District is an active member of the interagency Gulf Restoration Working Group. The group works to improve timely permitting for Gulf Coast restoration projects. Mobile District is also an active member of Mississippi's Beneficial Use of Dredged Material Group.
- USACE is an active member of the interagency California Coastal Sediment Management Workgroup that resolves coastal sediment management and related environmental issues that arise as a result of the sediment imbalances.
- San Francisco District is a member the interagency and stakeholder Guadalupe Watershed Integration Working Group that coordinates and works to resolve permitting and environmental issues in the watershed.
- San Francisco Bay Long-Term Management Strategy is an agreement among USACE's San Francisco District, USEPA and two state agencies to resolve issues related to placement of dredged material in the bay, ocean, or upland and/or beneficial use.
- San Francisco District participated and facilitated the Shoreline Interagency Working Group to discuss project issues, next steps, and permitting concerns.
- USACE is one of six federal agencies participating in the California Bay-Delta Memorandum of Understanding that focuses on managing environmental conflict and collaborating to develop sustainable solutions in the Sacramento-San Joaquin Bay-Delta.
- Within USACE's South Pacific Division work is ongoing under various MOU's, including Division- and District-level MOU's with The Nature Conservancy; a Sacramento District MOU with California Department of Water Resources and the Central Valley Flood Protection Board; and an interagency MOU for work on the Yolo Bypass in California.
- USACE organizes a state-federal interagency Dredged Material Management team that is responsible for the coordinated review of dredging projects and dredging policy issues within Southern California. Coordinated review reduces redundancy and unnecessary delays in permit processing, promotes consistency in dredging project reviews, and facilitates development of consensus recommendations among regulatory staff.
- Albuquerque District co-leads the Middle Rio Grande Endangered Species Collaborative Program that coordinates efforts and regional cooperation among 16 Federal, State, local and Tribal signatories to restore habitat for endangered species along the Rio Grande in New Mexico. Through an interagency Memorandum of Understanding and legislative language, Albuquerque District has also led development of a Program-wide adaptive management plan, and has worked with the Program Executive Committee and an Adaptive Management Ad-Hoc Workgroup to develop Program Guidance that defines the potential suite of management actions across the region to which adaptive management can be applied.
- Albuquerque District developed a programmatic agreement to establish an expedited process for compliance with Section 106 of the National Historic Preservation Act (NHPA). The programmatic agreement establishes procedures for determining actions that are exempt from Section 106 consultation and for completing consultation with tribes and the state Historic Preservation Offices. The agreement reduces the likelihood of conflicts by proactively establishing a set of procedures rather than reactively handling individual consultations as they arise.
- St. Louis District reports on the Meramec Feasibility Study Ecosystem Restoration Project where an interagency watershed group meets weekly to facilitate communication across agencies, recognize resources/data that can be shared across projects to leverage dollars, and to identify

overlap between projects/missions.

- St Louis District reported on the interagency NEPA/404 Merger Process for Illinois. The process streamlines permitting evaluation process, brings multiple federal and state agencies together for project coordination and identifies specific process requirements and timelines. It serves as a forum to identify and resolve issues in a consistent, repeatable process.
- Rock Island District's Upper Mississippi River Basin Restoration Program collaborates with five states and the Department of the Interior through quarterly meetings to implement habitat restoration and enhancement projects along with the nation's first large river science & monitoring effort. This long-term partnership offers an innovating example of managing large and complex water resources in a collaborative manner.
- Non-assisted collaboration and conflict resolution is built into the process for the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) through close collaboration among state and federal agencies on the planning and implementation of coastal restoration projects across Louisiana's coast. Among the FY19 challenges for the CWPPRA Task Force was new legislative requirements to issue guidelines for the use, maintenance, and oversight of "environmental banks" in Louisiana. To comply with the legislation, a summit meeting of the Task force established a small interagency working group that drafted guidelines for CWPPRA Task Force review. The guidelines defined environmental banks and common banking principles and requirements based on existing banking regulations and guidance.
- Through the Lower Mississippi River Conservation Committee, USACE's Memphis District partners with other federal agencies, NGOs and state wildlife and water resources agencies from seven states by assisting in the design and construction oversight of restoration projects, and by supporting the annual meeting with relevant data and presentations.
- Memphis District facilitates an annual Channel Improvement Program interagency meeting with state and federal natural resource agencies from six different states along the Mississippi River to review all channel improvement activities within Memphis District boundaries. Through direct collaboration between USACE biologists and river engineers and their counterparts in participating state and federal agencies, cost-effective engineering and best management practices have been identified for channel improvement activities that can benefit river-dependent organisms including threatened or endangered species. These annual meetings have led to conservation planning for three federally endangered species, resulting in a programmatic non-jeopardy Biological Opinion for USACE channel improvement activities for the entire 953 miles of the lower Mississippi River across three USACE districts. The activities, products and framework resulting from these annual meetings have resulted in significant cost savings, and have been integral to USFWS's latest recommendations for de-listing two endangered species in the lower Mississippi.
- Mobile District led a multi-district team to establish standard local operating procedures for Endangered Species with USFWS. This programmatic agreement streamlines the ESA Section 7 consultation process for 96 federally-listed threatened and endangered species in Alabama and the Florida Panhandle.

Tribal Engagements

As part of the federal trust responsibility, USACE offers consultation on all projects that may affect tribal land or cultural sites. To support these responsibilities, USACE designates Tribal Liaisons to facilitate USACE interactions with tribal governments. Some specific tribal engagements in FY19 included:

- Detroit District reports annual face-to-face meetings with select Native American Tribes within the District boundary. These meetings provided a forum for the tribes to present their goals and for USACE to present Civil Works authorities that may be used to meet the tribe's needs.

- To reduce the chances of and harm caused by harmful algal blooms at USACE's Allegheny Reservoir, the Seneca Nation of Indians (a prime reservoir user) and Pittsburgh District have a joint response plan where the tribe collects algae and water samples while USACE conducts the monitoring and analysis.
- Sacramento District is working with the Skull Valley Reservation in Utah and USDA's Natural Resources Conservation Service's ongoing flood project to develop detailed floodplain maps and improve interagency information-sharing.
- As part of the Formerly Utilized Defense Sites program, Los Angeles District partnered with the Tohono O'odham Nation in Arizona to develop age-appropriate Explosives Safety awareness materials and execute 29 associated outreach events to approximately 1,500 students, teachers and administrators.
- USACE staff from three Districts, the Tribal Nations Technical Center of Expertise and South Pacific Division continued coordination with Navajo Nation to develop a USACE business plan for efficient and effective collaboration between the Navajo Nation and USACE. The business plan will help USACE more effectively address water resources and infrastructure needs of the Navajo Nation.

Business Processes & Culture

Standard business processes include public scoping meetings to elicit input from stakeholders as well as regular or situational meetings with other state and federal agencies to consult on upcoming decisions or to streamline working relationships. As USACE conducts activities to implement its Civil Works missions, leadership and staff aim to consult and engage with governmental and non-governmental stakeholders early and often to better outcomes, reduce costs, and improve governance.

Some specific examples of business processes cited by USACE Districts include:

- Detroit District reports use of Lake-wide Area Management Plans, Regional Sediment Management Teams, multi-agency management committees and annual coordination meetings with each state and USFWS.
- Huntington (WV) District uses a standard operating procedure for non-hydropower Section 408 actions (alterations to a USACE project by another party) to provide customers with a "one door" to USACE.
- Huntington (WV) District reports annual partnering meetings with resource agencies for maintenance dredging activities.
- Pittsburgh District's Water Management group routinely partners with state and federal agencies to execute their missions. Examples include collaboration to operate USACE reservoirs, and coordinate field schedules (e.g. lake surveys and data collection). Collaborative field work not only increases efficiency of work completed, but also builds relationships and knowledge sharing between resource agencies.
- Philadelphia District's Regulatory Branch periodically hosts Maritime Industry stakeholders to exchange comments, concerns, and questions relating to port facilities and operations. Meetings review the relevant roles and responsibilities of various agencies as well as environmental laws and legal obligations.
- Baltimore District's Public Involvement Specialist worked closely with the Corporate Communications Office to provide feedback on stakeholder outreach strategies during scoping for the Northern Virginia Coastal Risk Management Feasibility Study.
- Charleston District regularly briefed state agency leadership on the construction of Charleston Harbor channel improvements including USACE's efforts to reduce the risk of harm to threatened &

endangered species. These regular updates prevented misunderstandings, improved trust and reduced conflict.

- Charleston District's hosted an interagency workshop focused on the integrated application of environmental review processes among state and federal agencies. This process improved interagency collaboration and decreased the time needed to process and issue permits.
- To streamline the permit process, Mobile District's Regulatory program is coordinating with multiple state agencies in Mississippi on the establishment of a Regional General Permit for artificial reefs along the Mississippi Coast.
- Jacksonville District partnered with the US Fish and Wildlife Service (USFWS) to develop a programmatic key to provide consistent effect determinations under Section 7 of the ESA for the Florida bonneted bat. Because the key covers most activities authorized by General Permits, it provides an efficient tool to reduce consultation timeframes and streamline permitting.
- During Mississippi Coastal Improvement Program construction, Mobile District subject matter experts routinely met with the National Park Service to promptly respond to questions and concerns about Ship Island construction. This consistent dialogue transformed an initially adversarial relationship to a strong partnership based on mutual trust and contributes to USACE's ongoing construction of Ship Island.
- San Francisco District participated in numerous climate change meetings to build a consensus on San Francisco Bay regional approaches. One example is the interagency San Francisco Bay Regional Coastal Hazards Adaptation Resiliency Group that aims to develop and implement strategies to reduce the impacts of sea level rise and extreme weather on San Francisco Bay shoreline communities.
- Sacramento District has increased the frequency of meetings at both the staff and leadership levels with oversight agencies to facilitate consultations under the ESA and the NHPA.
- St Louis District established an internal agreement whereby the District's tribal liaison reviews all permitting actions (Section 404 and 408 requests) for cultural and tribal resources. This new process has dramatically improved consultation and help build trust.
- St Paul District's dredging program cites success through close collaboration with resource agencies and the navigation industry and a multi-faceted communications plans. Elements include interagency River Resource Forum meetings, On-Site Inspection Team meetings, and numerous phone calls and emails. The District highlight the communications plan surrounding dredge material disposal sites near Wabasha (MN). The plan included a direct line between USACE leadership and the city mayor, and incorporated multiple site visits with public engagement explaining the process and the navigation mission. Locals provided innovative ideas for managing dredged material for local benefit, producing "win-win" solutions.

Stakeholder Engagement Tools, Workshops and Trainings

USACE districts use a variety of stakeholder engagement strategies including public meetings and interactive workshops and regularly occurring meeting and workshops with key stakeholders. Techniques are tailored to the needs and interests of the project and community and include regular community outreach events. Some notable stakeholder engagements in FY19 included:

- Nashville District reports multiple interactive workshops and use of the nominal group method for prioritization of public input for Shoreline Management Plans and Lake Area Master Plans at multiple USACE reservoirs.
- Pittsburgh District attended an Ohio River Basin Flood Risk Management Workshop where attendees presented on best practices for flood risk management and brainstormed on priorities and

actions for state and federal agencies to better integrate and serve the public interest.

- New York District cites a robust public involvement program for the South Shore of Staten Island Coastal Storm Risk Management Project. The program includes frequent and early communication through group and individual agency meetings, monthly calls with all agencies, web-posted information on project needs and future activities, and status updates for elected officials. Results of the program include avoidance of conflict among the large and varied group of stakeholders and resource agencies, and coordination for Rights of Entry, Permit Applications and the Project Partnership Agreement.
- To improve the Placer Mining permitting and compliance efforts, Alaska District used their internal Public Involvement Specialist to facilitate an interagency meeting between USACE, the State of Alaska, and the Bureau of Land Management. The meeting increased collaboration and trust between the three agencies and identified common stream restoration standards. USACE also held an open house to receive input from the miners to broaden understanding of the permitting process.
- Kansas City took on a significant effort to meet and engage with the public during the 2019 Missouri River flood event. This event has also extended to further meetings with the public to discuss flowage easements and help the public understand how the process of easements works, as many were not land owners when they were signed initially (some over 50 years ago).
- Sacramento District hosted a 5-day training course for USACE and USFWS staff on interagency consultation under Section 7 of the ESA and explored ways to make consultations with USFWS and NMFS more effective and efficient.
- For both the Santa Fe (NM) and the Sepulveda (CA) dams, Los Angeles District facilitated table top exercises with federal, state, city and county agencies and non-governmental organizations to discuss response, emergency public information and warning and operational coordination during and after a spillway or breach event. A similar stakeholder-focused risk communication program was implemented for Whittier Narrows dam (CA).

Scientific/Technical Consensus Building

As part of multiple federal responsibilities, USACE often proposes actions that are reviewed, discussed, or vetted with other agency, industry or academic experts. This includes USACE consultation with state and Federal entities regarding specific endangered species or permitting issues, as well as general collaboration across environmental, engineering and scientific aspects of specific USACE projects, studies and efforts. Science/technical consensus-building tools and engagements in FY19 included:

- Fort Worth District instigated a Bio Blitz, which is a citizen science initiative to survey a given area for species in a defined period of time. It is a high intensity effort that looks to identify and locate as many species as possible (plants, animals, insects, mushrooms, etc.). In FY20, the District is using the iNaturalist app to collect this data; iNaturalist is a free app available for both iOS- and Android-based mobile devices. The data will aid efforts in habitat classification and identification and will be used towards assisting the Master Plan Revision at Bardwell Lake (upcoming in 2021). The data will also be publically available for researchers and students across the United States, including USACE partners. A dozen partners are involved in this effort, including 10 new ones. The intention is to repeat this effort again next year, to begin legacy data for monitoring environmental changes over time, and to specifically target environmental damages after large floods.
- Chicago District continues to build off engagements that used Crowdsourcer Reporter, a crowdsourcing GIS platform, to engage interested parties on a dredged materials management plan for the Calumet Harbor and River near Chicago.
- In addition to a robust face-to-face stakeholder engagement for updates of Lake Master Plans, Pittsburgh District used a crowd-sourced mapping tool to capture location-based ideas and concerns

online from non-resident day-users at USACE lakes.

- In New York, Pittsburgh District engaged stakeholders through local Levee Partnership Teams to assist FEMA with acquiring and evaluating appropriate data and with identifying appropriate technical analysis procedures to support updated Flood Insurance Rate Maps.
- Through the Sustainable Rivers Program (and its national MOU between USACE and TNC), Pittsburgh District seeks technical input on USACE reservoir operation from regional experts including TNC, USGS, the Western PA Conservancy, and PA Natural Heritage program. Specifically in FY19 USACE worked with these technical experts to model river flow scenarios and their impact on species' habitats. By collaborating with these partners, USACE includes biological expertise in the decision-making process, ground-truths models and maps, and creates environmental flow prescriptions to guide operations at USACE reservoirs.

Communication Tools

USACE uses a variety of communication tools and channels to inform and garner feedback from publics and stakeholders, such as websites and electronic mailings 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, communication and community relations plans 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), web maps and digital crowdsourcing tools 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.

Some specific highlights of communication tools used in FY19 include:

- Baltimore District leveraged the expertise of its Public Involvement Specialist to develop outreach materials for the Joint Base Anacostia-Bolling Levee Risk Communication effort, including the Levee Summary Sheet, PowerPoint presentations, and maps. This increased efficiency by reducing the amount of time needed to coordinate with stakeholders prior to the leadership and facility managers meetings.
- St. Louis District is working with the St. Louis Metro East Levee Issues Alliance to provide communication products to residents, farmers and businesses who depend on Metro East levees for flood risk reduction. The increased understanding of floods will foster shared responsibility for flood risk management by promoting meaningful flood risk reduction actions and collaboration with all units of government.
- In Memphis District, the Conservation Plan for the Endangered Fat Pocketbook Mussel in the St. Francis River outlines a successful communication structure that has resulted in the consultation process time being significantly reduced, saving both time and expense.

8. Comments and Suggestions on Reporting

Please comment on any **NEW or CHANGED** difficulties you encountered in collecting these data and if and how you overcame them. Please provide suggestions for improving these questions in the future. Please reference your agency's FY2018 report to identify new/increased difficulties. **If none, leave this section blank.**

Overall comments:

In spite of documents and webinars intended to show how to fill out the template, respondents remain confused about distinctions between programmatic or thematic information (as discussed in Q's 1, 2 and 6) and specific case-focused information (as listed in Q's 4, 5 and 7). Moreover, significant confusion exists about the boxes and categories in Q3. In future, USACE may provide simplified forms to districts, including only the specific case-related questions, while providing additional guidance and sample answers to division leaders for them to answer the programmatic questions more effectively.

Responses from the field:

- The way in which you asked many of the questions this year reduced the likelihood of redundancy from past year entries. However, it should be noted that you didn't phrase Q7 using the "new or changed" language, so I also reported on on-going efforts in FY19 that had also been previously reported. I will add that I felt the language this year also added clarity to what specifically you were looking for. As a suggestion, I would recommend for each ECCR case reported in Q4/5, that in the description itself, they categorize according to the chart in Q3; that might make it easier for you to understand which reported cases in Q4/5 they're categorizing as what in Q3. I'd also like to note that our District generally had fewer ECCR examples this year than in past years.
- This year, our Public Affairs Office is significantly understaffed and the person who often provided me with information moved onto another job this month. Therefore, some underreporting is also due to that personnel shift. For informational purposes, I reached out to the following groups and received information from the ones marked with an asterisk: Operations (Natural Resources Section)*, Project Management*, Planning and Environmental*, Water Management*, Dam and Levee Safety*, Real Estate, Public Affairs, Regulatory, and Outreach.
- Districts in South Pacific Division do not have systematic procedures in place to track ECCR activities. ECCR and no-third party environmental collaboration activities are primarily done on an ad-hoc basis as issues arise, using project, overhead, or coordination funds. The "3-3-3" requirements in the planning phase (3 years, \$3M, and 3 levels of review) exacerbate this situation due to limited project funds and streamlined schedules, which are now mandated by Congress. At present, there are no plans to specifically track cost and benefit information of ECCR activities or develop a mechanism for tracking.
- This is a challenging unfunded mandate to execute every year. This year the District Public Involvement Specialist identified a new source for most activities, the District's SITREP folders. It took some time to open every file for each month in FY19, but this investigation proved fruitful. Also PAO's news articles were a source. The best sources are always going to be the point person on any program that involves outreach. For example, all the risk communication tabletops exercises were provided by one of the dam/levee safety staffers who helped organize all of the workshops. Sometimes executive management could provide all inputs in one email, but that's the exception. And there are quite a few missing entries, known and unknown. This is by far the best representation of ECCR activities reporting over the last 7

years.

- Q3 ECCR tables are cumbersome and don't make sense; why are these categories the way they are? Make spaces for explanations/others.
- Create a DATABASE for the data to be entered and then easily updated each year. The format of this report/data call is cumbersome. Having a database would allow USACE to access the information more easily and use it for lessons learned, perhaps even tracking ECCR activities as an agency.

Please attach any additional information as warranted.

Report due February 21, 2020.

Submit report electronically to: kavanaugh@udall.gov

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

Informed Commitment	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
Balanced, Voluntary Representation	Ensure balanced inclusion of affected/concerned interests; all parties should be willing and able to participate and select their own representatives
Group Autonomy	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
Informed Process	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
Accountability	Participate in the process directly, fully, and in good faith; be accountable to all participants, as well as agency representatives and the public
Openness	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
Timeliness	Ensure timely decisions and outcomes
Implementation	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