

**US Army  
Corps of Engineers**



# **Conflict Resolution and Public Participation Center (CPC)**

*A U.S. Army Corps of Engineers'  
Center of Expertise and Directory of Expertise*



## **Strategic Plan**

2010-2014

*October 2010*



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Appendix A: Major General Don T. Riley, USACE Deputy Commander, *Designation of the USACE Conflict Resolution & Public Participation Expertise Center (CX) and Directory of Expertise (DX) at the U.S. Army Institute for Water Resources (CEIWR)*, Memorandum dated October 17, 2008.

Appendix B: President Barack Obama, *Memorandum on Transparency and Open Government*, January 21, 2009.

## ***PLAN AT A GLANCE***

### **Vision – *Who We Are***

The Conflict-Resolution and Public-Participation Center of Expertise (CPC) is an interdisciplinary team working to enable USACE to engage in effective public participation, collaboration, and conflict resolution.

### **Mission – *What Is Our Purpose***

CPC’s mission is to enable USACE staff to anticipate, prevent and manage water-related conflicts and engage in collaborative action successfully, with the goals of improving water resources management and ensuring that the interests of the public are addressed in a fair and transparent manner.

### **Goals – *How We Accomplish Our Mission***

- 1) Goal 1. Increase the success of collaborative and participatory processes for activities conducted by USACE and its partners by providing consultation services;
- 2) Build the capacity of USACE staff and its partners, and strengthen the collaborative capacity of USACE culture, to enable effective convening of and participation in collaborative processes;
- 3) Strengthen institutional knowledge and information exchange about conflict resolution and public participation across the Corps and with external partners
- 4) Establish the Corps as a thought-leader in the field by conducting research and pilot testing innovative processes, tools and approaches to meet the challenges and opportunities of the future.
- 5) Ensure the Corps’ effective implementation of federal conflict resolution and public engagement policies, domestically and internationally, by providing policy support to USACE leadership.



Means and strategies are described for each goal in the Goals and Objectives section below, with performance measures discussed at the end of the plan.

## **I. Establishing a Strategic Direction**

### **A. Introduction**

During the last decade, the federal government has been aggressively supporting the use of collaborative tools to accomplish agency missions. The 2004 Executive Order on Collaborative Conservation promotes the use of collaborative activity and local participation in federal decision making. The White House Council on Environmental Quality (CEQ) and the Office of Management and Budget (OMB) now require all U.S. government agencies to annually report on their use of environmental conflict resolution (ECR) processes in achieving their missions.<sup>1</sup> And most recently President Obama committed to establish a system of transparency, public participation, and collaboration, arguing that such openness will strengthen our democracy and promote efficiency and effectiveness in Government (enclosed in Appendix B). Such recognition of the importance of collaborative tools is widely reflected in Corps policy directions.

USACE's overarching strategy of Integrated Water Resources Management relies on and "embraces holistic and collaborative planning."<sup>2</sup> This is supported by a specific cross-cutting strategy to engage in collaboration and partnering. This thinking has grown and deepened over the years, and is reflected in numerous other directives and strategic documents. For example, the USACE Campaign Plan states as Objective 2b, that the Corps will "implement collaborative approaches to effectively solve water resources problems."<sup>3</sup>

Conflict resolution and public participation processes are also now central skills for achieving promised goals of the USACE – CW Program. They are embedded in the USACE strategic plan, environmental principles, watershed approaches and principles of IWRM. USACE national listening sessions repeatedly call for increased USACE use of these tools. Assistant Secretary of the Army for Civil Works (ASA-CW), Ms. Jo-Ellen Darcy, stressed that "*as demands for water resources increase, collaborations with Federal, state, local, and non-governmental partners must also expand if we are to remain relevant to the needs and expectations of our partners.*"<sup>4</sup> Ms. Darcy identified a strategic direction and operational goals for interagency and stakeholder collaboration as an area of special interest for USACE. These strategies are designed to move the Corps further along a continuum of engagement towards greater collaboration.

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<sup>1</sup> Joint Office of Management and Budget/ Council on Environmental Quality Memorandum on Environmental Conflict Resolution, November 2005.


<sup>2</sup> U.S. Army Corps of Engineers, *Sustainable Solutions to America's Water Resources Needs*, Civil Works Strategic Plan 2010-2014.

<sup>3</sup> U.S. Army Corps of Engineers Campaign Plan (version 6), January 14, 2009.

<sup>4</sup> ASA(CW) Jo-Ellen Darcy. Memorandum to MG Bo Temple, Deputy Commanding General for Civil and Emergency Operations, December 30, 2009.

Figure 1: CEQ’s Spectrum of Engagement<sup>5</sup>

<b>Inform</b>	<b>Consult</b>	<b>Involve</b>	<b>Collaborate</b>
<b>Lead agency provides others with information to assist them in understanding the problem being addressed, the alternatives considered, and the final decision made.</b>	<b>Lead agency informs others about a decision-making process and also seeks their feedback on analysis, alternatives, and proposed decision.</b>	<b>Lead agency works directly with others to ensure their issues and concerns are understood, considered, and directly reflected in the alternatives developed. Feedback is provided on how their input influenced the final decision.</b>	<b>Lead agency collaborates directly with others in decision-making process, including the development of alternatives, analysis of alternatives, and the formulation of the preferred alternative, while retaining ultimate authority for the final decision.</b>



Collaboration and public participation in the field of water resources management requires clear and candid risk communication. Without effective risk communication the public cannot be a true partner in risk management and water resources decision making. For example, changes in design that altered the reliability and residual risk of the Southeast Louisiana Hurricane Protection System were not fully recognized nor effectively communicated to stakeholders.<sup>6</sup>

Today USACE professionals must routinely manage multiple demands by multiple stakeholders, some of which conflict. In implementing a watershed approach, USACE professionals must work with stakeholders to jointly define problems and generate solution alternatives. USACE business processes are moving in directions that require conflict resolution, collaboration, and public participation such as increased collaboration with, and provision of scientific and technical assistance to, states for their own water planning and growing competition at regional and watershed levels as illustrated by ACT-ACF; Colorado River; Colombia River, including the 2014/2024 Treaty Study; the Missouri River; and Great Lakes studies by the International Joint Commission (IJC). Other initiatives that highlight the importance of collaborative processes include the Coastal America Partnership and regional sediment management activities. In Section 729 of WRDA 1986, Congress authorized the Corps to study water resources needs of river basins and regions with emphasis on intergovernmental coordination. The Section 404 Regulatory Program encourages increased use of general and area-wide permitting, including a growing number of applications involving water supply needs, and collaborative processes have played significant roles in the Comprehensive Everglades Restoration Plan (CERP), Louisiana Coastal Area Ecosystem Restoration Study (LCA), CalFed, and Louisiana Coastal Protection and Restoration Program (LaCPR)

<sup>5</sup> Adapted from CEQ’s Spectrum of Engagement found in *Collaboration in NEPA: A Handbook for NEPA Practitioners*, October 2007, pg 13.

<sup>6</sup> Leonard Shabman and Douglas Woolley, *Hurricane Protection Decision Chronology*, IWR Report March 2008.

Several studies conducted over the past two decades paint an increasingly nuanced picture of public involvement and collaboration in the Corps.<sup>7</sup> While there are some outstanding examples of successful USACE collaborations, there also remain many barriers to collaborating effectively with stakeholders. Findings from the Collaborative Capacity Assessment Initiative, the most recent of these reports, show that some aspects of USACE institutional procedures, regulations, and policies hinder USACE's ability to collaborate. Other CCAI findings reveal that many USACE staff do not know where to find practical conflict resolution and public participation tools and resources, or access lessons learned from colleagues' experiences. Findings from the annual Environmental Conflict Resolution Reports<sup>8</sup> show that for the past four years, USACE staff have identified a lack of time and money as major challenges for conducting environmental conflict resolution. Overall, capacity to conduct public involvement and collaborate fluctuates across the Corps due to varying amounts of resources, individual skills, and leadership support.

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<sup>7</sup> USACE *Collaborative Capacity Assessment Initiative* (Report forthcoming in 2010) and *Public Involvement in Flood Risk Management* (Report forthcoming in 2010); *Collaborative Planning in Action*. Washington, D.C. U.S. Army Corps of Engineers, 2009.; *A national dialogue about America's water resources challenges for the 21st century: National report on identified water resource challenges and water challenge areas*. Washington, D.C. U.S. Army Corps of Engineers, 2001.; *An Organizational Assessment of the U.S. Army Corps of Engineers in regard to Public Involvement Practices and Challenges*, IWR Working Paper 96-ADR-WP-9.

<sup>8</sup> U.S. Army Corps of Engineers. *Annual Report on Environmental Conflict Resolution for the Council on Environmental Quality*. Available at: [http://www.iwr.usace.army.mil/index.php?option=com\\_content&view=article&catid=21%3Apcp-public-participation-tools&id=34%3Areferences&Itemid=19](http://www.iwr.usace.army.mil/index.php?option=com_content&view=article&catid=21%3Apcp-public-participation-tools&id=34%3Areferences&Itemid=19).

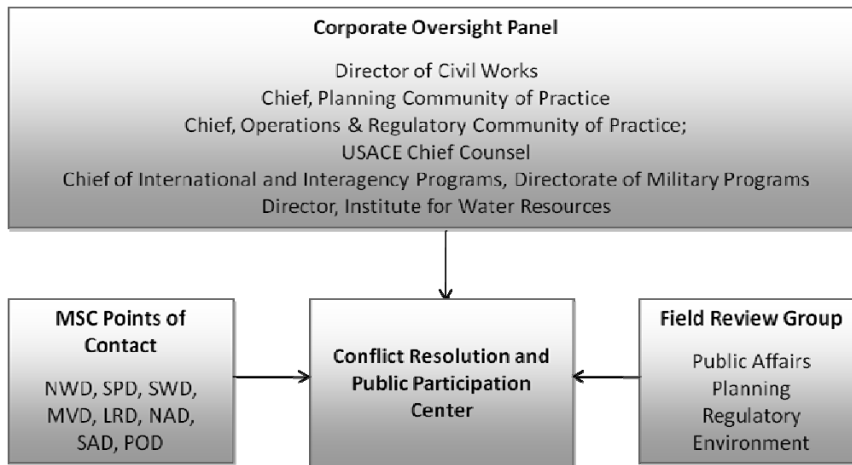
B. Establishment of the Conflict Resolution and Public Participation Center of Expertise

The factors above point to the need for a focal point to lead USACE’s development and expanded application of collaborative tools to facilitate contemporary water resources decision-making within the United States.

To meet that need, on October 17, 2008, Major General Riley signed an order establishing the USACE Conflict Resolution and Public Participation Center of Expertise (CPC) at the Institute for Water Resources (IWR), which will “act as the principal portal for the Corps to access best practices and to liaise with world leaders in these fields.”<sup>9</sup> MG Riley charged the CX to “support training and outreach programs, provide consulting and technical assistance across USACE, and maintain a Directory of Expertise (DX) of both USACE and external ECR/ADR experts and techniques applicable to the full project life cycle, including regulatory and pre and post project planning.”

General Riley established the CPC as a service for all of USACE. Official leads for the Center are CECW and CECC. CPC will coordinate with various Community of Practices, such as Planning, Environment (CW and MP), PAO, and Tribal Affairs. CPC receives guidance from a Corporate Oversight Panel comprised of the Director of Civil Works; the Chief of the Planning Community of Practice; the Chief of the Operations & Regulatory Community of Practice; USACE Chief Counsel; the Chief of International and Interagency Programs, Directorate of Military Programs; and the Director of the Institute for Water Resources. A Field Review Group provides annual input to the CPC program. The Director of Civil Works has assigned Points of Contacts in each Division to liaise between the CPC and their Division.<sup>10</sup> These POCs along with CPC’s staff at IWR form a network that ensures the Center will respond to the needs of Divisions and of the entire Corps.

**Figure 2: CPC’s organizational structure**



<sup>9</sup> MG Riley, *Designation of the USACE Conflict Resolution & Public Participation Expertise Center and Directory of Expertise* (Appendix A).

<sup>10</sup> Steve Stockton, Director of Civil Works, *Designation of MSC POC for Corps’ Conflict Resolution and Public Participation Center*, Letter to Regional Business Center Directors, September 10, 2010.



### C. IWR and USACE History in Conflict Resolution and Public Participation

Through its Institute for Water Resources, USACE has a proud history within the U.S. government in the conflict resolution and public participation areas. In the 1970s, IWR USACE Public Involvement & Public Participation programs were primarily focused on Civil Works. USACE was considered to be a leader in the U.S. government and collaborated with the White House to create the Interagency Council on Public Participation. USACE training in these fields set U.S. government standards. During the 1980s, the focus on participation gave way to an increased focus on cost sharing as a way to collaborate. At the same time planning emphasis also decreased.

Through the 1980s and 1990s, IWR USACE, in collaboration with the Chief Counsel, created the Alternative Dispute Resolution (ADR) program, focusing primarily on military programs and less on Civil Works. The program achieved 50% per year reduction in claims or about \$500 million per year on average for over five years before it was cancelled. Again, USACE training set the standard for U.S. government programs. For this, USACE was presented the Hammer Award by Vice President Gore.

During the 1990s, USACE construction initiated a program in partnering, which was added to the ADR program. It too dealt primarily with military and construction programs. Through this program the USACE partnered with Army General Counsel to create a national movement in construction industry which resulted in major improvement in contracting through the U.S. government and which spawned partnering programs in many states. Now there is a renewed interest in the tools of conflict resolution, collaboration and participation and a new convergence among the tools.

## **II. Vision and Mission**

*CPC's mission is to enable USACE staff to anticipate, prevent and manage water-related conflicts and engage in collaborative action successfully, with the goals of improving water resources management and ensuring that the interests of the public are addressed in a fair and transparent manner.*

Engaging in collaborative action successfully will help the Corps to develop and implement better solutions to water resources problems. Collaborative problem solving – with communities, other agencies, and other stakeholders – helps to generate broad public support for solutions that need to be implemented across many organizations and their authorities. Such collaborative problem solving and implementation is key to successful integrated water resources management. An auxiliary benefit of an increasingly collaborative and participatory Corps will be an improved public image with national recognition of the Corps' commitment to participation.

It is evident that the necessary knowledge, skills and abilities to accomplish our mission come from a variety of disciplines and experiences, internally in USACE both in the field and headquarters and externally in other federal agencies and in the private sector. Thus,



CPC's *vision* is an interdisciplinary team working to enable USACE to engage in effective public participation, collaboration and conflict resolution. CPC will work in cooperation with internal and external partners and engage at multiple levels improve water resource management levels. The team will serve as a catalyst for the multiple communities of practice within USACE field and headquarters offices and for partner organizations to jointly develop and expand the application of collaborative processes and tools so that they are on equal footing with scientific and technical tools in strengthening water resources decision making. CPC will also serve as a focal point and "connector" for those in the field and headquarters offices to access these processes and tools, strengthen the capability to use them successfully, and support improved decision-making through involvement of the public and other partners.

### III. Goals and Objectives

CPC's overarching strategy for achieving its mission is to develop and expand the application of effective processes and tools for public engagement, collaboration and conflict resolution to improve water resources decision making.

CPC implements this strategy through five broad goals that, taken together, we believe will help the Corps "deliver enduring and essential water resource solutions through collaboration with partners and stakeholders."<sup>11</sup> CPC's five goals are to:

- 1) Increase the success of collaborative and participatory processes for activities conducted by USACE and its partners by providing consultation services;
- 2) Build the capacity of USACE staff and its partners, and strengthen the collaborative capacity of USACE culture, to enable effective convening of and participation in collaborative processes;
- 3) Strengthen institutional knowledge and information exchange about conflict resolution and public participation across the Corps and with external partners;
- 4) Establish the Corps as a thought-leader in the field by conducting research and pilot testing innovative processes, tools and approaches to meet the challenges and opportunities of the future;
- 5) Ensure the Corps' effective implementation of federal conflict resolution and public engagement policies, domestically and internationally, by providing policy support to USACE leadership.



Figure 3: CPC Goals

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<sup>11</sup> Campaign Plan of the U.S. Army Corps of Engineers (version 6) January 14, 2009

**Goal 1: Increase the success of collaborative and participatory processes for activities conducted by USACE and its partners by providing *consultation services*.**

To accomplish this goal, CPC will provide ongoing consultation services to Corps field offices and headquarters on a cost reimbursable basis through its Directory of Expertise. CPC's staff and internal partners, supplemented by external conflict resolution and public participation experts, will provide direct diagnostic and process design advice for both short term and long term projects. CPC's specific objectives are as follows:

- *Objective 1.1:* Provide short term assistance by CPC & other Corps staff to field and headquarters staff anticipating or engaged in a controversial issue .

*Means and Strategies*

CPC will develop an intake process to ensure an efficient assessment of needs for each request for assistance from the field and headquarters. CPC will establish a network of USACE professionals skilled and available to assist in situation assessments, ways to incorporate sound science, process design, facilitation, risk communication and other public participation and conflict resolution services. A communication plan will be prepared to ensure that the availability of these services is widely known throughout USACE.

- *Objective 1.2:* Make the services of external conflict resolution and public participation professionals available to districts, divisions and headquarters for short or long-term situation assessment, process design, facilitation, risk communication and mediation.

*Means and Strategies*

The CPC will award an IDIQ contract to establish and manage a roster of external public participation and conflict resolution professionals that will be available on a cost-reimbursable basis for USACE and its partners for short or long-term situation assessment, integrating sound science into decision-making processes, process design, facilitation, risk communication and mediation. CPC also will facilitate the access of Corps divisions and districts to public participation and conflict resolution services through the U.S. Institute for Environmental Conflict Resolution. This supplemental mechanism will be appropriate in circumstances such as high complexity (e.g., multiple agency partners are involved), an external neutral is needed (e.g., there is distrust of the Corps among parties), and/or particular expertise is required (e.g. in cross-cultural communication).

**Goal 2: Build the capacity of USACE staff and its partners, and strengthen the collaborative capacity of USACE culture, to enable effective convening of and participation in collaborative processes.**

To accomplish this goal, CPC will establish an integrated program of training, peer learning, and mentoring that will enable Corps staff and partners to strengthen their knowledge, skills and abilities to engage in collaborative leadership and to participate effectively in conflict resolution and public participation processes.<sup>12</sup> CPC also will serve as a catalyst for periodic organizational-level assessments of the capacity within USACE culture for effective public engagement, collaboration and conflict resolution. CPC's specific objectives are as follows.

- *Objective 2.1:* Invest in a USACE culture that supports successful public participation, collaboration and conflict resolution with its partners, stakeholders and the general public.

*Means and Strategies*

The CPC will work in partnership with points of contact in each division to conduct periodic organizational-level assessments to identify strengths in the policies, systems and culture at the district and division level that support USACE capacity to convene and participate in effective public participation, collaboration and conflict resolution processes. In addition, CPC will launch and maintain a Program on Public Participation and Conflict Resolution within the Prospect course series, revamping the current public involvement Prospect course, integrating a new course on Risk Communication for Flood Risk Management, adding courses on Shared Vision Planning and other topics, and linking with existing courses relevant for public engagement, collaboration and/or conflict resolution managed by PAO, planning, and other communities of practice. CPC also will design and implement ongoing educational activities in multiple media, including webinars, presentations at workshops and conferences, and via peer learning networks.

- *Objective 2.2:* Establish and support a network of experienced facilitators, mediators, risk communicators, and other public engagement practitioners in all divisions and key districts, who offer direct consultation services in their division or district, and provide ongoing peer learning and coaching programs for this network.

*Means and Strategies*

The CPC will catalyze the development of a Community of Practice (CoP) in Public Participation and Risk Communication across USACE by identifying points of contact within each division and other specialists in facilitation, mediation, risk communication, collaborative modeling and other public participation and conflict

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<sup>12</sup> Relevant skills can include situation assessments, process design, facilitation, mediation, collaborative modeling, and other skills.

resolution processes. This CoP will share information and provide critical mass of experience and interest in collaborative processes across the Corps. Training, peer learning and coaching programs will be established to increase the membership in the CoP and to provide ongoing opportunities for professional development for its members, including but not limited to the education and training opportunities developed for Objective 2.1. Opportunities for USACE staff to obtain certification through professional associations also will be explored.

**Goal 3: Strengthen institutional knowledge and *information exchange* about conflict resolution and public participation across the Corps and with external partners**

USACE organizational culture includes a strong commitment to action, evaluation of results, capturing lessons learned, and disseminating this information to achieve improved results in the future. The Institute for Water Resources has played an important role historically in capturing and strengthening institutional knowledge for the Corps and disseminating that knowledge widely. CPC will continue these important functions in the area of public participation and conflict resolution. CPC – in consultation with field and headquarters staff – will identify gaps related to successful approaches and tools in current use by Corps personnel or other state or federal agencies. CPC also will serve as a catalyst for compiling existing knowledge and case examples within the Corps and from external experts and will establish a robust outreach program to disseminate this knowledge widely, including but not limited to building on and revitalizing the publications on public participation and alternative dispute resolution previously published by IWR. Some of this information will be in the form of “living documents” that can be regularly updated by CPC staff and partners. CPC also will collaborate with colleagues in headquarters and the field to identify opportunities and emerging challenges faced by USACE personnel, conduct research and pilot test innovative processes, tools and approaches.

- *Objective 3.1:* Establish an ongoing mechanism to collect descriptions of public participation, collaboration, and conflict resolution case examples throughout the Corps.

*Means and Strategies*

CPC will design and maintain an electronic database and establish a system for collecting case descriptions, relying to a significant degree on the points of contact in divisions and districts and other members of the community of practice. These case examples will be a resource for the annual report to CEQ, for training programs and reports on best practices, and for Objective 3.2 below.

- *Objective 3.2:* Establish an ongoing mechanism for obtaining insights and advice from headquarters and regions about best practices and useful case studies to disseminate and recurring challenges faced by the Corps and its partners.

*Means and Strategies*

CPC will draw on the CoP of experienced public engagement and conflict resolution practitioners and advocates in divisions and districts (Objective 2.2), the collaborative capacity assessment (Objective 2.1), the roster of external conflict resolution and public participation professionals (Objective 1.2), and the case database (Objective 3.1) above to identify best practices within the Corps, lessons learned from case experience, and challenges for which new approaches or tools may be needed.

- *Objective 3.3:* Publish and publicize reports on best practices of conflict resolution and public participation.

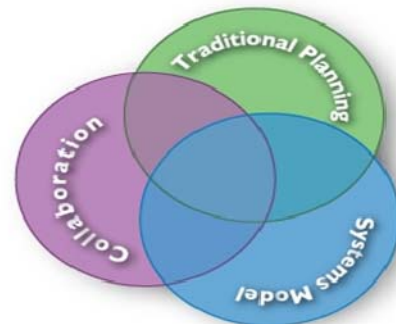
#### *Means and Strategies*

CPC will review IWR publications and other information sources within USACE on public participation and conflict resolution, update and publicize the availability of existing IWR public participation and alternative dispute resolution reports, compile a bibliography of papers and reports from related communities of practice, supplement these existing resources with one or more reports on best practices identified in Objective 3.1 above, and consider one or more additional routine modes of information dissemination, including a monograph series, workshops, or webinars.

CPC also will publish and disseminate reports specifically related to the use of modeling tools in water resources decision making, including a book on computer-aided dispute resolution (CADRe) and a monograph within the professional community on best practices on collaborative modeling.

#### **Goal 4: Establish the Corps as a thought-leader in collaborative processes, tools and approaches by conducting *research* and pilots to meet the challenges and opportunities of the future.**

The success of Corps' projects and programs also benefits from a tradition of investment in research and innovation, establishing the Corps as a leader in the water resources field. CPC will collaborate with colleagues in headquarters and the field to identify opportunities and emerging challenges faced by USACE personnel, convene meetings or workshops to explore these challenges, discuss ideas for new tools and further development of existing tools, and sponsor the development and pilot testing of tools that appear promising. IWR and now CPC's recent work to develop and pilot test Shared Vision Planning is a good example of this. New initiatives to modify and test SVP approaches in a regulatory context continue to advance new knowledge about ways to integrated multi-stakeholder involvement with modeling tools. CPC's specific objectives are as follows:



**Figure 4: Components of Shared Vision Planning**

- *Objective 4.1:* Develop innovative applications of technology in conflict resolution and public participation (e.g. Shared Vision Planning, web-based dialogues).

*Means and Strategies*

CPC will collaborate with colleagues in headquarters and the field to identify opportunities and emerging challenges faced by USACE personnel. The CPC will convene meetings or workshops to explore these challenges and to discuss ideas for new tools and further development of existing tools and will sponsor the development and pilot testing of tools that appear promising. IWR and now CPC's recent work to develop and pilot test Shared Vision Planning is a good example of such an effort to advance new knowledge about ways to integrated multi-stakeholder involvement and sound science with modeling tools. CPC will continue to research and pilot the use of collaborative decision support and computer modeling tools in different contexts (e.g. the regulatory context) including different stages of collaborative processes (e.g., eliciting and responding to public comments). CPC will investigate and test visualization techniques and ways to communicate uncertainty and risk. Efforts will include establishment of best practices for what tools to apply in different collaborative decision making contexts, and stages.

CPC also will identify, develop and pilot test tools and approaches for USACE to take advantage of "new media" (e.g. Web 2.0) in public participation, with particular attention to the challenges of planning or ecosystem restoration projects that involve large geographic areas, and a diverse range of stakeholder groups.

- *Objective 4.2:* Strengthen the Corps' ability to meet emerging issues and future challenges in public participation and conflict resolution.

*Means and Strategies*

Identify and support the development of new tools and approaches to address emerging issues and future challenges with implications for how the Corps engages in public participation and conflict resolution. For example, adaptation to climate change and the related scientific uncertainty or increased consideration of energy-water linkages will likely increase the scale and complexity of public participation and conflict resolution processes and may create new opportunities for collaborative action among Corps partners, stakeholders and the public.

**Goal 5: Ensure the Corps' effective implementation of federal conflict resolution and public engagement policies, domestically and internationally, by providing policy support to USACE leadership.**

To accomplish this goal, CPC will provide support to Corps headquarters in designing and implementing policies and programs that seek to make the Corps a more collaborative and participatory agency. CPC will be available to assist in the review or drafting of guidance and policies that relate to collaboration, and advise headquarters on



current national and international trends or issues in public participation, conflict resolution and collaborative governance. CPC will serve as a pivotal liaison with other centers of expertise on conflict resolution, and will staff required interagency gatherings and report generating efforts. CPC will also serve as a resource for special national or international initiatives on public participation and conflict resolution. These initiatives may be inter-organizational or internal to the Corps. To be most effective in these efforts, CPC will leverage the full resources of the Corps by collaborating with Public Affairs Offices, Office of General Counsel, the Engineering Research and Development Center, and appropriate sections of Headquarters, Divisions and Districts.

- *Objective 5.1:* Serve the Corps as the focal point for external coordination and reporting on conflict resolution and public participation.

*Means and Strategies*

Lead the development of the required annual Environmental Conflict Resolution report to CEQ. Serve as the liaison with other Conflict Resolution Centers in Army and other agencies. Represent the Corps at CEQ's quarterly ECR forum. Serve as the lead for the Corps MOU with the U.S. Institute for Environmental Conflict Resolution. Lead Corps participation in national ECR forums such as the National ECR conference.

*Objective 5.2:* Support Corps Headquarters in the development and implementation of policies and regulations.

*Means and Strategies*

Support may include review of proposed or current policies, development of new policies or guidance, or studies on public participation policies in other agencies and recommendations for the Corps. Incorporate collaborative processes within general Corps & federal water policies such as the Planning Guidance notebook, or the Principles and Guidelines.

- *Objective 5.3:* Provide advice and support on conflict resolution and public participation to Corps international initiatives.

*Means and Strategies*

Serve as a liaison on collaborative process issues to the State Department and international water forums such as the Global Water Partnership, World Water Council and World Water Forum. Provide technical expertise and support in relevant areas to the Corps' international programs including the UNESCO Category 2 International Center for Integrated Water Resources Management.

- *Objective 5.4:* Support Corps Leadership (ASA & HQ) on relevant parts of special initiatives.



### *Means and Strategies*

Provide technical expertise and support, as requested, for national initiatives such as the USACE Campaign Plan, Actions for Change, the White House Memorandum on Transparency and Open Government, and Collaborative Tools and Processes Initiative of the National Science and Technology Council.

## **IV. Performance Measures**

CPC will track several output and outcome measures as tools for assessing and strengthening the performance of its mission to *'enable USACE staff to anticipate, prevent and manage water-related conflicts and engage in collaborative action successfully, with the goals of improving water resources management and ensuring that the interests of the public are addressed in a fair and transparent manner.'*

Specific products or outputs associated with the objectives above might include increasing numbers of members in the Community of Practice, the number of situations in which services were provided, publications, courses developed, webinars delivered, etc. However, it is also critical to assess more deeply the degree to which the intended results of these products are achieved (outcomes), even though these results can be difficult to measure and are as much determined by the actions of others as the CPC alone.

Over the next year, CPC will develop performance measures to track the outcomes of its activities and welcomes suggestions from its partners. Examples of possible indicators of desired results include the following (although not all may be possible to measure):

### Possible Indicators:

1. The percentage of Army and USACE employees that recognize the CPC and are aware of our resources increases over time. The CPC is recognized as a valuable resource for the organization by more and more people.
2. Reports of the use of collaborative processes in projects and programs reflect a greater diversity of missions and geographic range of the Corps over time.
3. An increasing percentage of COP members have achieved certification or have advanced degrees in one or more public participation or conflict resolution services.
4. Participants in the ADR/Collaboration series Prospect courses reflect a greater diversity of missions and geographic range of the Corps over time (showing that the high value of ADR/Collaboration is widespread)
5. Corps projects and processes are increasingly cited as good examples of best practices in public participation and conflict resolution

6. Water resources policies, engineering circulars and other documents include explicit reference to and guidance about collaboration.

## **V. The Way Forward**

Since the creation of CPC two years ago, the Center has coordinated with other communities in USACE with related missions, established a new network of Corps staff who frequently use conflict resolution, public participation, collaboration, and risk communication, and completed a baseline study of collaboration in the Corps, all while simultaneously beginning to implement its designated mission. The Center has used these experiences to establish a strategic direction, enclosed within this plan. This strategic plan, released on CPC's second anniversary, provides a roadmap for the next five years of its operations and outlines the first steps towards achieving CPC's five goals of consultation services, capacity building, information exchange, research, and policy support. In 2014 the Center will take stock of its accomplishments and related outcomes to ensure continued relevant service as it helps to push the Corps from good to Great.

Appendix A: October 17, 2008 Memorandum establishing the Center



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:

CEIWR-ZA

17 October 2008

MEMORANDUM FOR MSC Commanders, Districts, Laboratories, and FOA's

SUBJECT: Designation of the USACE Conflict Resolution & Public Participation Expertise Center (CX) and Directory of Expertise (DX) at the U.S. Army Institute for Water Resources (CEIWR)

1. References:

- a. Executive Order No. 13352 - *Facilitation of Cooperative Conservation*, 24 August 2004.
- b. Joint Memorandum on *Environmental Conflict Resolution* issued by Joshua Bolton, Director of the Office of Management and Budget (OMB), and James Connaughton, Chairman of the President's Council on Environmental Quality (CEQ), 28 November 2005, directing federal agencies to "increase the effective use of environmental conflict resolution (ECR) and build institutional capacity for collaborative problem-solving."
- c. CEQ Directive on Agency Implementation of Executive Order No. 13352 on avoiding litigation and resolving environmental disputes, 20 April 2006.
- d. Letter dated 29 November 2006 from John Paul Woodley, Jr., Assistant Secretary of the Army (Civil Works), transmitting the Army Civil Works 2<sup>nd</sup> *Annual Report on Environmental Conflict Resolution* to the Chairman, CEQ.
- e. ER-1110-1-8158, *Corps-Wide Centers of Expertise Program*, 16 January 1998.
- f. Policy Guidance Letter No. 61 - Application of Watershed Perspective to Corps of Engineers Civil Works Programs and Activities, 27 Jan 1999
- g. EC 1105-2-409, *Planning in a Collaborative Environment*, 31 May 2005.
- h. Civil Works Strategic Plan (2004-2009), March 2004.
- i. USACE Campaign Plan, Goal 2, Objective 2b - "Implement collaborative approaches to effectively solve water resources problems", August 2008.

2. Reference 1(b) defines ECR as "third-party assisted conflict resolution and collaborative problem-solving in the context of environmental, public lands, or natural resource issues or conflicts". This reference found that the promotion of collaborative problem solving and wider use of alternative dispute resolution (ADR) techniques is needed to help federal agencies overcome the governance challenge of balancing competing public interests which can manifest problems such as lengthy planning processes; delays in implementing decisions; protracted litigation; foregone investments; lower quality outcomes; and lack of trust between stakeholders.

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SUBJECT: Designation of the USACE Conflict Resolution & Public Participation Expertise Center (CX) and Directory of Expertise (DX) at the U.S. Army Institute for Water Resources

3. Reference 1(b) also requires the submission of an annual report documenting agency progress in advancing the active use of ADR and collaborative problem solving into its natural resources programs. This includes documentation of the steps being taken to build an enhanced institutional capacity for collaborative problem-solving, the number of staff trained in ADR techniques, and provision of results-oriented documentation of the number of successful outcomes as result of ADR, ranging from conflict prevention (avoidance) or minimization to conflict resolution.

4. As stated in reference 1(f), "collaboration is the keystone of the Corps watershed approach". The active use of a wide range of collaborative techniques is fully consistent with the refreshed *USACE Campaign Plan* [reference 1(i)] the *Civil Works Strategic Plan*, ([reference 1(h)], the *Actions for Change* Theme 3 on *Risk Communication*, and the contemporary imperative for the Corps to work collaboratively with its Federal, State, local and NGO partners in developing consensus-based solutions to increasingly complex problems within an integrated, systems context.

5. In light of 1-4 above, it is essential that the Corps place a renewed and increased emphasis on developing, promulgating, and infusing ADR tools and other collaborative problem solving capabilities throughout USACE, including workshops and training at the executive and staff levels.

6. The Conflict Resolution & Public Participation (CPC) CX is assigned to the Institute for Water Resources (IWR), which is fully consistent with the Institute's pioneering role in the use of public participation and ADR techniques within the U.S., and most recently, in advancing the use of technically informed collaborative planning approaches such as Shared Vision Planning (SVP) and other Computer-Assisted Dispute Resolution (CADRe) techniques which combine contemporary public involvement consensus-building with state-of-the-art technical modeling to prevent or minimize the occurrence of disputes.

7. The CX will support training and outreach programs, provide consulting and technical assistance across USACE, and maintain a Directory of Expertise (DX) of both USACE and external ECR/ADR experts and techniques applicable to the full project life cycle, including regulatory and pre and post project planning. The attachment documents the responsibilities, methods and operations of the CX.

8. The lead Conflict Resolution & Public Participation CX proponents at HQUSACE are CECW and CECC. The POC's at IWR are Dr. Jerry Delli Priscoli and Dr. Hal Cardwell.

FOR THE COMMANDER:

Encl

  
DON T. RILEY  
Major General, USA.  
Deputy Commander

Wednesday, January 21st, 2009 at 12:00 am

## **Transparency and Open Government**

### **MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES**

**SUBJECT:** Transparency and Open Government

My Administration is committed to creating an unprecedented level of openness in Government. We will work together to ensure the public trust and establish a system of transparency, public participation, and collaboration. Openness will strengthen our democracy and promote efficiency and effectiveness in Government.

*Government should be transparent.* Transparency promotes accountability and provides information for citizens about what their Government is doing. Information maintained by the Federal Government is a national asset. My Administration will take appropriate action, consistent with law and policy, to disclose information rapidly in forms that the public can readily find and use. Executive departments and agencies should harness new technologies to put information about their operations and decisions online and readily available to the public. Executive departments and agencies should also solicit public feedback to identify information of greatest use to the public.

*Government should be participatory.* Public engagement enhances the Government's effectiveness and improves the quality of its decisions. Knowledge is widely dispersed in society, and public officials benefit from having access to that dispersed knowledge. Executive departments and agencies should offer Americans increased opportunities to participate in policymaking and to provide their Government with the benefits of their collective expertise and

information. Executive departments and agencies should also solicit public input on how we can increase and improve opportunities for public participation in Government.

*Government should be collaborative.* Collaboration actively engages Americans in the work of their Government. Executive departments and agencies should use innovative tools, methods, and systems to cooperate among themselves, across all levels of Government, and with nonprofit organizations, businesses, and individuals in the private sector.

Executive departments and agencies should solicit public feedback to assess and improve their level of collaboration and to identify new opportunities for cooperation.

I direct the Chief Technology Officer, in coordination with the Director of the Office of Management and Budget (OMB) and the Administrator of General Services, to coordinate the development by appropriate executive departments and agencies, within 120 days, of recommendations for an Open Government Directive, to be issued by the Director of OMB, that instructs executive departments and agencies to take specific actions implementing the principles set forth in this memorandum. The independent agencies should comply with the Open Government Directive.

This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

This memorandum shall be published in the *Federal Register*.

BARACK OBAMA