US Army Corps
of Engineers

PARTICIPANTS' WORKBOOK

PUBLIC INVOLVEMENT & TEAMING IN PLANNING

A Core Training Program for
US Army Corps of Engineers Planners

Developed by the US Army Corps
Institute for Water Resources
Fort Belvoir, VA

Welcome to the PUBLIC INVOLVEMENT AND TEAMING IN PLANNING Training Course

Corps of Engineers planners work in a very different environment than they did in the past. In today's environment they often work in teams. These teams almost inevitably involve multiple disciplines, not just engineering. Increasingly these teams are multi-agency teams involving project sponsors, other federal and state agencies, and occasionally stakeholder groups or private individuals. These teams, in turn, often consult with a broader public, identifying and addressing public concerns as the agencies proceed through the planning process.

This requires two sets of skills. It requires excellent technical skills, reaching across disciplines to consider alternatives that in the past were often not evaluated. In addition, today's decisions often rest on a scientific basis that is itself incomplete. This sometimes means that planners must first get agreement on what studies need to be conducted to ensure that decisions are based on science, not rhetoric. As a result, Corps planners need a breadth of technical knowledge that goes beyond the Corps' traditional excellence in engineering. These technical skills are taught in the other core training courses for planners.

But in this new environment, Corps planners and project managers also must possess a second set of skills – the skills of designing and conducting processes that draw together our partners and stakeholders, resulting in decisions that enjoy broad public support. Gone is the era when the Corps would simply Decide-Announce-Defend. In the new era, planning is done <u>with</u> potentially affected agencies, organizations, and individuals. Sometimes we consult with them, then reach the final decision. Sometimes they are full partners. But in all cases, we attempt to address their issues to the extent to which we are able, reducing or eliminating the controversies that result in lawsuits not projects.

It is this second set of skills that is taught in this course.

Learning Objectives:

By the end of this course you will be able to:

- Identify the characteristics of effective public involvement processes
- Facilitate a team or public meeting
- Design an interactive team or public meeting or workshop
- Identify behaviors that escalate conflict during a dispute with other agencies or the public – and identify behaviors that halt this escalation
- Develop a public participation plan
- Select appropriate techniques for a participatory process

The skills you will learn in this course, when matched with the technical skills you are learning in other core planning courses, will increase your effectiveness at providing true public service in the new working environment.

Teaching Methodology

This course is designed to teach skills, as well as concepts. When learning a skill, it isn't enough just to "know about" the skill. Skills have to be practiced, preferably in conditions that replicate the circumstances under which the skill will be used. For this reason, the general sequence for each skill taught in this course is: (1) brief presentation; (2) a class activity or team exercise in which you apply the skill; and (3) a class discussion or debriefing to focus in on key issues or important things that were learned from the activity.

This means that the course is interactive, and your active participation is an essential part of your learning. Look upon each team exercise, for example, as another opportunity to learn more about working in teams. Also, remember that all skills require practice – and the more you practice them the better you will get. This course will give you the basics of each skill. But look on this training as simply getting launched and reinforce the skills you learn with regular practice when you get back on the job.

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COURSE AGENDA

Monday

1:00 – 1:40	Welcome, Course Logistics, Around-the-room introductions – What Do You Hope to Learn from this Course?
1:40 – 2:00	Course Overview
2:00 – 2:45	Presentation: Planning 101
2:45 – 3:00	Presentation: Overview of a “Thought Process” for Designing a Public Involvement Program
3:00 – 3:15	Break
3:15 – 3:45	Presentation: Why Involve the Public in “Technical” Decisions?
3:45 – 4:15	Exercise: The Role of Values in Planning
4:15 – 4:45	Team Reports
4:45 – 5:00	Assignment and Initial team Meeting: Current Uses of Public Involvement

Tuesday

8:00 – 9:00	Team Exercise: Current Uses of Public Involvement and Teaming in the Corps
9:00 – 9:30	Briefings for the Chief
9:30 – 10:00	Group Exercise: Why is “Public Engineering” Important?
9:30 – 10:00	Class Discussion
10:00 – 10:15	Break
10:15 – 10:45	Presentation: Who is the Public – Stakeholder Identification
10:45 – 11:15	Class Exercise: Identifying Stakeholders
11: 15 – 11:30	Team Reports
11:30 – 12:00	Negotiation Exercise: Business Eggs
12:00 – 1:00	LUNCH

1:00 – 1:30	Debriefing on Business Eggs Negotiation
1:30 – 2:15	Class Exercise: What Happens When People Experience
2:15 – 3:15	Presentation and Class Activity: Active Listening Skills-Building
3:15 – 3:30	BREAK
3:30 – 4:30	Small Group Exercise: Active Listening Practice
4:30 – 5:00	Presentation: How Audiences React to Meeting Leaders

Wednesday

8:00 – 8:30	Presentation and Class Activity: Communicating Concerns When You are Leading a Meeting
8:30 – 9:15	Small Group Exercise: Communicating Concerns
9:15 – 10:00	Presentation: The Facilitation Role
10:00 – 10:15	Break
10:15 – 10:30	Team Exercise Instructions: Facilitation Skills Building
10:30 – 12:00	Team Exercise: Facilitating a Multi-Agency Working Group Meeting
12:00 – 1:00	LUNCH
1:00 – 2:00	Team Exercise: Facilitating a Multi-Agency Working Group Meeting - continued
2:00 – 2:45	Presentation: Designing Interactive Meetings & Workshops
2:45 – 3:00	Break
3:00 – 3:40	Team Exercise: Designing a Workshop
3:40 – 4:00	Team Reports from Workshop Design Exercise
4:00 – 4:30	Team Exercise: Intergroup Behavior
4:30 – 5:00	Debriefing on Intergroup Behavior Exercise

Thursday

8:00 – 8:45	Presentation: The Dynamics of Working in Teams
8:45 – 9:15	Team Exercise: How Disputes Escalate
9:15 – 9:40	Team Reports and Class Discussion
9:40 – 10:00	Presentation: Techniques for Breaking the Pattern of Escalation
10:00 – 10:15	Break
10:15 – 10:45	Presentation: A Thought Process for Designing Public Involvement Programs
11:00 – 12:00	Team Exercise: Conducting a Process Appraisal
12:00 – 1:00	LUNCH
1:00 – 1:15	Debriefing on the Process Appraisal
1:15 – 2:15	Team Exercise: Designing a Public Participation Program
2:15 – 2:30	Debriefing on the Design Progress
2:30 – 2:45	Break
2:45 – 3:30	Presentation: Overview of Public Involvement Techniques
3:30 – 4:30	Team Exercise: Selecting Techniques
4:30 – 5:30	Team Reports and discussions

Friday

8:00 – 9:00	Presentation: Strategic Communication
9:00 – 10:00	Presentation: Effective Media Interviews
10:00 – 10:15	
10:15 – 11:15	Special Issues in Public Involvement Implementation (Presentation)

- The Federal Advisory Committee Act
- Legal Requirements for Public Meetings
- Use of polls, surveys, or questionnaires
- Use of Consultants
- Budgeting for Public Involvement

- Evaluating Public Involvement Program

11:15 – 11:50 Q&A with the Instructors

11:50 – 12:00 Wrap-Up and Final Comments

ABOUT THE INSTRUCTORS

Jerome Delli Priscoli, Ph.D.

Dr. Delli Priscoli is a Senior Policy Advisor at the U.S. Corps of Engineers' Institute for Water Resources. He has directed the Corps research, training and field assistance programs on social assessment, public involvement, and Alternative Dispute Resolution. He has been a member of the US delegation to the Middle East Multilateral in invoiced in the establishment of the Global Water partnership (GWP) and the World Water Council (WWC). He is past President of the International Association for Public Participants Practitioners (IAP2). He has worked extensively, on all continents, with the World Bank, UNESCO, UNDP, UNTCD, FAO, ESCAP and most of the multilateral lenders and donors dealing with water resources issues. Dr. Delli Priscoli is editor in chief of the WWC's official journal *Water Policy*. He recently completed a book, *Water and Civilization*, for UNESCO. He is the author of over 50 articles and books on these topics and has taught at major Universities throughout the World. He received his bachelors in economics from Tufts University and his doctorate from Georgetown University in political science. He has done post-graduate work in theology and philosophy.

Erika Hieber, M.S.

Erika works for IWR as an environmental planner. She is currently assigned to the Program Analysis Division, where she has been focusing on efforts related to field training and support, CW Program performance, urban watershed management, and strategic planning. In this position, Erika also works directly with Districts on their planning studies, providing assistance with the design, organization, and implementation of public involvement and team building activities. Her previous IWR home was in the Policy and Planning Division where she worked on watershed and environmental related efforts, such as the CW Watershed Perspective and the American Heritage Rivers Initiative. Prior to IWR, Erika worked at the Baltimore District. She started her career as a biologist in the Regulatory office, and then moved over to Planning Division where she participated in CW CAP and GI studies as a study manager and environmental team member. Life before the Corps was about migrating up and down the Mid-Atlantic region training marine mammals at Mystic Marinelife Aquarium and helping public water systems deal with drinking water regulations as an EPA contractor. Matriculating breaks were at the University of Rhode Island (B.A. Marine Biology) and the Johns Hopkins University (M.S. Environmental Science and Policy). When not in Corps mode, you can probably find Erika teaching a fitness class, improving her photography skills, or painting something around the house.

Kevin W. Bluhm

Kevin currently serves as Unit Leader for Economics Unit and Public Involvement Team Leader for UMR-IWWS Navigation Study in the St. Paul District. The duties of unit leader were added to the PI duties for the Navigation Study. Kevin oversees the economic, social, and public involvement workload for the district. He has built a contracting network for economic/GIS data collection, social acceptability/values interviews, and public involvement programs. College life and degree from the University of Wisconsin with a B.S., Agricultural Economics, Minor in Journalism.

David A. Dankel

Dave is currently a water resource planner with the Walla Walla District Corps of Engineers. He is a project manager on aquatic ecosystem restoration projects and also coordinates public involvement/outreach activities for planning studies. In 2000, Dave was invited to Russia by the World Conservation Union where he presented a paper at an international forestry conference on developing a nationwide public outreach program. Dave has also worked as an outdoor recreation planner with the Corps in Walla Walla where his family has lived since 1992. Previously, Dave spent 17 years as a park ranger and park manager with the Corps at Dworshak Dam and Reservoir in Orofino, Idaho, where he was responsible for managing visitor services and recreation facilities on the 54-mile- long reservoir. He served as a Peace Corps volunteer in Colombia, South America, involved at the national level in park planning and management. Dave earned a B.S. in Forest Resources from University of Washington (1971) and a M.S. in Environmental Communications from the University of Idaho (1991). Dave is a Certified Forester, Certified Park and Recreation Professional, and an amateur radio operator (WB7- QFS). He is especially interested in music and plays both the trumpet and the guitar. When Dave is not playing for a band gig, he enjoys photography, international travel, and outdoor activities. Dave and wife Alicia have two grown children who are college graduates and live in the Pacific Northwest.

John G. (Jack) Fredine

Jack has been a Project Manager in the Planning, Programs and Project Management Division of the New Orleans District since 1990. His projects involve environmental restoration, accomplished principally by diverting freshwater, nutrients and sediment from the Mississippi River into the wetlands in Coastal Louisiana. These projects demand an extensive amount of contact and communication with Federal and State agencies, the media, and the general public in order to gain understanding, credibility and support for Corps projects designed to combat the serious land loss problems in this part of the Gulf Coast. To do this, Jack had to incorporate elements of hydrology, biology, geology, sociology and economics into his Civil Engineering background, so he could tell the story and sell the concept to a large variety of audiences. Prior to his Project Management lifetime, Jack spent the previous thirty years building stuff,

including alleys, streets, buildings, highway bridges, parks, railroad yards, levees, and floodwalls, while working for consulting firms, construction contractors, and government agencies in Washington D.C., Bardstown Kentucky, Atlanta Georgia, and Lexington North Carolina - - finally landing in Louisiana over twenty years ago. After high school, he enrolled in the Mining Engineering curriculum at Penn State for four and a half semesters, then spent three years in the Army purging coal dust from his brain before finally obtaining an undergraduate degree in Civil Engineering at the George Washington University. Jack is certain that building environmental projects for the Corps presents more challenges than he encountered in the previous thirty years! He was a Civic Association President for ten years, but is presently finding greater reward for his efforts on tennis and racquetball courts on the senior circuit.

Alicia Kirchner

Alicia is a water resources planning specialist with the Sacramento District Corps of Engineers. She has worked with the Corps planning process and programs in various capacities for the past 9 years. Alicia is the planning technical lead for a system-wide study of the 2 largest rivers in California's Central Valley, the study area of which is 43,000 square miles. This programmatic study includes unique approaches to plan development, associated technical studies, and public and agency participation. She is the District's Continuing Authorities Program Planning lead and she facilitates coordination and accomplishment of those smaller-scoped studies. She provides guidance and conducts independent technical review for a number of planning studies. Alicia served as the District's Continuing Authorities Program Manager in the late 1990's. She has worked on a number of planning studies and developed many environmental compliance documents. Alicia received a B.A. in History from California State University at Sacramento in 1993. She has lived in Sacramento all her life.

Matthew T. Rea

Matt is a Community Planner with the U.S. Army Corps of Engineers, Portland District, in Portland Oregon. He works as a Project Manager within the Planning Branch of the district's Programs, Project Management and Planning Division. He is currently managing two General Investigations feasibility studies, one an ecosystem restoration study looking at opportunities for restoring natural floodplain functions in the Willamette River basin and the other an evaluation of the potential for reallocation of storage in the Corps' 13-dam Willamette Reservoir system. He also manages one Section 1135 project currently under construction, which is restoring 400 acres of wet prairie wetland habitat. In addition to his Project Management duties, Mr. Rea also serves as the district's Willamette Basin Coordinator. In that role, he is facilitating ongoing Endangered Species Act Section 7 consultation for continued operation of the Willamette Reservoirs, and is working with the Oregon Department of Environmental Quality under the Clean Water Act to develop Total Maximum Daily Load allocations for the Willamette projects. Mr. Rea has been with the Portland District for 25 years. He has a B.S. in Forest Resource Management (Outdoor Recreation Planning) from

Oregon State University (1979). In his spare time, Mr. Rea is a volunteer ski patroller with the Mt. Hood Ski Patrol. He also enjoys fly fishing, camping, hiking, running and homebrewing. Matt and his wife Tina live in Portland with their five-year old daughter, Kira.

CLASS MATERIALS

MONDAY

Presentation:
COURSE OVERVIEW

Readings accompanying Course Overview:

-- Lieutenant General Robert B. Flowers; *United States Army Corps Of Engineers White Paper*, 2001, Compact Disk – Course Readings, pg. 3.

WHAT DO YOU HOPE TO LEARN FROM THIS COURSE?

Take a moment to jot down what you hope to learn during this training course:

NOMINAL GROUP PROCESS

- Opening Presentation
- Introductions
- Posing Activating Questions
- Generating Ideas
- Recording Ideas
- Discussion
- Selecting and Prioritizing Ideas
- Discussion of Results

LEARNING OBJECTIVES FOR THE COURSE

By the end of this course you will be able to:

- Identify the characteristics of effective public involvement processes
- Facilitate a team or public meeting
- Design an interactive team/public meeting or workshop
- Identify behaviors that escalate conflict during a dispute with other agencies or the public – and identify behaviors that halt this escalation
- Develop a public participation plan
- Select appropriate techniques for a participatory process

COURSE OVERVIEW

MON	TUES	WEDS	THURS	FRI
Course Overview Public Involvement in the Planning Process The Role of Values in Planning	Current Uses of PI and Teaming Who is "the Public?" Meeting Leadership Skills Active Listening	Communi-cating Concerns Facilitation Facilitation Practice Designing Workshops Intergroup Behavior	Working in Teams Preventing Escalation Designing a Public Involve-ment Program Process Design Process Appraisal P.I. Techniques	Strategic Commun-ication Implemen-tation Issues Q&A

CORPS' STRATEGIC OBJECTIVES

- **People**. Be recognized for the technical and professional excellence of our world-class workforce, functioning as teams delivering projects and services.
- **Process**. Use the Project Management Business Process to operate as One Corps, regionally delivering quality goods and services.
- **Communication**. Communicate effectively to build synergistic relationships that serve the nation.

This course is designed to meet all three of these objectives. The skills taught in this course will improve your ability to function in teams and, in particular, will focus on communication and interaction skills that are essential to build synergistic relationships that serve the nation.

UNITED STATES ARMY CORPS OF ENGINEERS
WHITE PAPER
2001

"…The public must have trust and confidence in our process as well as in those entrusted with implementing that process. Our integrity must remain beyond reproach. We will be open and responsive in working with all interested parties in the execution of our studies, projects, and in our regulatory responsibility. We will reach out to stakeholders early and actively listen to the concerns on all sides of issues. We will promote dialogue. We will seek to build consensus and always strive to do what is right. The Army Corps of Engineers is vitally important to the Nation and vital to the livelihood of most Americans - this has not changed in 225 years. I believe the Corps is a national resource that plays an indispensable role in serving the public."

Lieutenant General Robert B. Flowers
Commanding General
United States Army Corps of Engineers

COURSE OVERVIEW – Continued

- In today's planning environment, planners and project managers need two skill sets:

  - Technical Skills: Knowledge and experience in engineering, planning, and environmental sciences

  - Process Skills: Designing processes to consult with or include others in reaching decisions that enjoy sufficient support they can be implemented.

  This course will concentrate on process skills.

- The course is designed so that most material is taught using a three-step cycle:

  1. Brief lectures, a class exercise, or a video
  2. Team exercises
  3. Class discussion

  The reasons for this are:

  - People learn in different ways – different modes of learning work differently for different people

  - The more learning modes are used, the more likely you are to remember the material

  - The exercises are a way of bringing the material closer to real life

  - Many of the things taught in this course are skills – they require practice during the course (and after) if you are going to be able to use them in real life

  - You may learn as much from each other as from the instructors

  - Working in teams is part of the learning

- Because the course is interactive, it is important that:
  - Be here, and be on time – or your teams will be short members
  - Participate enthusiastically – it’s part of the learning

CORE CURRICULUM COURSES

- Planning Orientation Workshop
- Planning Process Workshop
- Plan Formulation Workshop
- Environmental Considerations in Planning
- Economic Analysis in Planning
- Hydrologic & Hydraulic Considerations in Planning
- Public Involvement and Teaming in Planning

Presentation: PLANNING 101

Readings accompanying Planning 101:

-- Kenneth Orth & Charles Yoe, “Planning Primer,“
Course Readings, pg. 31.

Presentation:

PLANNING 101

WHERE DOES PLANNING FIT IN OUR CORPORATE STRATEGY?

- **The Corps' Strategic Goals**
    - **People**
    - **Process**
    - **Communication**

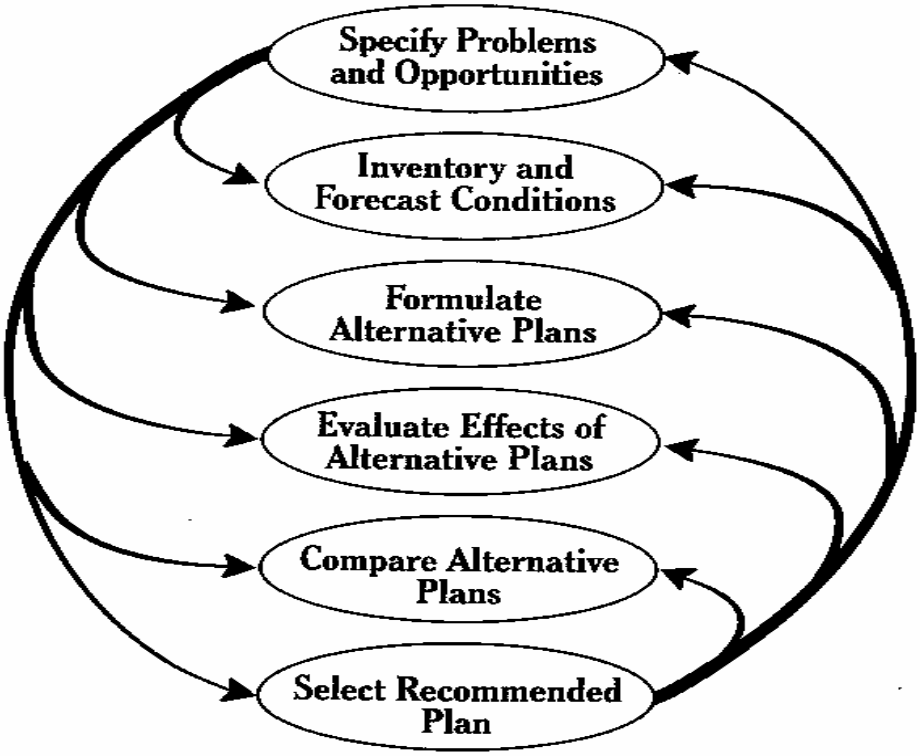
People - Planning insures we have talent & expertise to get us through existing and future water resource challenges.

Planning - Planning is the first "P" in 3P

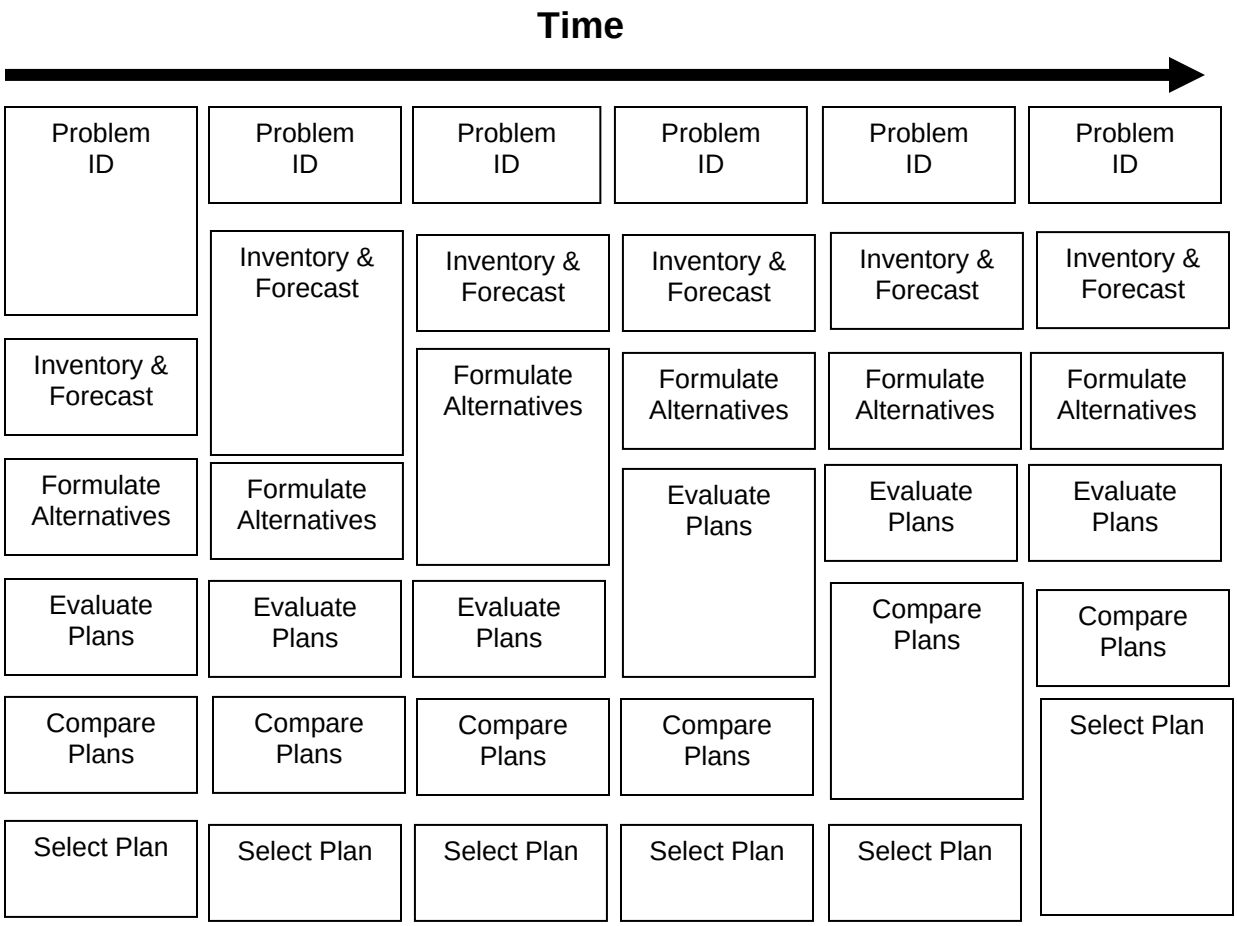
Communication - Planners are the first POC with customers, engage public input, and tell the project story

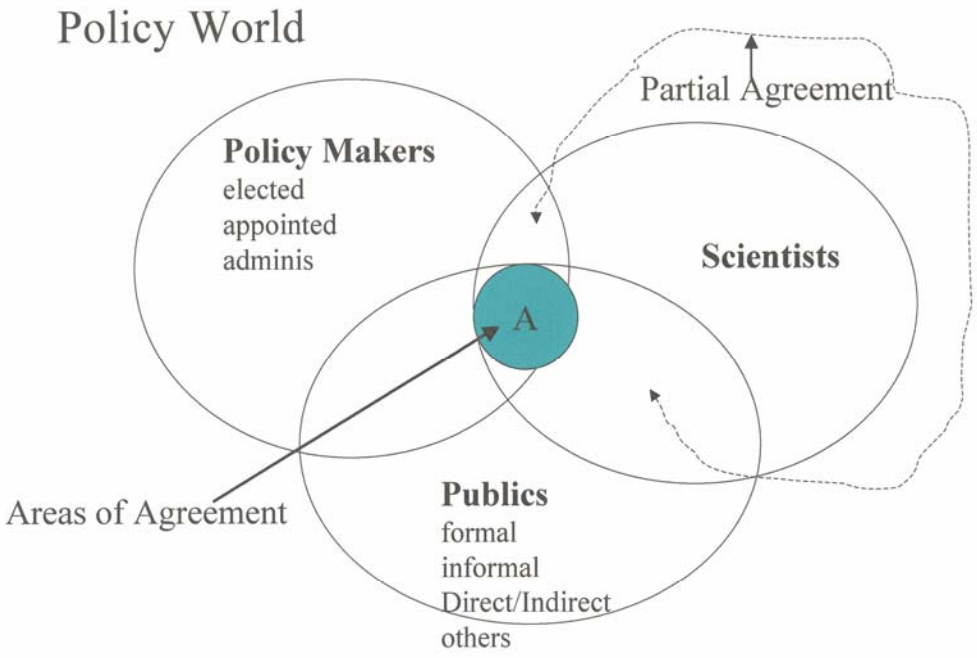
- **Why is Planning Important?**
    - Because anything that is PLANNED, often has reliable outcomes
    - Because the stakes are high and budgets constrained
    - Because we need to make informed, defensible decisions for the future
    - Because scientific data needs a practitioner's touch
    - Because it is an iterative process and can add value to a variety of initiatives
- Who Does Planning?
    - Planning professionals
    - Those with planning skills
    - Project Delivery Teams
- Myths About Planning:
    - Only Planning does planning; all planners are in planning
    - All Project Managers can do planning
    - Anyone can do planning

PLANNING PROCESS



PLANNING IS ITERATIVE




Policy World
Partial Agreement
Policy Makers
elected
appointed
adminis
Scientists
A
Areas of Agreement
Publics
formal
informal
Direct/Indirect
others

SOME BASICS OF PUBLIC INVOLVEMENT

- “The public” is anyone outside the Corps
- “The public” changes from issue to issue
- There will normally be some interaction with the public during each step in the planning process

- At each stage of the planning process the interaction with the public will include:
    - Providing information TO the public (so it can participate wisely)
    - Obtaining information FROM the public (so you can plan wisely)

PUBLIC INVOLVEMENT IN THE PLANNING PROCESS

PURPOSE:

1) To identify how public involvement and the planning process are connected.

INSTRUCTIONS:

1) The Corps of Engineers is conducting a flood control program. Identify the information you would need to communicate TO the public at each step in the planning process, and information you would need FROM the public at each step in the planning process.

2) You can record your conclusions on the next page.

Planning Steps	Information TO	Information FROM
1. ID problems & opportunities		
2. Inventory & forecast		
3. Formulate alternative plans		
4. Evaluate effects of alternative plans		
5. Compare alternatives		
6. Select plan		

SPECIFY PROBLEMS AND OPPORTUNITIES

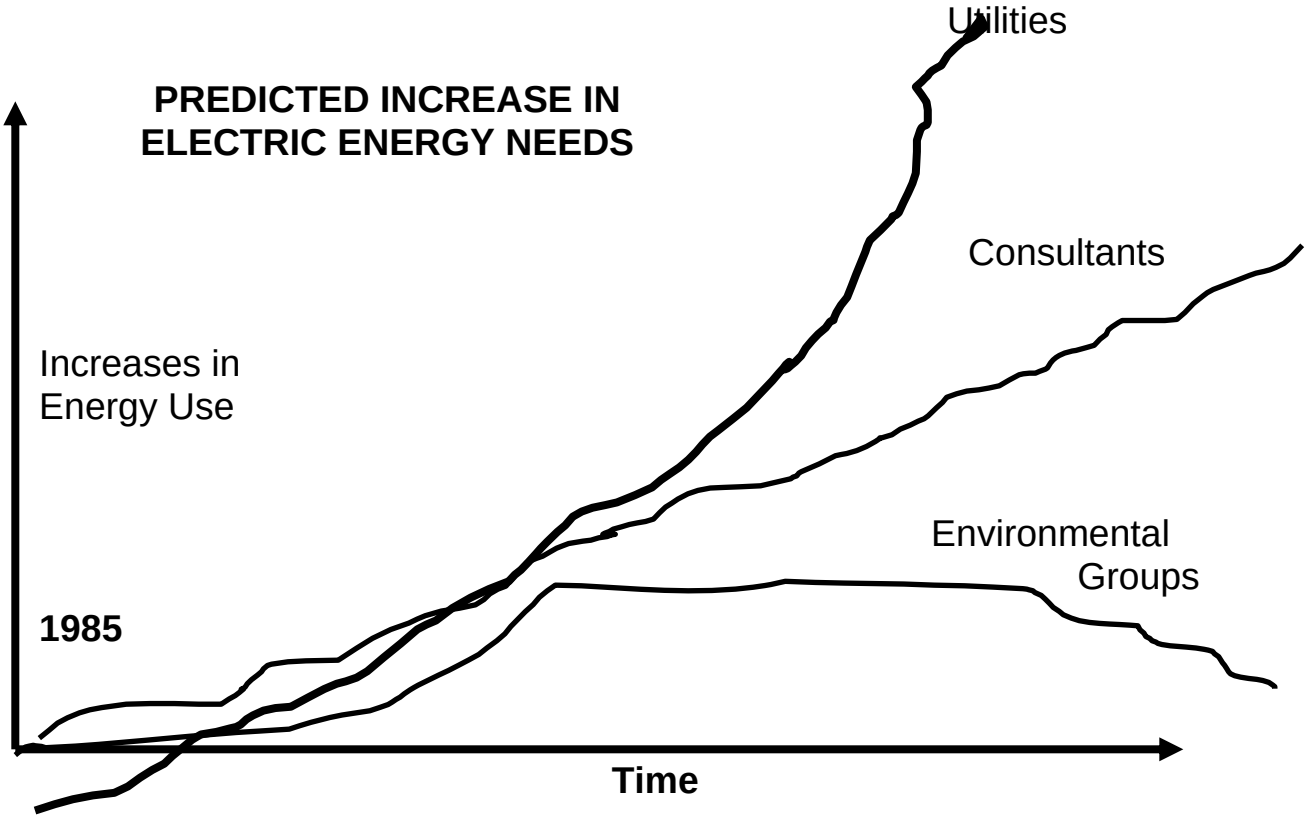
POSSIBLE PI ACTIVITIES	CE Gives TO Public	CE Receives FROM Public
Site visits and meetings with Corps Team, customer, and stakeholder **Coordinate with PAO for news release** **Develop website** **Visit with office historians and technical experts**	– **How we can assist, e.g. programs, authorities** – **How they can participate** – **Planning steps and schedule**	– **What are the problems and causes** – **Who is affected and how** – **What do people want/need** – **What are the opportunities for improvement** – **How important is the issue**

- People have different definitions of what the problems or opportunities are
- The way you define the problem/opportunity can preclude or dictate the alternatives
- Without stakeholder involvement, there's a danger that you will come up with a problem/opportunity statement that eliminates alternatives that stakeholders see as viable

INVENTORY AND FORECAST CONDITIONS

POSSIBLE PI ACTIVITIES	CE Gives TO Public	CE Receives FROM Public
Develop Newsletter **Hold Open House** **Solicit input from resource management agencies, & others thru website**	– **Inventory of affected area** – **Baseline conditions** – **Factors affecting the future** – **How they can participate**	– **Whether we described baseline conditions accurately** – **Factors that affect future conditions** – **Assumptions to be used in making projections** – **Who would be affected, and how, by these changes**

- People's philosophies and beliefs dictate their image of future conditions
- Beliefs about future conditions can control the alternatives you consider – and your evaluation of the alternatives



FORMULATE ALTERNATIVES PLANS

POSSIBLE PI ACTIVITIES	CE Gives TO Public	CE Receives FROM Public
Conduct public scoping meeting **Update website** **Conduct a survey of interests**	– **Future conditions without the project** – **Possible criteria** – **Technical possibilities** – **How they can participate**	– **Criteria for project success** – **Values that should drive formulation** – **Suggested alternatives**

- Keep formulation separate from evaluation – avoid “variations on a central theme”
- Use alternative values or philosophies (e.g. NED, EQ, SQ), to drive alternatives formulation
- If people don’t see any alternatives that fit with their values or philosophy, they won’t consider the process legitimate

EVALUATE EFFECTS OF PLANS

POSSIBLE PI ACTIVITIES	CE Gives TO Public	CE Receives FROM Public
Share with team and other districts **Develop Newsletter** **Assure NEPA coordination** **Conduct stakeholders meeting**	– **List of alternatives** – **Initial assessment of feasibility** – **How they can participate**	– **Acceptability of the various alternatives** – **Anticipated effects of the alternatives**

- Get agreement on criteria <u>before</u> you begin evaluating
- What you learn during evaluation often kicks off another round of plan formulation
- A danger: Stakeholders – including internal Corps stakeholders – often approach the situation with a predisposition towards a particular alternative

COMPARE ALTERNATIVE PLANS

POSSIBLE PI ACTIVITIES	CE Gives TO Public	CE Receives FROM Public
Work with team and stakeholders during plan refinement	– **List of feasible alternatives** – **How well each alternatives meets criteria** – **Impacts associated with each alternative** – **How they can participate**	– **Acceptability of the alternatives** – **Which impacts are of greatest concern** – **Ways to improve alternatives**

- Comparisons are based on how well each alternative meets the criteria
- Avoid advocacy for a particular alternative

SELECT A PLAN

POSSIBLE PI ACTIVITIES	CE Gives TO Public	CE Receives FROM Public
Meet with customers to discuss outcomes **Announce to public planning outcome** **Final newsletter** **Signing ceremony for FCSA or PCA** **News release PAO)**	– **Which alternative was selected** – **How the plan was modified in response to public comment** – **What happens next**	• **Willingness to accept/support the plan** • **Recommendations for implementation**

- Key issue: Does the plan enjoy sufficient support that you will be able to implement it?

A PLANNER'S ADVICE

- Look for the appropriate level of engagement
- There are no Sacred Rules of Engagement

FROM A PLANNER'S PERSPECTIVE

- Cooperative Environment
- Cost-Sharing means non-Federal investment in the outcome
- We don't always know what is best
- We live in a public political world
- We need to tell our story too

SHARE SUCCESS STORIES

- District Publications
- *Planning Ahead*
- *Engineer Update*
- Scientific Magazines, Newsletters

Presentation:

PUBLIC INVOLVEMENT IN THE PLANNING PROCESS

THE GOAL:

By the time you select techniques you should know:

- Who the stakeholders are at whom the program is targeted
- What has to be accomplished with them at each step in the planning process
- What you'll be doing with the information you get from them

PI PLAN APPRAISAL

1. Identify who else needs to be involved in making this appraisal
2. Clarify the decision being made
3. Clarify decision constraints and special circumstances
4. Identify issues and stakeholders
5. Determine who has to "sign off" for the decision to "count"
6. Identify what level(s) of participation are needed to resolve the issues
7. Assess willingness of stakeholders to work together
8. Identify the appropriate type of particpation

PI PLAN DESIGN

1. Identify the design team
2. Identify the steps in the decision process, and the schedule for completion of those steps
3. Identify objectives for 6-step planning process
4. Analyze the exchange of information that must take place to achieve the objectives
5. Identify appropriate techniques to meet those objectives
6. Develop a plan integrating the techniques

PI PLAN IMPLEMENTATION

Develop an implementation plan showing task breakdown, responsibilities, detailed schedule, budget, etc.

Presentation & Class Exercise:

WHY INVOLVE THE PUBLIC IN TECHNICAL DECISIONS

Articles in Course Reader:

-- James L. Creighton, “What Makes a Decision Count?” course readings, pg. 5.

-- Jerome Delli Priscoli, Public Involvement; Conflict Management; and Dispute Resolution in Water Resources and Environmental Decision Making,” course readings, pg. 14.

-- James L. Creighton, “The Use of Values, course Readings, pg. 51.

Presentation:

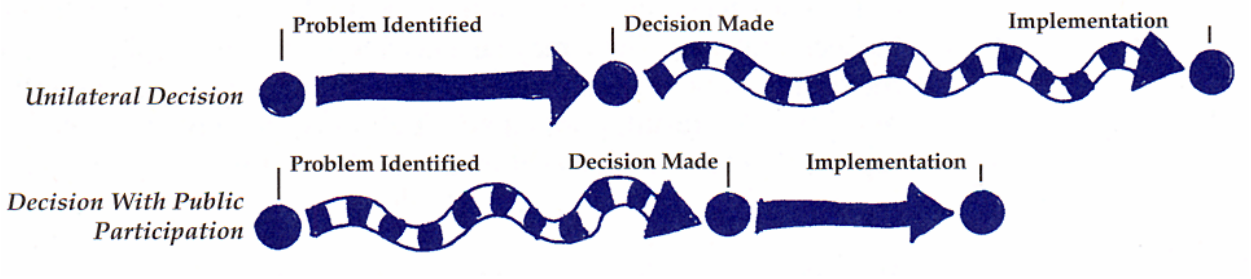
WHY INCLUDE THE PUBLIC IN "TECHNICAL" DECISIONS?

The rationale for participation – whether from other agencies or the public -- in the Corps planning process is:

- Improved quality of decisions

  -- Anticipating public concerns and attitudes
  -- Better problem definition
  -- Full consideration of alternatives
  -- Better understanding of why things "are the way they are"

- Minimizing cost and delay



- Increased ease of implementation

- Enhances sustainability of implemented programs

- Avoiding "worst-case" confrontations

- Reduced perception of risk

- Developing civil society – putting the "civil" back in civil engineering

Why Include the Public in “Technical” Decisions? - Continued

Many decisions that technical people think of as technical decisions are actually choices between competing “values.”

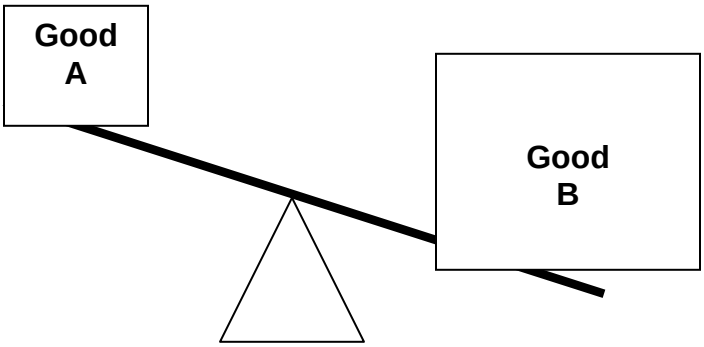
- “Values choices” involve having to choose between two things society things of as “good,” e.g. “low cost” and “safety.” “Valuing” means deciding how important one good thing is versus another good thing.

Good A Good B

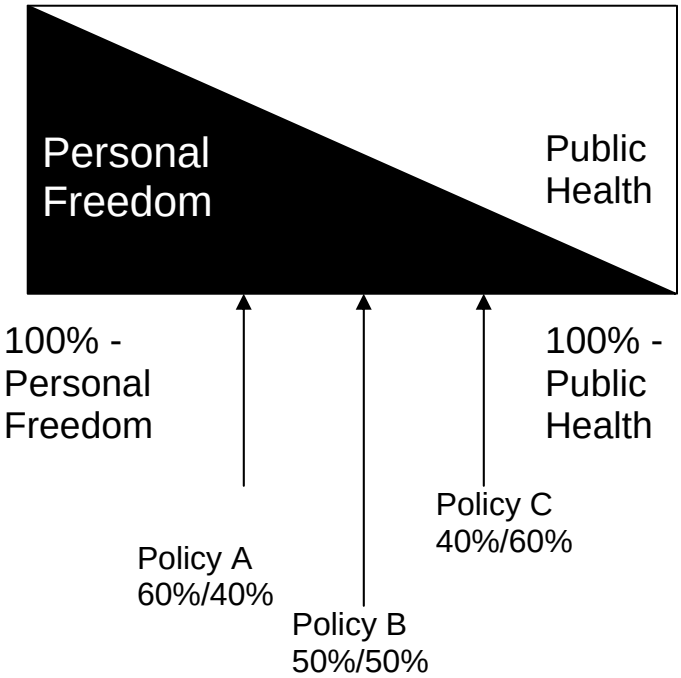
Why Include the Public in “Technical” Decisions? - Continued

The instructions made clear that the science was conclusive: secondary smoke causes cancer. So there wasn’t a disagreement on a technical basis, the disagreement was about values.

- This particular exercise set up a tension between one “good” – personal freedom -- and another “good” – public health & safety



- Policies are balance points along a continuum between these two “goods.”



A MULTI-DIMENSIONAL VALUES MATRIX

ENVIRONMENTAL PROTECTION	Environmental protection is most important - achieved by individual/private action	Environmental protection is most important – best achieved by a mix of individual action and government action	Environmental protection is most important – best achieved by government action
WHAT IS THE PUBLIC WELFARE?	Environment and economics equally important – best achieved through individual initiative	Environment and economics equally important – but it requires both individual initiative and government action	Environment and economics equally important – but best achieved by government action
ECONOMIC DEVELOPMENT	Economic development is most important – best achieved by individual/private action	Economic development is most important – best achieved by a mix of individual action and government action	Economic development is most important – best achieved by government

IN

PERSONAL FREEDOM

GOVERNMENT ACTION

HOW IS IT BEST ACHIEVED?

Why Include the Public in “Technical” Decisions? - Continued

- Some observations about values:
  - When there are big values differences – such as from one end of the line to the other – the other side will always appear “over-emotional and irrational.” They literally don’t share the same premises.
  - People of like point of view tend to cluster together, discussing only the slightest variations and having little conversation with people who have significantly different positions.
- This also happens in agencies:
  - Agencies develop homogenous values
  - People with the same values move ahead
  - People with different values leave or are ejected or isolated
- Different agencies have different values.
- Characteristics of “technical” decisions
  - Typically just one value dimension, e.g. which alternative is best for water quality?
  - Governed by professional standards, procedures, etc. agreed upon by people in the field
  - In theory, two technical people should come up with comparable answers
- Why value choices need a participatory process:

Most larger decisions made by agencies aren’t really technical decisions, but values choices, informed by technical information

  - Stakeholders view decisions about values as “political” in nature – your choice in favor of one value over another bestows benefits and costs on different segments of the public

Why Include the Public in “Technical” Decisions? - Continued

- Technical training doesn’t make us more qualified than others to decide what’s good for society
- So it is precisely these values choices on which stakeholders want to be consulted
- When agencies are confused about the difference between technical and values choices, stakeholders often begin to second-guess the agency technically as well
- When agencies are clear about when they are making values choices – and consult with stakeholders on these issues – it actually increases public respect for the agency’s technical competence
- Agencies still have to make these decisions; but these decisions are prime candidates for participation

Team Exercise:

THE ROLE OF VALUES IN PLANNING

Readings accompanying The Role of Values in Planning:

-- James L. Creighton, “The Use of Values, course Readings, pg. 51.

Team Exercise:

THE ROLE OF VALUES IN PLANNING

PURPOSE:

To understand how values shape formulation of alternatives

INSTRUCTIONS:

1) The instructor will assign you to a team.

2) Read the case on the next page.

3) Then read the instructions for your team on the following page. Do not read the instructions given to the other teams.

4) Formulate a plan, in accordance with the instructions given your team.

5) Be prepared to give a 5-minute presentation of your plan at ___.

THE URBAN FLOODWAY

Urbanity is a city of about 250,000 people. The Jerome River flows through the heart of the old downtown of Urbanity. This is a navigable river, and Urbanity was once a regional transportation center, with agricultural products brought to Urbanity for shipping downriver. However, siltation prevents modern vessels from reaching Urbanity, and over time most transportation occurs by rail or trucking.

Most of the old downtown area of Urbanity is in the 100-year floodplain. There have been two major floods in recent history: one in 2000, and one in 1987. Much of the downtown area was inundated.

The area north of the downtown is suburban in character. There are homes along the river, most of them oriented towards the view of the river. Some of these areas retain riparian vegetation, although quite a bit of this vegetation has been replaced with lawns and other garden-like planting.

The area south of the downtown was formerly warehouses, small factories, and other industrial buildings. This area has fallen on hard times, and many of the buildings are abandoned or have fallen into disuse. There are a few pockets of riparian habitat that have been reappearing since that land has been unused.

The downtown area itself is pretty run-down. One of the barriers to re-development is the periodic flooding. Many buildings have remained vacant since to 2000 flood. No one wants to invest in new businesses that could be wiped out by the next flood. The local Congressman is from Urbanity, and holds a key position in the House Budget Committee. He has sponsored the authorization of a Corps flood control study to be conducted by the Corps.

TEAM A

Your local sponsor is the City of Urbanity. City officials have informed you that their primary interest in a project is economic development of the old downtown, as well as anything that can be done to cleanup the area south of downtown.

They have suggested alternatives such as: dredging the river so that the City could once again compete with other forms of transportation; channelization through the downtown to prevent flooding; encouragement of river-oriented shops and restaurants. They want to do something that draws people from the suburbs into the downtown, to restore economic vitality in the downtown area.

Your job is to develop a conceptual plan that will maximize the economic potential of Urbanity.

TEAM B

The local sponsor is the City of Urbanity. The Town Council has set up a community advisory board and has asked the Corps to work with this advisory board when developing alternative plans. The advisory board includes a number of downtown businessmen, but it also includes a number of citizens who are opposed, in principle, to any kind of channelization. As a result, the advisory board has asked you to develop an alternative that addresses the flood control problem, but does so in a way that enhances the aesthetic qualities of the downtown area. They would like the river in the downtown area to be a visually attractive amenity that draws people into the downtown. They support increased economic development in the downtown, but think that visual attractiveness is the key to creating a downtown that can compete with the suburban malls that ring the town. They note that many of the old historic buildings in the downtown could be very attractive if fixed up, but no one is willing to make the investment if they can be inundated at any time. Several advisory board members have talked about floodplain projects in other cities that have made the riverfront a kind of park.

Your job is to come up with a conceptual alternative that addresses the flood control problem but not only preserves but also enhances the visual attractiveness of the downtown area along the river, to encourage economic development in the downtown.

TEAM C

The Jerome River was once a major fishery for the Skwamish Puff Fish, which is listed as a threatened species. As a result, the U.S. Fish & Wildlife Service is playing an active role in your planning study. They believe that only by restoring native vegetation that produces large woody debris can they replicate the breeding conditions that made the fishery viable. They have told you upfront that under no conditions do they want “a concrete river.” They believe that protection of vegetation and habitat should be the key value. They believe the fundamental problem is one of land controls. Buildings should not have been put in the flood plain in the first place, and the solution is to remove uses that are incompatible with occasional flooding.

To ensure that the Fish & Wildlife Service feels it has been listened to, the study manager has decided that there must be a conceptual alternative that meets FWS’ needs, and he has directed your team to develop that alterative. This conceptual alternative must fully address the flooding problem, but must do so an a manner that makes environmental preservation the #1 value, is feasible from an engineering perspective, and consistent with the best science regarding restoration of fisheries.

Team Exercise

CURRENT USES OF PUBLIC INVOLVEMENT AND TEAMING IN CORPS PLANNING

Team Exercise

CURRENT USES OF PUBLIC INVOLVEMENT AND TEAMING IN CORPS PLANNING

PURPOSE:

1) To identify how public involvement and teaming are being used currently.

INSTRUCTIONS:

1) The Chief of Engineers has been hearing about cases in the field where projects that were once stalled-out due to controversy or legal challenges are now getting resolved and projects are being built. He would like to know more about this, and has asked that he be given briefings about cases that have been resolved through public participation or teaming with other agencies.

2) A request for information was sent to the field. As a result of that request, a number of cases were identified as emblematic of this way of working. A consultant was retained to develop brief descriptions of these cases. These descriptions are provided on the following pages. These are actual cases, and the Corps contact person shown is the person most directly involved with the case.

3) Your job is to prepare a 10-minute (maximum) briefing for the Chief. In preparing your briefing you should be looking for <u>common characteristics</u> among these cases to address these topics:

   -- Why did these projects get in trouble in the first place

   -- What were the primary mechanisms used to turn these projects around

   -- How successful were the efforts to turn the projects around

   -- What advice should be given to future planners

   You may use the cases however you wish, and you can also draw on your own experiences as planners while identifying the major

points. If you are going to read all the cases during the allotted time, you may need to temporarily break into sub-teams.

4) You have been told that the Chief likes presentations that are lively, not just a set of PowerPoint bullets. You are encouraged to prepare a more interesting way of making your presentation – a skit, a quiz show, a panel discussion – something to make the points come alive. The equipment or materials that will be available in the room include: digital projector, laptop and screen; flip charts, pads and flow pens; tables and chairs. You will have to make your own arrangements for any other props you need.

5) The Chief has asked several teams to develop similar presentations – he wants to get a range of viewpoints.

6) All the teams will give their presentations beginning at 8 AM on Tuesday in the training room. You may ask to go in a particular order, but if two teams ask for the same position, the decision will be made by flipping a coin. The Chief of Engineers will not be present personally, but the instructors and your classmates will be.

MONDAY NIGHT
READING ASSIGNMENT

Case Study:
HOUSTON SHIP CHANNEL INTERAGENCY COORDINATION TEAM

Information Source: Rick Medina, Richard.Medina@swg02.usace.army.mil, (409) 766-3065

The Houston Ship Channel study began in 1988. The purpose of the project was to widen and deepen the existing ship channel from the Gulf of Mexico to Houston, a distance of approximately 50 miles. The plan was to deepen the channel from 40 feet to 50 feet. The ship channel goes through Galveston Bay, the most biologically productive estuary on the Texas coast. The project sponsors are the Port of Houston Authority and the Port of Galveston.

The Corps originally proposed that the material from the dredging be disposed of by open bay disposal in Galveston Bay. The amount of material to be disposed would be millions of cubic yards.

The Corps disposal plan led to cries of outrage from environmental groups and state and federal resource agencies, which predicted dire consequences for fisheries, oysters, and wetlands. The Corps predicted relatively few impacts. In reality, there wasn't a great deal of scientific information upon which to base either prediction.

The dispute was elevated to Cabinet level, involving the Secretary of the Army (Corps), Secretary of Commerce (NMFS), and the Secretary of Interior (FWS). An agreement was reached at that level to establish an Interagency Coordination Team (ICT). The ICT included the Corps, the two Ports, state and federal resource agencies, and some quasi-governmental groups such as the Galveston Bay Estuary Program. In total there were about 10 members of the ICT.

The key challenge was to develop and conduct studies to answer the unresolved questions about what actual impacts would result. One of the important events was an upfront agreement that decisions would be based on science, not the pre-conceived positions of the agencies. For the Corps this was a big step, because it meant giving up some of its decision-making authority. It could no longer make a decision unilaterally based on the Corps or Port of Houston agenda.

But it also meant the resource agencies had to move up from their "just say 'no'" posture. All the agencies had to drop their "one mission" posture, and consider all the missions of the participating agencies.

The ICT identified the key issues of controversy, determined what studies would be needed to resolve them, and developed scopes of work for studies. The resource

agencies were even involved in selection of contractors and other decisions needed to ensure that they would accept that the scientific work was unbiased and objective. Once the scientific research was completed, the entire ICT was involved in plan formulation. Quite a bit of work was accomplished in subcommittees, which reported in turn to the ICT. The ICT itself met monthly for nearly four years.

At the beginning, an agreement was made that every effort would be made to make decisions by mutual agreement, with voting reserved only for the most extreme cases. In agreeing to this, the Corps was well aware that if things came to a vote, the Corps and the two Ports would be in a 7-3 minority (assuming the resource agencies voted as a bloc). This occurred only once, ironically on the Final Beneficial Use Plan, when the Corps voted against the plan based on policy issues. But the Corps went ahead and implemented the plan, with the policy issue resolved at the HQ level.

As a result of the studies, it was clear that the impacts were not as bad as predicted by the resource agencies but also not as inconsequential as predicted by the Corps. The final plan included using the dredged material to create over 4,000 acres of marsh, including an island that provides important bird habitat.

When the Draft EIS was published, there was not a significant amount of comment, particularly considering how controversial the project had been. In fact many of the comments were positive. It appeared that most people's concerns had been addressed.

The project is now under construction. The project costs are higher than the original plan. On the other hand, the project is happening. If the Corps had proceeded on the original path, the project would undoubtedly be tied up in Court for years. In addition, whenever anyone challenges the project, it is usually the resource agencies that defend it. The Corps doesn't have to say anything.

The Port of Houston took on responsibility for public involvement on behalf of the ICT, although all member agencies participated in the program. The Port issued several newsletters and also prepared videos describing the project.

The primary involvement technique that was used was individual meetings with groups. There were 20-30 meetings in total. When the meetings were held, the resource agencies would participate. This made it easier for the groups to accept the credibility of the information that was being presented.

During one series of meetings groups were asked to propose possible beneficial uses of the dredged material. The groups proposed so many possible uses that they could have used 2-3 times more material than was available.

These meetings were particularly important because many of the public's concerns were based on a lack of information. The meetings were important in clarifying the scientific basis for the plan.

Looking back on the experience, the key thing that happened was that the Corps and the resource agencies were able to build trust. Since that time, the Corps has set up ICT's on many of its major projects. It's much easier working with the other agencies now, because that trust has been built. New staff from the agencies hear from experienced staff about how the agencies work together.

The Corps and the Port of Houston served as co-chairs of the ICT. They did not retain a neutral facilitator. On the other hand, both the Corps and the Port were aware that it was in their interest to act in a way that built confidence.

The ICT did go through the classic "Forming-Storming-Norming-Performing" sequence that teams go through. But subsequent ICTs have not had to go through such an intensive trust-building phase.

This project was important in changing attitudes within the District. Senior management of the District has learned that major projects won't happen the old way. It's better to give up some control and use a consensus-based approach that acknowledges the values of the missions of all the participating agencies. Without the ICT process, the Houston Ship Channel project would not be in construction. It would be in Court.

Case Study:
SAN TIMETEO CREEK

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The San Timeteo Creek project was a part of the Santa Ana Project, which was initially authorized in the 1920s and built in the 1980s. During the 1990s the Corps began building the San Timeteo Project. This project was intended to provide flood protection through the cities of Redlands and Loma Linda.

The Corps published an EA for the entire project in 1990. Construction began in the urbanized areas in 1993-94. Reaches 1-3 were completed.

But when work was to begin beyond the urbanized area, local environmental groups began to strongly oppose the project, claiming that the project would result in significant damage to the riparian habitat. The FWS opposed the project, as did the Water Quality Control Board and Cal Fish and Game. As a result, work essentially came to a halt.

The Corps decided it had to back up and consider all possible alternatives. It began a series of public workshops that continued over a period of two years. They began by developing objectives and worked right on through consideration of more than 45 alternatives.

The Corps finally selected a plan that involved a very gentle slope, stabilized with soil cement. Vegetation was planted on top of this is a 30 foot strip, with riparian habitat near the bottom of the slop and uplands vegetation towards the top of the slope. There was also to be a 900-foot transition channel between the steep-slope channelization in the urban area and the gentle slope channel in the riparian area.

The Corps was ready to issue a Draft EIS to the public when EPA notified the Corps that it wanted the Corps to adopt a different alternative in which the Corps would have to purchase 300-400 acres. Because the area is already highly developed, this would be extremely expensive. It also required 45-foot high levees. But rather than simply resisting the alternative, the Corps studied the alternative in depth and included it in the Draft.

Nevertheless, the environmental groups and resource agencies continued to pressure the Corps. In response, the Corps made commitments to compensate for any loss of riparian habitat, including restoring about 25 acres of riparian habitat at the confluence of San Timeteo Creek and the Santa Ana River. The Corps also proposes to transfer $1.6 million to non-profit organizations for restoration, monitoring, and a survey of species.

The Corps continued to hold discussions with both the Water Quality Control Board and the fisheries agencies. Finally, in October 2001 the WQCB issued a WDR permit, and the fisheries agencies have issued biological opinions supporting the project.

The District believes that the key to overcoming the opposition of the agencies was to avoid trying to play “hard-ball,” even when the agencies took positions that the Corps would normally find totally unacceptable. By listening to them, and studying their ideas carefully, the District was able to build trust. It was essential to stay communicative, and not push the agencies away.

The District suggests that to avoid similar impasses, the Corps should include people from biological and environmental disciplines in design and plan formulation, not just in analyzing the impacts of the alternatives. They believe that future projects need to step out of the box and consider creative, environmentally friendly, multi-purpose outcomes such as restoration.

Case Study:
THE SAC BANK INTERAGENCY WORKING GROUP

Information Source: Mike Dietl, (916) 557-6742
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The Sacramento River Bank Protection Project (SRBPP) is an authorized project of the U.S. Army Corps of Engineers (Corps), Sacramento District. The purpose of the project is to provide protection for the levees along the Sacramento River from River Mile (RM) 0.0 to RM 194. Congress has determined that these levees are a critical component of the flood control system protecting the 2.2 million people and 1.0 million acres located in the flood plain. The SRBPP provides a long-term program of bank protection designed to protect the levees from erosion within the limits of the Sacramento River Flood Control Project (SRFCP).

In April 2000 the Corps requested formal consultation under Section 7 of the Endangered Species Act of 1973 (U.SC 1531 et seq.) with the U.S. Fish & Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) for proposed bank protection located at River Mile (RM) 149.0 left. Subsequent to the Corps request for formal consultation the USFWS and NMFS issued draft jeopardy biological opinions on the Corps proposed projects under contract 42E and 42F. The draft biological opinions concluded that the individual and aggregate effects of the incremental SRBPP actions as proposed to protect the SRFCP would jeopardize the continued existence of the Sacramento splittail, Delta smelt, winter-run chinook salmon, spring-run chinook salmon, and Central Valley steelhead.

Throughout the first six months of 2001, representatives of the Corps of Engineers, Fish & Wildlife Service, National Marine Fisheries Service, California Reclamation Board and technical consultants met to discuss the issues raised in the draft jeopardy opinion. In July 2001, senior-level staff of the Corps, FWS, NMFS, Reclamation Board, and California Department of Fish & Game (CFG) reached agreement on a Reasonable and Prudent Alternative that would be incorporated into the existing project description. Based on this change in the project description, the USFWS and NMFS issued final non-jeopardy opinions on Contract 42 E contingent upon the implementation of off-site conservation measures that fully compensate for the effects to the above listed species.

One element of the agreement between the agencies was the establishment on an interagency working group (IWG). The Biological Opinions describe the IWG as follows: “The Corps will immediately convene an interagency working group (IWG) to locate and design a set-back levee or other conservation measures that restores fluvial functions to off-site locations which are currently lacking (i.e. removal of riprap from a site with high erosion potential).

The primary goal of the IWG is to identify, evaluate, design and endorse conservation measures, consistent with the Biological Opinions and the Corps’ mandate to provide flood protection, that will provide full compensation for actions that will be taken under

Contracts 42E and 42F. The conclusions of the IWG may also serve as a model for achieving agreement on full compensation for future SRBPP bank protection projects.

The fundamental problem is the there is not a sound scientific basis for quantifying the value of the compensation activities proposed by the Corps and Reclamation Board. There is some value, but no agreement on what it is. The Corps and Reclamation Board have pointed out that the same is true of some of the measures proposed by the resource agencies, such as setback levees. The challenge is to provide a system for quantification that is acceptable to all the agencies.

The full members of the IWG are the Corps, FWS, NMFS, California Department of Water Resources (DWR), Reclamation Board, and CFG. The Corps acts as the lead agency for this action. Member agencies retain their statutory authority and their membership does not abrogate their regulatory authority.

Each agency has one permanent position on the IWG and designates its own representatives and alternates. The agencies have agreed that these representatives will be appointed for their specific scientific/engineering expertise relating to the mission of the IWG. All current representatives are biologists. Most are fisheries biologists.

The agencies have agreed that decisions will be made by agreement of all members. In the event the IWG is unable to achieve agreement, the IWG will agree on a dispute resolution methodology for that specific issue that may include: (a) use of third-party expert opinion or peer review, or (b) elevation of the issue to higher management of the member agencies for resolution.

One of the issues facing the IWG is that the Corps and DWR believe they must provide public participation opportunities, and keep the public informed about what the IWG is doing. The resource agencies are very anxious to keep this a science-based discussion, and fear that if there is too much opportunity for the public to oversee the IWG's activities, powerful agricultural groups will apply pressure that will make decision making more political than scientific. The agencies have agreed that the Corps and DWR/Reclamation Board are responsible for meeting all public participation requirements, but there is an agreement that they will consult with the other IWG members about their planned activities.

The IWG has agreed that it will evaluate a wide range of alternative measures including use of setback levees, large woody material, rock removal, flood easements/land acquisition, and inter-levee land restoration. Other measures that restore fluvial function and address the requirements of the Biological Opinions may be considered. The IWG has also agreed that it will consider the mission of all the agencies in evaluating alternatives. This will include economics, endangered species, engineering, environmental, public safety, and real estate issues.

The Corps has retained a professional facilitator to conduct the meetings, prepare the minutes, and serve as the “secretariat” for the group. It may also retain a fisheries biologist to do technical work at the request of the group.

So far the IWG has approved a final process and agreed upon the key studies to be conducted. They are currently in the process of finalizing the Statements of Work for these studies. The IWG has one year to complete its work.

Case Study:
UPPER NEWPORT BAY

Information Source: Jim Hutchinson
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This study involves a problem in Upper Newport Bay in Orange County, CA. Basically the problem is that sediments from a watershed are depositing in a bay and filling up an ecological reserve. The Corps is considering a sediment storage facility that is necessary for the long-term viability of the estuary. The local sponsor is the Orange County Department of Public Facilities and Resources.

In 1992 or 1993, the Corps completed a reconnaissance report that looked at extension of a navigation channel for small boats into the upper bay to the southern limits of an ecological reserve. This report concluded that sediments from the watershed were filling in the reserve.

The District attempted to establish a federal interest based on prior federal work done in the 1930s. But this was during the infancy of the Corps being involved in environmental restoration work, and HQ concluded that this justification was insufficient.

So the local sponsor lobbied for and got language inserted in a fiscal year appropriate that authorized a feasibility study. In addition, by this time the Corps was getting more involved in restoration work, and this time HQ concluded that it was not necessary to require a federal interest.

There were still some delays in getting the study started, however, among them the fact that Orange County went bankrupt. The study finally got started in 1996.

There was also a need to develop some technical tools to assist in decision-making. The Corps developed a statistical model that could emulate tides and currents, and also developed a sediment transport model. These models were calibrated based on measurements at two actual sediment basins over a ten-year time period.

The models could be used to predict future sedimentation. Based on the modeling, the two sediment basins were already exceeding design capacity, and the locals had no money with which to do anything. However, some state money was found to permit the study to go ahead.

The Corps considered a range of alternatives and tried to work with the resource agencies because there were endangered species in the preserve. The basic

strategy would be to dredge to deepen the two existing basins, coupled with restoration of side channels. The dredge spoils would be disposed of in the ocean.

Basically this plan would convert areas that have become upland habitat back into inter-tidal zones. The Corps tried to work with state and federal fish agencies to quantify the value this project would have for habitat restoration, and set up an interagency working group to try to accomplish this. But the USFWS chose not to participate. Basically this had to do with a disagreement on another issue between the local FWS field station and the Corps Planning Division, but it stalled out the project because the other agencies seemed to be immobilized by the non-participation of the FWS. Basically everybody would sit around saying, “Boy, we’ve got a lot to do.” But nobody would do anything.

At this point there was also a bit of an internal struggle within the Corps as well. The Project Manager, responsible for study completion, felt a sense of urgency to move the situation along. The Environmental Coordinator felt that they had to wait until the other agencies were willing to work.

Finally, the Project Manager simply acted unilaterally and used the approach of simply taking an approach, going with it, and presenting it to the other agencies for reactions. He set agendas, got the working group to begin to reach agreement on tasks, set up a system for tracking completion.

This was perceived internally as too authoritarian and direction, as well as violating the turf of other people in the organization. As a result, the project manager took a lot of heat. But over time, as it was clear that the other agencies were going ahead within out them, the FWS decided it needed to be at the table and began participating.

It still wasn’t easy, because the agencies had very different objectives. The FWS simply took the position, “We want as much inter-tidal mudflats as we can get.” The state Department of Fish & Game was only interested in protecting certain species. NMFS wanted more open water areas. But gradually, meeting once a month, they hammered out a consensus solution. It’s possible that some of them felt that the solution was, at best, only “satisfactory/” But it was the best that could be achieved given the conflicting demands.

The plan is being implemented. It is now in detailed design, with the resources agencies consulted as the detailed plans are developed.

The project manager recognizes that he took some risks. As he sees it, the working group would still be sitting there if he hadn’t taken the initiative. He simply had to assume he was empowered and make it happen. The bottom line remains that to get anything done, individuals have to take initiative. The stovepipes are simply not set up to do that.

Case Study:
TUCSON AJO DETENTION BASIN

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The Army built a flood control retention basin in 1967 (pre-NEPA). About 10 years, the Section 1135 Continuing Authorities Program was approved, and this allowed the Corps to go back in and see if the detention basin had resulted in environmental concerns or unexpected impacts.

This study concluded that there were negative environmental impacts, and the local sponsor – Pima County – asked the Corps to investigate what could be done to mitigate these impacts. This investigation was stalled out for while, because it was difficult to demonstrate a federal interest in a project.

More recently, however, a new mechanism was created that allowed the District to revisit the issue. Under current regulations the District can prepare an Ecosystem Restoration Report (ERR) that is the equivalent of a feasibility report. Like a feasibility report, it addresses alternatives, provides cost estimates, and evaluates the alternatives from an engineering, environmental, and real estate perspective.

The District prepared an ERR and this time concluded that there was a federal interest. The ERR also underwent an independent technical review, and then was reviewed by Division as well.

Under the ERR process, the local sponsor does not have to sign a construction agreement, only a letter of intent.

The proposed project was sent to the fish and wildlife agencies and the Coordination Act Report was completed with concurrence and support from USFWS. The whole goal of the project is to increase habitat.

The Corps is now trying to complete a Project Cooperation Agreement. The cost sharing will be on a 75% federal/25% local basis. At present the local sponsor wants to add some features to the project. These features would be added at local expense.

One advantage of the ERR approach is that the process is a “fast track” process. It can come to a conclusion in 3-4 years, as compared to many years longer for a flood control project.

The participation process included public workshops, distribution of flyers, and numerous on-site meetings with the resource agencies and homeowner groups. Initially there was some mistrust because the Corps was involved. People had to get familiar with the idea that this was the new Corps and was strictly an environmental process.

In the end the project received a lot of positive support. Tucson is a very environmentally oriented community. However, during the process the Corps didn't talk to the neighbors much, and some of them began to express opposition. Their argument was, "why are we spending money on this when our schools need books." The Corps met with the neighbors, and once they understood that this was not money that could be transferred to any local purpose, they dropped their opposition.

The project involves about 50 acres, of which 25 acres are water features. There's a 12-15 acre open water area, and three separate marsh areas that feed into the larger pond. The way it is designed, there's almost a recycling effect, like the effect of small streams. The remainder of the 50 acres may be developed as a golf course, although that hasn't been determined yet.

The project is quite innovative, particularly in achieving the recycling effect, and there are also engineering features that allow the operator to drop the water level rapidly by 4-5 feet. This is done to kill mosquito larvae, based on a plan developed by a local mosquito expert.

The ability to regulate the water level also means that that when there is a storm, it is possible to take out water and let it fill up with storm harvest. Since otherwise the project is watered with very expensive water purchased from the City of Tucson, this cuts down the expense of the project.

The lessons learned are that the Corps needs to promote its role in the environmental field. There are many more environmental projects that the Corps could do. It is very important to ensure that potential local sponsors know about the Corps' capabilities. The Corps web site needs to educate potential sponsors on cost sharing, and how to maximize the benefits from federal and local cost sharing. Corps planners should not feel limited on what the Corps can and cannot do.

One of the keys to success of the project was that the planners build a strong relationship with the local sponsor over a period of 12 years. This included numerous times spent over coffee, lunch, and dinner that are not in the job description.

It was also important to make sure that the internal team understood the project's intent and goals. Teams work best when they are excited and have a positive view of the project. That's something they don't always teach planners in school – bring in the excitement!

Although the ERR provides for smaller funding, it does allow the Corps to move more quickly, and this means that planners have the satisfaction of actually seeing something happen.

Case Study:
ARKANSAS RIVER NAVIGATION STUDY

Information Source: Ed Rossman
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The Arkansas River Navigation Study is looking at navigation from Tulsa, Oklahoma, to the Mississippi River. There are 36 reservoirs in Oklahoma that impact how the river is operated. Basically all the controls are on the Oklahoma side. But the stretch of river between Tulsa/Mississippi involves two Corps Districts. So the study is managed jointly by the two Districts.

The study started out as a flood control study, looking at a bottleneck near the border between Oklahoma and Arkansas. During the appraisal level of the study, it became clear that the problem was basically a question of how reservoirs were operated on the Oklahoma side. But since navigation studies are funded 100%, the feasibility phase of the study was framed as a study of how reservoir operations could affect navigation. The study looks at how to reduce flooding, but also how to match flows to navigation needs.

The two Districts have developed a computer model that simulates operations. But no one operating scheme maximizes all the interests being expressed by interest groups.

The number of potentially affected groups is quite large, and there are considerable differences between the kinds of interests in the two states.

During the first stage of public involvement, the Corps conducted informal briefings for interest groups, and listened to the problems they were having and the kinds of alternatives they thought should be considered.

Then the Corps held a series of open houses. These were informal drop-in sessions, where people could come whenever they wanted during a 3-hour period and talk to Corps people at the information booths. The main focus of these sessions was to identify problems. The turnout at these sessions was moderate.

During the summer of 2001, the Corps held another series of workshops that were officially designated as the NEPA scooping process. Again, the Corps used the open house format. This time, however, the Corps created an introductory video that explained the study. When people signed in they were asked to watch the video, then they could move around from booth to booth. There was not much controversy.

Since then there have been meetings with agencies and interest groups. The Little Rock District has scheduled several boat trips. The focus of these trips has been on “what can we do now.” The Arkansas portion of the river is essentially a flat river, so the kinds of issues they are likely to address are dredging problems and things like that. But as a result, if a problem is identified, the Corps and the state can often agree on how to address the problem very quickly.

This program has been met with favor, because it has been able to show immediate results. This has been important because the Little Rock newspaper is not very friendly towards the Corps, and sees the Corps as just trying to keep busy.

The navigation interests don’t like the NEPA process. They believe the process should focus primarily on their needs. There have not been any confrontations during the workshops, but the potential is definitely there. There have been a few suggestions from the public about operating schemes.

The US Fish & Wildlife Service has primarily taken a wait-and-see stance. There are some potential environmental issues, particularly related to the Least Tern. There are a number of sand islands in the Arkansas River. When flows are high, chicks can be washed away. There may be some potential for building other sand islands to protect the terns.

So far the Corps has shown the alternative operating schemes to other agencies, on a 1-1 basis. There has been some discussion of some kind of workshop using computer-aided models of the flows, but so far the Corps hydrology people believe the river system is too complicated to model in a manner than could be used in such a workshop.

Case Study:
UPPER MISSISSIPPI ENVIRONMENTAL MANAGEMENT PROGRAM

Information Source: Greg Ruff
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The Upper Mississippi River Environmental Management Program is a continuing program that conducts habitat rehabilitation and restoration projects in the Upper Mississippi, and also conducts long-term monitoring that can be used in decision-making both on the restoration and rehabilitation projects, and other Corps planning efforts. The funding for the project comes out of the construction general account, and the program is set up in such a way that is like a continuing authority for habitat restoration projects in the Upper Mississippi. About 2/3rds of the budget goes to the rehab projects, with the other 1/3rd going to the monitoring program. This is a regional effort, coordinated at the Division level, but the individual program manager is located at the Rock Island District.

The rehab projects take place primarily on state lands (with the states sharing costs on a 65% federal/35% state basis), or on federal lands, primarily USFWS refuges. USFWS has several hundred thousand acres of refuges in the Upper Mississippi.

The monitoring program is conducted primarily by the USGS Environmental sciences Center in LaCrosse, Wisconsin. USGS also utilizes field offices along the river, and that draws in state biologists and scientists as well.

There were a number of agencies involved in developing the program, in particular the 5 states.

The principal mechanism for consulting with the states is an Environmental Management Program Committee that consists of representatives appointed by the five governors. This group discusses how the program is being conducted, included the type and location of specific projects. This group is considered a coordinating group not an advisory group (it is not chartered under the Federal Advisory Committee Act).

This group meets quarterly, but there is considerable coordination that takes place between meetings as well. Meetings of the group are public meetings, and there is an opportunity at each meeting for individuals and Non-Governmental Organizations (NGOs) to comment.

The public also has the opportunity to comment upon the individual projects as part of the normal corps planning process and environmental documentation (EAs, EISs,

etc.). Also, there was a substantial amount of public coordination that took place during the preparation of a Habitat Needs Assessment, which looked at the overall needs to be addressed by the program.

There is also a substantial public information program to get the word out to the public about the program. This includes presentations at school and community groups.

The Corps is currently setting up what it calls an Independent Technical Review group. This is a group of five scientists who will provide independent peer review. The scientists will come from a range of specialties, particularly aquatic, terrestrial and wetland biology. This group is also not a FACA-chartered committee. Each reviewer submits individual review comments. This avoids all the documentation that is involved if a group is chartered under FACA.

The Technical Review Group will look at the overall restoration and rehabilitation program, not individual projects. Because USGS already has its own peer review process for the monitoring program, the Technical Review Group will not look at the monitoring program itself, but it will look at how well the Corps is using information from the monitoring program in reaching decisions about the rehab projects.

Any planners who get involved in a project like this need to do a good job of educating other agencies and the public. This is a program that sells itself once people know about it. But sometimes it seems like it is the Corps' best-kept secret that it is doing this kind of work.

Case Study:
UPPER MISSISSIPPI NAVIGATION STUDY

Information Source: Greg Ruff
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This is a large-scale regional feasibility study looking at ways to address delays at locks and dams on the Upper Mississippi. The study was moving towards completing a draft report, but it never got there. Instead a whistle-blower questioned the manner in which the study was being done. These charges were widely covered in the media and resulted in an investigation. As a result, the Chief essentially put the study on "pause."

While the study was on "pause," there was intense coordination with other agencies and interests. To say the very least, '"there was a lot of interest."

At the interagency level there is now a task force consisting of the Chief of Engineers and principals of the other interested federal agencies (Agriculture, Transportation, Environmental Protection Agency, and the US Fish & Wildlife Service/Interior). The task force's job is define the federal position. The task force met several times during the "pause" to formulate an approach to the study, including the assumptions that would be used.

There is a similar group at a regional level. This group includes representatives from all the same agencies, but it also includes representatives from the states and some NGOs. The Division Engineer serves as the Chair of this group. The group has also established a number of coordinating committees, including a committee on economics, environment, navigation, and public involvement. Additional individuals and NGOs are members of these committees, beyond just the membership of the formal regional group. Again, these groups are not charted as FACA Committees. Each representative expresses an individual opinion, and there is no effort to reach a group consensus.

There is also a Governor's Liaison Committee, with representatives from the 5 states appointed by the governors, and able to speak for the governors. This group also meets on a quarterly basis.

There are also a number of public meetings, particularly since for each round of meetings there needs to be one in each state. The meetings so far have been in a question and answer format, followed by an opportunity for comment. They are now setting up another round of meetings, and this time they are hoping to have an open house in the afternoon, during which people can interact with members of the study team, followed by a regular public meeting in the evening.

The study also publishes newsletter when it there are topics of interest to the public. There is also a study web site that is updated regularly.

The study has a full-time project manager, and several other full-time staff.

The primary change has been that before the “pause” the approach was primarily just coordination, with other organizations and people given the opportunity to comment upon what the Corps was doing. After the pause, the best way to describe the approach is collaboration. There is an effort to reach a substantial level of consensus before moving on, and everyone is involved in the process.

Actually, there was considerable coordination before the “pause,” and there were issues raised that the Corps concluded were outside the scope of the study or Corps policy, or for which there was no funding. After the “pause,” the Corps has had to revisit these issues. Even if they could not be addressed as part of this study, the Corps has looked for some way to address them. In other words, the Corps has had to get “outside the box” quite a bit more.

Based on this experience, it is obvious that there needs to be an open process in any study like this, and there must be an equal opportunity for people to be involved. Also, the move form simply “coordinating” to “collaborating” is very important. Of course this is a study with national scope and national interest, so it has justified a higher level of involvement. Even without all the controversy this was still a study that could have impacts for the nation as a whole, because it was the first study to really take a systems approach to navigation issues.

Case Study:
LOWER ATCHAFALAYA REEVALUATION STUDY

Information Source: Chris Gilmore
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In 1982 the Corps did a feasibility study that investigated potential modification of the entire Lower Atchafalaya basin. As a result of this study there were a number of projects that were authorized.

One of the authorized and constructed projects was a stone weir that would control flow down the WLO, one of the two outlets of the basin that leads to the Gulf of Mexico. Thereafter, Morgan City (a city adjacent to the basin) noticed the water level had risen as a result of the weir, making operation of business along the river economically difficult.

Although it was determined that the water level was rising due to various other reasons, Morgan City was successful in getting the Corps to remove the weir. This action prompted the need for a broad reevaluation study of the basin. In 1994, the Corps established what it called a “leadership group” consisting of representatives from the Corps, the business community, political leaders, environmental groups, and fish and wildlife agencies.

In a series of meetings with this group, the Corps identified possible alternative actions, eventually identifying 72 different alternatives. The Corps then worked with the group to evaluate and screen the number of alternatives to 8.

The Corps’ design team further evaluated those 8 alternatives. Combinations and variations of the remaining 8 resulted in 28 alternatives.

Working with the leadership group, the Corps, through final detailed analysis reduced that 28 down to three alternatives, 2 generated by the Corps and 1 generated by the leadership group. This latter plan was considered the “locally preferred plan.”

The Corps, through its evaluation concluded that it could not support the “locally preferred plan” because it included a major control structure that put the cost of the plan over $250 Million above the Corps’ recommended plan.

The Corps found that it could come up with a plan that did a good job of meeting the needs of Morgan City, another plan that did a good job of meeting people to the west, and another plan that did a good job of meeting the needs of people to the East. But none of the plans completely met the needs of all three groups. As a

result, the Corps recommended plan did not please everybody, but generally people seem to be either accepting or tolerating it, even if it is not everything they want.

The Corps also produced a Technical Appendix and asked the leadership group to review and comment upon it.

In order to be more efficient in public coordination, the Corps decided to operate the public process through the leadership group. The members of the leadership group were expected to consult regularly with their constituencies.

The District's recommendation is now under consideration by Division. If it is approved there will still be a formal EIS public comment process.

The District believes the process generally worked well, although business owners in Morgan City were not as cooperative as they would have hoped. The Fish & Wildlife Agencies seemed to be satisfied with the process, although their final reaction won't be known until the EIS process is completed.

Case Study
MORGANZA TO THE GULF

Information Source: Rodney Greenup Rodney.D.Greenup@mvn02.usace.army.mil
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During the Reconnaissance Phase this study was part of the Lower Atchafalaya Basin Re-Evaluation study. But this study was broken out as a separate issue because part of the problem was caused by backwater flooding from the Atchafalaya River. Instead this study focuses primarily on hurricane protection for Lafourche and Terrebonne Parishes.

Although the primary focus is to protect threatened residences and environmental habitat from hurricane damage, in reality the study has multiple objectives. There is also a need to protect the ecosystem and water supplies from salt-water intrusion. The Houma Navigation Canal is currently unrestricted, but the proposed project would include a major lock in the navigation channel that could be shut down during hurricanes to protect against storm. The lock will also be operated to reduce salt-water intrusion, which is also a threat to wetlands that provide critical habitat. A major focus of the project is the protection and potential restoration of wetlands.

When considering installing a major lock in the navigation channel it is also necessary to take into account the needs of the oil industry, which has to move giant drilling equipment in and out of the area. Although the lock would be closed during a hurricane, it is critical to keep it operating for as long as possible, because many of the boats that will rescue workers from offshore drilling platforms will be going in and out of the lock until just before the hurricane hits land.

The construction sponsor is the Louisiana Department of Transportation. The operating and management sponsor, which will maintain the levees after construction, is the Terrebonne Levee and Conservation District.

The planning for this project is in its final phases. A Draft Feasibility Report and Draft Programmatic EIS have been issued. The proposed plan includes installing twelve floodgates of varying sizes. The levee system is what is referred to as a “leaky” levee system, in that it is designed to maintain tidal ebb and flow, not cutting off entirely the movement of water in and out of the land behind the levees. This is essential to maintain the vitality of the wetlands. There are also a number of structures inside the levees that are primarily for environmental purposes.

The Draft Feasibility Study considered numerous alternatives, but only two basic plans were designed in detail. The recommended plan has greater net benefits and

also higher environmental benefits. Because it encloses more residences, it is also acceptable to the public.

There were essentially three forums in which the project was discussed: (1) public workshops and meetings, (2) an interagency Habitat Evaluation Team (HET), and (3) an Interdisciplinary Planning Team (IPT).

Even after this study was broken off from the Lower Atchafalaya Project, the initial public process was combined with the Lower Atchafalaya project. Initially, the two studies had the same project manager, and largely impacted the same public agencies. Typically, scoping meetings were held in Morgan City.

Initially the scoping meetings were workshops that involved all the interested parties. During the stages where the Corps was evaluating alternatives there were meetings as often as monthly. Now the meetings occur less frequently, and they are mostly briefings, to present details and gather public comments. In actuality, the local public is very supportive of the project. The primary issue that really remains is that the local public would like more land protected by the levees. The Corps also provides periodic briefings to the levee district, the operating sponsor for the project.

The Habitat Evaluation Team was probably the more critical forum for this project. The HET includes numerous state and federal resource agencies. During the screening of alternatives this team met monthly, but later in the study process met less frequently. The resource agencies have an incentive to participate actively, as the project will protect wetlands, and has the potential for increasing wetlands. The HET played a key role in recommending the details of the plan to the Interdisciplinary Planning Team (IPT). Because the Programmatic Impact Statement does not give precise alignment of the levees, the HET will continue to play a key role in defining the details of the projects.

The IPT consists of Corps planners from a number of disciplines, plus the construction sponsor (Louisiana State Department of Transportation and Resources) and the operating sponsor (Terrebonne Levee and Conservation District). The IPT serves as the actual decision making group, although HET recommendations carry great weight.

The challenge of this project was the public process, in addition to the interagency work. The HET was an integral part of project design and will continue to play a key role through advance planning. Fortunately the project may result in substantial improvement to wetlands, so the resource agencies have had a strong incentive to participate in developing workable solutions.

TUESDAY

Notes:
BREIFINGS FOR THE CHIEF

Class Activity

PUTTING THE PUBLIC IN PUBLIC ENGINEERING

Readings accompanying Putting the Public in Public Engineering:

-- Jerome Delli Priscoli, “The Modern Civil Engineer and the Social Sciences.” Compact Disk – Course Readings - pgs. 31.

Class Activity

PUTTING THE PUBLIC IN PUBLIC ENGINEERING

PURPOSE:

To identify the unique functions of public engineering.

INSTRUCTIONS:

1) The instructor will assign you to a small group.

2) You have received an urgent message from the Chief's Office. Tomorrow morning, a delegation from a newly emerging democracy is visiting HQ. They are in the midst of a fact-finding visit to help them decide what kind of institutional arrangements are appropriate in their country, now that they will be a democracy. They have sent ahead a memo detailing questions that hope to discuss. One of their big questions has to do with their confusion about the role of public engineering agencies like the Corps of Engineers, and private A/E firms. They would like to know why public engineering agencies are needed, and how they differ from private engineering firms. Their ultimate question, of course, is whether they need to set up public engineering agencies, or everything can be privatized.

3) HQ has asked you to prepare some suggested answers on the value of public engineering, in bullet form and as quickly as possible, as key people will be leaving for the night in just a short time.

4) Prepare (on a flip chart) a quick summary of why public engineering agencies are needed in a democracy, and select someone from your group to prepare a brief verbal report on your group's key points.

5) Present your report to the class at ____.

PUBLIC ENGINEERING AND PUBLIC INVOLVEMENT

- Decisions about use and management of resources involve values choices
- Public engineering organizations provide a process for resolving these values choices
- Public participation is central to the Corps' role as a public engineering organization, because it is the mechanism by which we can resolve values differences

Presentation:

WHO IS “THE PUBLIC”/ IDENTIFYING STAKEHOLDERS

WHO IS "THE PUBLIC"? - IDENTIFYING STAKEHOLDERS

- "The public" changes from issue to issue
- "The public" consists of those who see themselves as having a "stake" in the decision

Stakeholders are:

– People or groups who see themselves as having rights and interests at stake – those affected
– Indirectly and directly affected groups
– Those who can affect
– Clients are stakeholders, but not all stakeholders are clients

There are many approaches to identifying stakeholders:

- Questions to ask yourself:

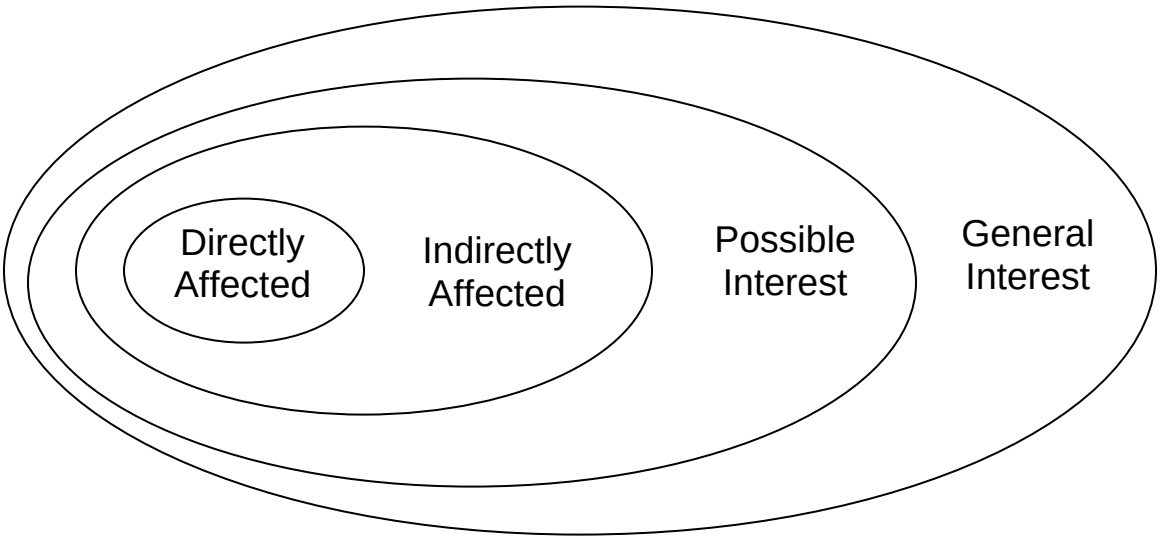
-- Who might be affected?
-- Who are the voiceless?
-- Who is responsible for what is intended?
-- Who are representatives of likely affected?
-- Who will be actively against?
-- Who can contribute resources?
-- Whose behavior would have to change if this decision were made?

WHO IS "THE PUBLIC"? – Continued

- Identify probable issues, then analyze which individuals or groups are likely to be concerned about those issues:

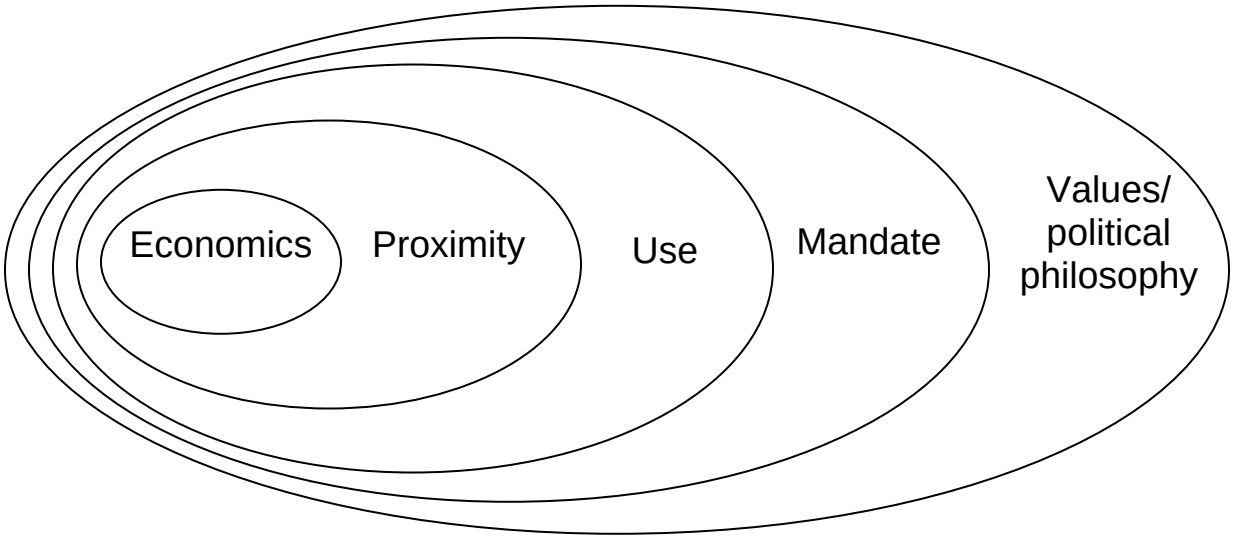
Issues	Internal Stakeholders	External Stakeholders

-- Identify stakeholders by probable impact/interest:

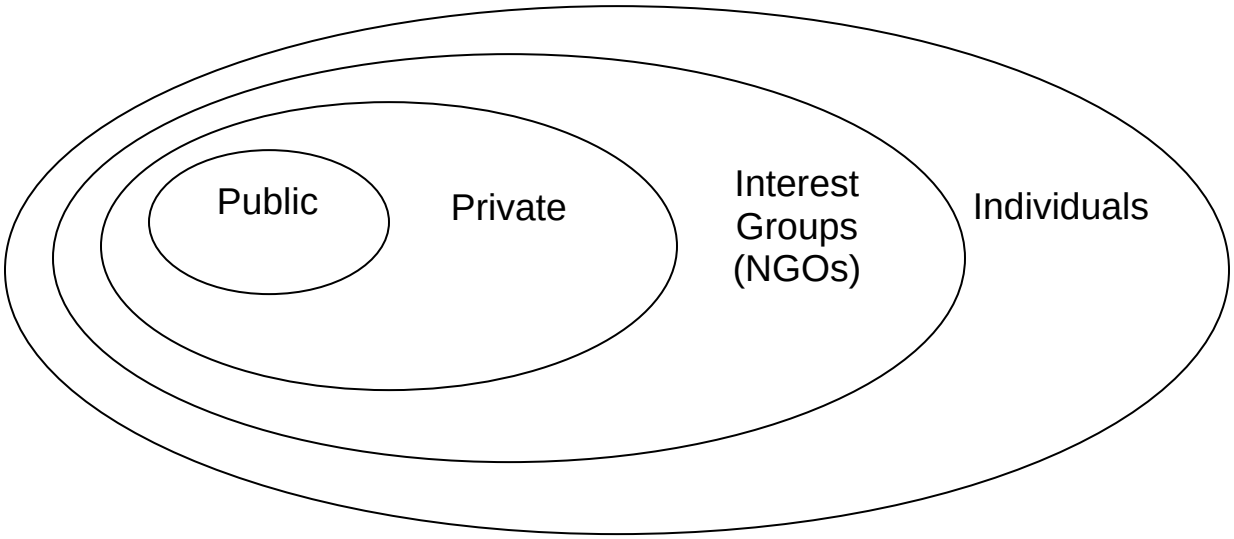


WHO IS "THE PUBLIC"? – Continued

-- Identify stakeholders by type of impact:

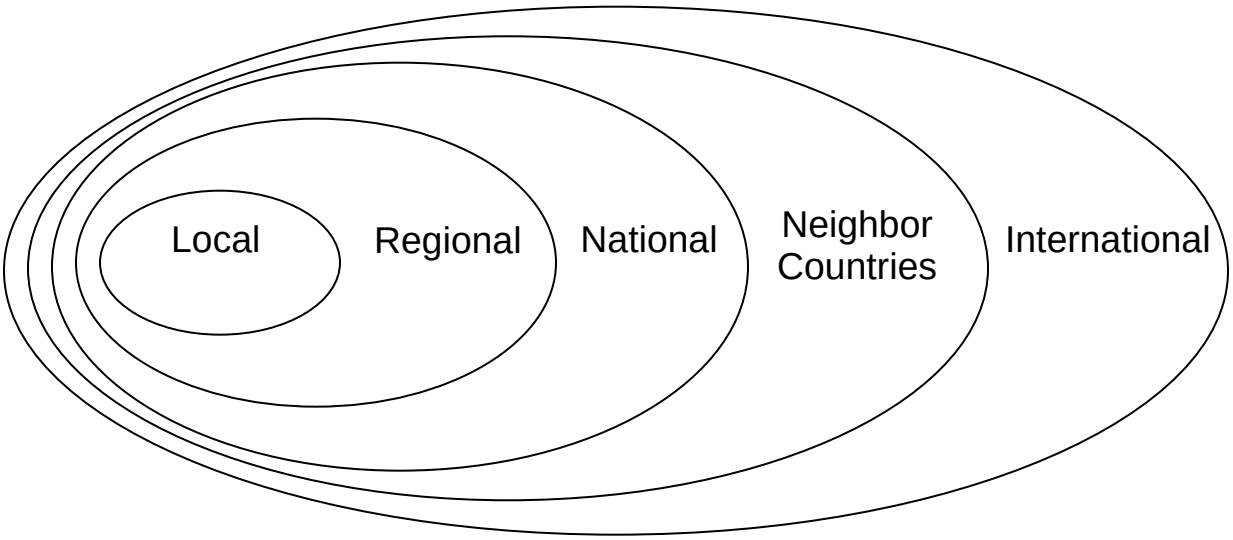


-- Identify stakeholders by sector:

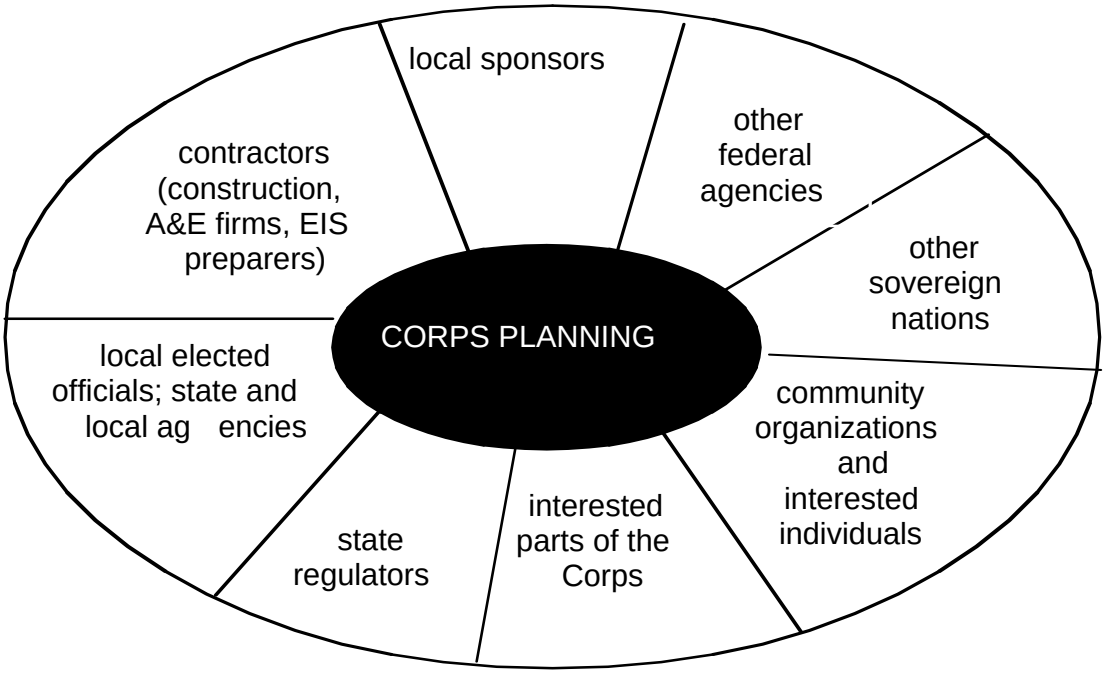


WHO IS "THE PUBLIC"? – Continued

-- Identify stakeholders by location:



POTENTIAL STAKEHOLDERS

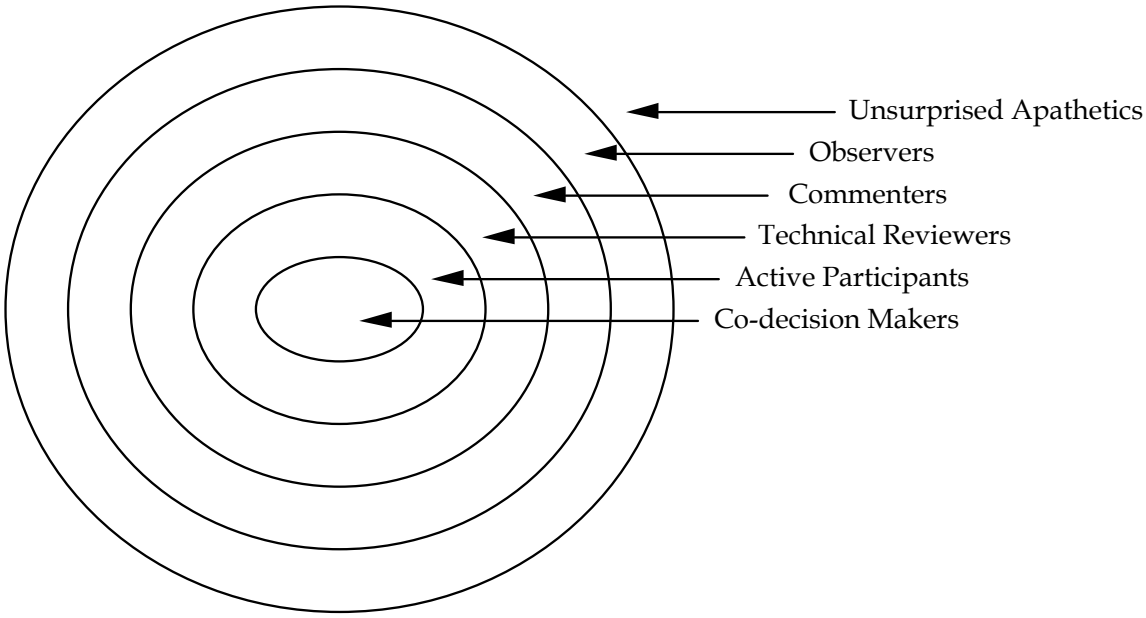


WHO IS "THE PUBLIC"? – Continued

How do you find out who the stakeholders are?

- Get People to Self-identify: Send out information and let people who are interested identify themselves
- Analyze Prior Decision-Making Documents: Review past decision making documents, e.g. EAs, EISs, and see who has participated in similar past decisions
- Ask Other People/Seek Local Help: Ask other people who you know are knowledgeable/have an interest to tell you who else may need to be involved by virtue of a) position (role in an influential organization), b) reputation (power behind the scenes), or c) influence on past decisions of a similar nature
- Identify Based on Staff Knowledge: Utilize the knowledge of Corps or other agency staff about the issues and community to identify likely stakeholders

What role do stakeholders play?



The closer to the center you are, the more influence you have on the decision, but the more time, energy and commitment of resources is required.

WHO IS "THE PUBLIC"? – Continued

- Orbits of Participation
  - Co-Decision Makers

    Have actual veto power or implementation can't occur without their support
  - Active Participants

    Organized groups or active individuals who care deeply about the decision and will participate – either in your process or through other processes (other agencies, other levels of government, courts, media, etc.) – so you'd better provide opportunities for them to participate *within* your process
  - Technical Reviewers

    Have an active role (either as a co-decision maker or having a substantial influence on decisions) about your study methodology, but not about the content of the decision itself
  - Commenters

    Care about the issue, will attend meetings or write comments, but do not devote their entire life to the cause
  - Observers

    Read the newspapers and read your newsletters, they remain silent unless they think something is seriously wrong, then they become commenters or even active participants
  - Unsurprised Apathetics

    "Unsurprised" because you've kept them informed. "Apathetic" because they've made a choice not to be involved – but they may be very active on other issues, e.g. schools, housing, etc.

- Different “orbits” may be involved in different ways. For example, on a major decision different techniques may be used for different orbits:

ORBIT OF PARTICIPATION	POSSIBLE MECHANISMS
Co-decision makers	Interagency teams, partnering, negotiation
Active participants	Interactive workshops; advisory groups or task forces
Technical reviewers	Peer review processes. technical advisory committees
Commenters	Public meetings, comment periods
Observers	Newsletters, information bulletins, web pages
Unsurprised apathetics	Press releases; news stories

Class Exercise:

IDENTIFYING STAKEHOLDERS

Class Exercise:

IDENTIFYING STAKEHOLDERS

PURPOSE:

To learn to identify stakeholders in a planning study.

INSTRUCTIONS:

1) The instructor will assign you to a team and will designate you as Team A, Team B, Team C.

2) Review the Urban Floodway Case on the following page.

3) Identify the probable major stakeholders for the case using any of the methods that have been described. Record the stakeholders in the first column on the score sheet.

4) For each stakeholder, determine – as shown below --whether this stakeholder would support, oppose, or be neutral towards the proposal contained in your team's instructions.

Proposal Position						
- 3	-2	-1	0	+1	+2	+3

5) For each stakeholder, agree on what each stakeholder's power would be, as shown below:

Power			
0	1	2	3

Here are some suggestions for assessing power:

- Does this stakeholder have the resources to block a decision or to make one occur?
- Is legal authority an issue, and does this stakeholder possess it?

- If wealth is an issue, how much wealth does the stakeholder have in affecting the decision?
- Even if the stakeholder is generally powerful, is this stakeholder powerful on this particular issue?
- Does this stakeholder have powerful allies or enemies?

6) For each stakeholder, agree on how important this issue will be to this stakeholder (the "salience") for the proposal contained in your team's instructions.

Salience
0 1 2 3

To assess salience, consider:

- What are the social, political and economic interests of the stakeholder?
- How (how much) are these interests affected by this issue?
- How important is this issue compared with other issues this stakeholder is currently addressing?

7) Calculate the scores for each stakeholder by multiplying across. The maximum score for any one stakeholder is either +27 or –27. Any score of "0" means that the score for that stakeholder is "0."

8) Total the scores for all stakeholders, showing positive scores, zero scores, and negative scores.

9) Create a ratio by dividing total positive scores by total negative scores.

10) As a team, agree on whether or not it is likely that the proposed action your group evaluated could be implemented.

THE URBAN FLOODWAY CASE

Urbanity is a city of about 250,000 people. The Urbanity River flows through the heart of the old downtown of Urbanity. This is a navigable river, and Urbanity was once a regional transportation center, with agricultural products brought to Urbanity for shipping downriver. However, siltation prevents modern vessels from reaching Urbanity, and over time most transportation occurs by rail or trucking.

Most of the old downtown area of Urbanity is in the 100-year floodplain. There have been two major floods in recent history: one in 2000, and one in 1987. Much of the downtown area was inundated.

The area north of the downtown is suburban in character. There are homes along the river, most of them oriented towards the view of the river. Some of these areas retain riparian vegetation, although quite a bit of this vegetation has been replaced with lawns and other garden-like planting.

The area south of the downtown was formerly warehouses, small factories, and other industrial buildings. This area has fallen on hard times, and many of the buildings are abandoned or have fallen into disuse. There are a few pockets of riparian habitat that have been reappearing since that land has been unused.

The downtown area itself is pretty run-down. One of the barriers to re-development is the periodic flooding. Many buildings have remained vacant since to 2000 flood. No one wants to invest in new businesses that could be wiped out by the next flood. The local Congressman is from Urbanity, and holds a key position in the House Budget Committee. He has sponsored the authorization of a Corps flood control study to be conducted by the Corps.

City officials have informed you that their primary interest in a project is economic development of the old downtown, as well as anything that can be done to cleanup the area south of downtown. They want to do something that draws people from the suburbs into the downtown, to restore economic vitality in the downtown area.

A number of citizens are opposed, in principle, to any kind of channelization. They would like the river in the downtown area to be a

visually attractive amenity that draws people into the downtown. They support increased economic development in the downtown, but think that visual attractiveness is the key to creating a downtown that can compete with the suburban malls that ring the town. They note that many of the old historic buildings in the downtown could be very attractive if fixed up, but no one is willing to make the investment if they can be inundated at any time.

The Jerome River was once a major fishery for the Skwamish Puff Fish, which is listed as a threatened species. As a result, the U.S. Fish & Wildlife Service is playing an active role in your planning study. They believe that only by restoring native vegetation that produces large woody debris can they replicate the breeding conditions that made the fishery viable. They have told you upfront that under no conditions do they want “a concrete river.” They believe that protection of vegetation and habitat should be the key value. They believe the fundamental problem is one of land controls. Buildings should not have been put in the flood plain in the first place, and the solution is to remove uses that are incompatible with occasional flooding.

Team A

Proposal: Your team is evaluating stakeholders' reactions to concrete channelization of the river through the entire downtown. Your analysis shows this will be effective in preventing flooding and will be the cheapest of the three plans.

Stakeholders		Issue Position		Power		Salience	=	Positive Scores	Zero Scores	Negative Scores
1.	x		x		x		=			
2.	x		x		x		=			
3.	x		x		x		=			
4.	x		x		x		=			
5.	x		x		x		=			
6.	x		x		x		=			
7.	x		x		x		=			
8.	x		x		x		=			
9.	x		x		x		=			
10.	x		x		x		=			
11.	x		x		x		=			
12.	x		x		x		=			
13.	x		x		x		=			
14.	x		x		x		=			
15.	x		x		x		=			
16.	x		x		x		=			
17.	x		x		x		=			
18.	x		x		x		=			
19.	x		x		x		=			
20.	x		x		x		=			
								TOTAL POSITIVE SCORES		TOTAL NEGATIVE SCORES

RATIO: _____

Team B

Proposal: Your team is evaluating a plan to buy out much of the downtown area, relocating it on the bluffs out of the flood plain. The existing buildings would be torn down, and the entire downtown area would be turned into a park and recreation area. Some commercial activities could be located in the park/recreation area, but only in temporary buildings that could be removed whenever there is a chance of flooding. This is the most expensive of the three plans being considered.

Stakeholders		Issue Position		Power		Salience	=	Positive Scores	Zero Scores	Negative Scores
1.	x		x		x		=			
2.	x		x		x		=			
3.	x		x		x		=			
4.	x		x		x		=			
5.	x		x		x		=			
6.	x		x		x		=			
7.	x		x		x		=			
8.	x		x		x		=			
9.	x		x		x		=			
10.	x		x		x		=			
11.	x		x		x		=			
12.	x		x		x		=			
13.	x		x		x		=			
14.	x		x		x		=			
15.	x		x		x		=			
16.	x		x		x		=			
17.	x		x		x		=			
18.	x		x		x		=			
19.	x		x		x		=			
20.	x		x		x		=			
								TOTAL POSITIVE SCORES		TOTAL NEGATIVE SCORES

RATIO: _____

Team C

Your team is evaluating a plan that would install dirt berms throughout much of the downtown area, with vegetation on the berms to make a green open space and provide a visually attractive area for recreation. There is one two-block area in the downtown where buildings are located so close to the river that it is impossible to use berms. In this area, you would use concrete, but it would be designed architecturally so that greenery could be planted throughout to make the area visually attractive. This alternative ranks 2nd in terms of cost.

Stakeholders		Issue Position		Power		Salience	=	Positive Scores	Zero Scores	Negative Scores
1.	x		x		x		=			
2.	x		x		x		=			
3.	x		x		x		=			
4.	x		x		x		=			
5.	x		x		x		=			
6.	x		x		x		=			
7.	x		x		x		=			
8.	x		x		x		=			
9.	x		x		x		=			
10.	x		x		x		=			
11.	x		x		x		=			
12.	x		x		x		=			
13.	x		x		x		=			
14.	x		x		x		=			
15.	x		x		x		=			
16.	x		x		x		=			
17.	x		x		x		=			
18.	x		x		x		=			
19.	x		x		x		=			
20.	x		x		x		=			
								TOTAL POSITIVE SCORES		TOTAL NEGATIVE SCORES

RATIO: _____

Class Exercise:

A NEGOTIATION

Class Exercise:

A NEGOTIATION EXERCISE

PURPOSE:

To learn how negotiating style affects the outcome of negotiations.

INSTRUCTIONS:

1) Choose someone to work with you as a partner.

2) Decide which of you will play the role of Dr. Chris Brown and which will play Dr. Terry Smith.

3) The instructor will pass out the roles. Read your role carefully. Do not read your partner's role.

4) Conduct the negotiations discussed in your role.

5) Your instructor will then give instructions for evaluating the negotiation.

Debriefing

BUSINESS EGSS NEGOTIATION

Debriefing

BUSINESS EGGS NEGOTIATION

The biggest barrier to a successful negotiation in the Business Eggs Case is the perception that this is a “zero-sum game,” meaning that for one side to gain, the other side must give up an equivalent amount.

- Additional levels of complication include:
  - Reasons to mistrust the other person, e.g. lawsuit, past history
  - Time pressure
  - Anger that international crime figures could benefit
- The problem with the belief that the negotiations are inevitably a zero-sum game is that everybody then engages in the kind of adversarial behavior that guarantees that it will be a zero-sum game.
- The result is that people usually engage in what is known as “positional bargaining.”
- In positional bargaining, the sides -- and there are clear "sides," because positional bargaining is inherently adversarial -- open the negotiations by taking fixed positions. These positions are often accompanied by charges and countercharges about how much the other parties’ behavior or proposals threaten to cause damage or endanger survival. Eventually the parties enter into a series of reciprocal concessions until a compromise is reached or the negotiations break off.
- The absolute best outcome that positional bargaining can produce is a "compromise" -- that is, the best that can be achieved is a "not too unsatisfactory" outcome. There's no potential for all parties to be fully satisfied with the outcome.
- Even if a compromise is reached, the adversarial posturing and unsatisfactory nature of the compromise may destroy the working relationship.

Debriefing: BUSINESS EGGS - Continued

- The alternative is to focus on interests

  INTERESTS: *The fundamental needs or conditions which people or groups/organization must meet for continued survival, success or fulfillment.*

  Examples:

  Protect people from periodic inundation that destroys homes, crops, and lives

  Protect species diversity

  Be perceived as effective in protecting public health and safety

  POSITIONS: *The positions people take about how they will achieve their interests.*

  Examples:

  We will build only the lowest cost feasible alternative

  There must be no net loss of habitat – or there must be a net increase before we will approve any taking

  We cannot be seen as compromising

- But even when <u>positions</u> appear mutually exclusive, parties' fundamental <u>interests</u> may be met in a number of ways. If there are numerous ways to meet interests, one or more of them may also be acceptable to the other parties. But when the parties get emotionally wedded to a particular position, the position they adopt may exclude a mutually acceptable outcome -- and sometimes is not even in their own interest!

  Example: Camp David accords

Debriefing: BUSINESS EGGS - Continued

- Even when positions appear mutually exclusive, parties' fundamental interests may be met in a number of ways. If there are numerous ways to meet interests, one or more of them may also be acceptable to the other parties. But when the parties get emotionally wedded to a particular position, the position they adopt may exclude a mutually acceptable outcome -- and sometimes is not even in their own interest!
- To be effective in consensus-building, start on the premise that all parties have a stake in helping each other fulfill their interests through the negotiated agreement. Everybody takes on responsibility for finding a creative mix of alternatives which will address fundamental interests, even if the outcome looks considerably different than anybody expected going into the negotiations.
- The basic steps in an effective interest-based consensus-building process are:[1]

- Focus the process on meeting everybody's interests, not necessarily their positions.

- Get everybody to agree on the principles that underlie an acceptable outcome and ways of measuring the extent to which those principles are satisfied, so that everybody can tell whether or not the criteria have been met.

- Get everybody involved in generating alternatives, to get parties away from being too committed emotionally to a single outcome from the start the process.

- Separate the solution generating process from the evaluation process -- evaluating too early usually precludes creative solutions.

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[1] Fisher, Roger and William Ury, Getting to Yes, New York: Penguin Books,

Debriefing: BUSINESS EGGS - Continued

Reach an agreement on which solutions do the best job of satisfying the principles.

- This approach is entirely consistent with the Corps Six-Step Planning Process
- Just as the “zero-sum” assumption is a self-fulfilling prophecy, experience shows that the belief that there is a solution that meets everybody's interests can also be a self-fulfilling prophecy.

How do you identify interests?

- The key is listening closely to what people are really telling us
- Most of the time we are just listening to get our arguments ready

Class Activity

WHAT HAPPENS WHEN YOU DON'T LISTEN

Class Activity

WHAT HAPPENS WHEN YOU DON'T LISTEN

Purpose:

To identify the impacts of resisting other people's feelings.

Instructions:

1) The instructor will ask you to pick a partner.
2) Agree between yourselves on who will be the Neighbor and who will be the Half-Way House Director.
3) When the instructor says to "start" both people can begin talking, trying to convince the other person they are right. Do nothing that indicates acceptance or understanding of the other person's feelings, except for tactical reasons.
4) Stop talking when the instructor calls "stop".
5) Be prepared to discuss the impacts of resisting each other's feelings.
6) The instructor will tell you to start again, with the Half-Way House director serving as the listener. The listener's job is to come up with one word that accurately describes the other person's feelings.
7) If that word is appropriate--or even approximate--the Neighbor should continue talking.
8) The instructor will then call "switch". The neighbor then becomes the listener, and the Half-Way House Director becomes the sender.
9) Be prepared to discuss the impacts of summarizing each other's feelings.

Do Not Read Unless This Is Your Assigned Role

NEIGHBOR

You have just been informed that the city is considering granting a permit to a halfway house for emotionally disturbed people. The halfway house would operate in a large old house nearby that was previously divided up into small apartments that were rented to university students. You were really relieved to get rid of the students who played loud music at all hours of the day and night and often held outdoor parties that kept the whole neighborhood awake. Now instead of drunk students you are dealing with crazy people!

You have read all kinds of stories in the newspapers about people being released from mental hospitals and then going crazy and hurting people. You are afraid they might make a mistake and release someone to the halfway house who might hurt your family. Also, you do not think it helps property values to have a lot of strange people wandering around the neighborhood.

You are ready to go protest the halfway house when you are introduced to the Director of the halfway house. You decide this is a good time to get some answers.

Do Not Read Unless This Is Your Assigned Role

HALFWAY HOUSE DIRECTOR

You are the Director of a halfway house for people who have had emotional problems but are now ready to make the transition back into society. Most of the people could be returned home if they had a family, but do not have a family or friends with whom they can live. Your group has discovered that if you can provide a group home for these people, their ability to get jobs and make a place for themselves in society is greatly enhanced. The statistics show that only about 10% of the people who go through your program need subsequent hospitalization, compared with almost a 50% rate for people who try to go back into society without any support.

Unfortunately, you were forced to move from the last building you were renting because of opposition by the neighbors. A number of neighbors got frightened and started spreading wild stories about people going crazy and murdering people, etc. The pressure got so great that the landlord asked you to leave. Now you have found a new building, and you have a chance to start over. You just hope the neighbors do not start in again, because this was the only building you could find that was at all suitable. If you cannot keep this facility, the whole program may fold, despite the fact that no one in the program has ever had an incident where they hurt or even bothered someone in the neighborhood. If this does not work, you are really up a creek!

WHAT HAPPENS WHEN PEOPLE FEEL RESISTED

- They feel compelled to repeat whatever they felt was not acknowledged.
- They “escalate” with stronger more emotional language; their voice tone becomes more sarcastic; their volume increases.
- They become more accusatory.
- Their position becomes more rigid and fixed.
- They become less open to alternatives.
- They start seeing others as the enemy.

Presentation:

ACTIVE LISTENING

Readings accompanying Active Listening:

James L. Creighton, “Listening to the Public,”
course readings, pg. 70.

ROADBLOCKS TO LISTENING

- **Ordering, Demanding** *("Stop talking like that...." "You must....")*
- **Warning, Threatening** *("You'd better stop that right now or...." "Just keep that up and I'll....")*
- **Admonishing, Moralizing** (*"It's your responsibility...." "You're being irresponsible....")*
- **Persuading, Arguing, Lecturing** *("Don't you realize that...." "The facts are....")*
- **Advising, Giving Answers or Proposing solutions** *("What you should do...." "The way to deal with that is....")*
- **Criticizing, Disagreeing, Contradicting (***"That's absolutely wrong...." "You're not thinking about this correctly....")*
- **Praising, Agreeing** *("But you've done such a good job...." "That's absolutely correct, in fact....")*
- **Reassuring, Sympathizing** *("Don't worry...." "You'll feel better....")*
- **Criticizing, Judging, Evaluating** *("You're being totally unfair...." "You're acting like a baby....")*
- **Interpreting, Diagnosing** *("You're just feeling that way because...." "You're problem is....")*
- **Probing, Questioning** *("Why do you feel that way?" "Are you sure you have all the facts?")*
- **Sarcasm, Kidding, Humor** *("Well, into every life a little rain must fall...." "Aren't we Miss Sunshine today!")*
- **Diverting, Avoiding** *("You think that's bad, let me tell you...." "Let's stay focused on the important stuff....")*

WAYS TO ACKNOWLEDGE

- Summarize your understanding of what people are thinking and feeling.
- Record a summary on a flip chart.
- Use the flip chart summary as the record of the meeting.

ACTIVE LISTENING

- Summarize, rather than judge, what the speaker says.
- Summarize both feelings and ideas.
- Avoid lead-in phrases, e.g., “I hear you saying....”
- Choose words that match the intensity of the feeling--avoid undershooting or over-shooting.

WHY MEETING LEADERS USE ACTIVE LISTENING

- When there is no acknowledgment, people feel incomplete and unsatisfied.

- "Disagreeing" or "correcting," even presenting facts or information, creates resistance--and feelings escalate.

- "Agreeing" can alienate someone else in the group (and can also fixate people on the "presenting problem"). Active Listening creates an environment in which people:

  -- Move from "presenting problems" to real feelings.

  -- Move from positions to interests.

WHEN IT IS MOST IMPORTANT TO SUMMARIZE FEELINGS

- When voice tone or word choice shows high intensity.
- When people are repeating the same point.
- When people say they are not being understood.

Class Activity:

ACTIVE LISTENING PRACTICE

Class Activity:
ACTIVE LISTENING PRACTICE

Purpose:

To practice skills that demonstrate a willingness to listen to and acknowledge another person's point of view.

Instructions:

The instructor will play tapes of several people saying things that may be provoking or hard to listen to. Listen carefully, and in the left-hand column write the emotions (e.g., angry, happy, sad) you believe the person was feeling, and the circumstances or behaviors about which they have those emotions. Space is provided below to write your answers:

EMOTIONS	CIRCUMSTANCES OR BEHAVIORS
1.	1.
2.	2.

EMOTIONS	CIRCUMSTANCES OR BEHAVIORS
3.	3.
4.	4.
5.	5.

ACTIVE LISTENING PRACTICE - Continued

Instructions:

After several examples, the instructor will ask you to write out complete sentences in which you summarize your understanding of what the other person was feeling (their emotion), the circumstances or events that caused those feelings, and the basic interests expressed in the communication. Space is provided below to write your answers:

1.

2.

3.

4.

5.

ACTIVE LISTENING PRACTICE - Continued

Instructions:

1. The instructor will divide the class into groups of three.

2. Take turns being Sender, Listener, or Coach. Each “turn” should last 5-7 minutes

   - Sender:

     Discuss something about which you have strong feelings, maybe even mixed emotions, e.g. a problem at work, trouble with a teenager, a decision about career direction

   - Listener:

     Listen carefully to the sender. Whenever there is a natural pause, summarize using an Active Listening response. Do not discuss your reactions, judgments, suggestions, etc. Use only Active Listening.

   - Coach:

     Your job is to watch the Listener, and if the Listener stops using Active Listening, stop him/her and get him/her back to Active Listening. If he/she is trying to come up with an Active Listening response, but having trouble, you can offer a possible Active Listening response.

3. After each “turn,” discuss (“critique”) how the Listener did, and what impacts resulted from the use of Active Listening.

Presentation:

HOW AUDIENCES REACT TO MEETING LEADERS

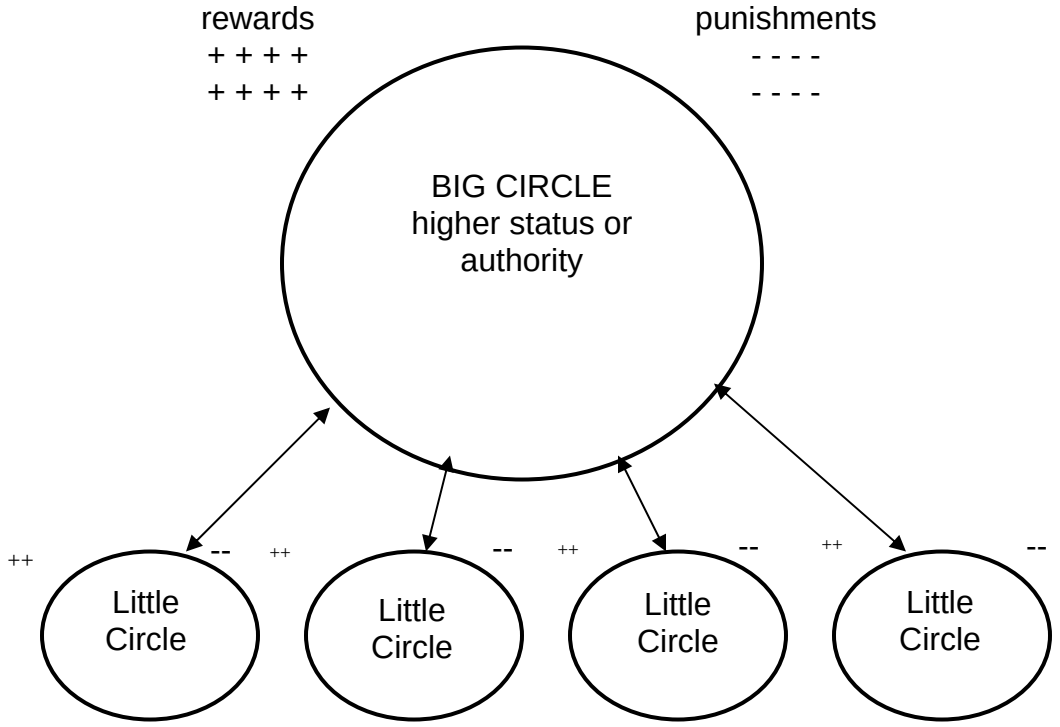
Presentation:

HOW AUDIENCES REACT TO MEETING LEADER

Circumstances that might require a meeting leader to express concerns:

- Group has drifted off the agreed-upon topic.
- People are not able to complete their comments due to interruptions.
- Too many people talking at once.
- Comments are exceeding agreed-upon time limits.
- Comments are insulting--”name-calling.”
- To remind the group of agenda time limits.
- To propose use of a technique, e.g., brainstorming.

The problem with using power:



- This can lead to “equalizing behaviors:”
- Equalizing behaviors:
  - “Cutting down to size” – constant attacks
  - Teaming-up in opposition
  - Finding another “bigger circle,” e.g. courts
  - Withdrawal
  - Passive/aggressive – no open opposition, but constant undermining, delays, nit-picking

Equalizing behavior is a frequent dynamic in interagency teams and interagency negotiation

TUESDAY NIGHT READING ASSIGNMENT

Read Whattawatta River Case, pg. 132

WEDNESDAY

Presentation:

COMMUNICATING CONCERNS

Readings accompanying Communicating Concerns:

James L. Creighton, “Communicating Feelings While Leading Meetings,” course readings, pg. 75.

BEHAVIORS FACILITATIVE MEETING LEADERS SHOULD AVOID

- Judging, admonishing
- Using power
- Proposing solutions without giving a reason that makes sense from the audience's perspective

A MODEL FOR COMMUNICATING CONCERNS

1. Send the problem, not the solution.
2. Communicate a feeling, not a judgment.
3. Communicate a feeling appropriate to your role as facilitator.
4. “Own” your feelings.
5. Describe the behavior instead of evaluating it.

Model:

I feel (ownership) + feeling word + behavioral description (and sometimes) + suggestion

Message:

“I’m frustrated because I would like to have a lot of interaction and give and take but I’m also concerned that people aren’t getting a chance to complete their comments without interruption. Perhaps you could raise your hands and let me call on you.”

Class Activity:

COMMUNICATING CONCERNS

Class Exercise:

PRACTICING COMMUNICATING YOUR CONCERNS AS A MEETING LEADER

PURPOSE:

To practice handling meeting situations where the facilitator must communicate his/her concerns or ideas.

INSTRUCTIONS:

1) You will be paired with another participant.

2) On the following page, write what you would say if you were the facilitator--using the model below--to handle the seven circumstances that are listed on the next page.

   I feel (ownership) + feeling word + behavioral description

3) Then compare notes with your partner, discussing how best to send your concerns without creating defensiveness, putting anybody down, or seeming unduly controlling.

COMMUNICATING YOUR CONCERNS - Continued

SITUATION	YOUR MESSAGE
Group has drifted off the agreed-upon topic	
People are not able to complete their comments due to interruptions	
Too many people talking at once	
Comments are exceeding agreed-upon time limits	

SITUATION	YOUR MESSAGE
Participant's comments are insulting to other participants--"name-calling"	
Group needs to be reminded of agenda time limits	
You want to propose the use of a technique, e.g., brainstorming	

Notes on Discussion

Presentation:

FACILITATION

Readings accompanying Facilitation:

James L. Creighton, “Facilitation,”
course readings, pg. 79.

Presentation:

THE FACILITATOR ROLE

- Some structure is in everybody's interest
- But if the person running the meeting has a stake in the outcome, people fear that control of the meeting will lead to control of the outcome

The role of the facilitator:

- Given some control over "process" in return for being neutral on content
- Still consults with the audience on major process changes
- Acts on behalf of everybody in the meeting
- Provides a structure that serves everybody's interests.
- Should be proficient in Active Listening and Congruent sending.
- Should have "process design" skills (e.g. how to design and structure activities to get the best result from a group)
- In some cases a skilled "internal" facilitator can do the job – but there's always the problem that he or she may not be perceived as neutral no matter how neutral they behave.

Things a facilitator does:

- Helps design the meeting process
- Works with the group to set the agenda and ground rules
- Summarizes comments or concerns
- Helps group observe agreements about time limits, staying on track
- Suggests group process techniques
- May call on speakers
- Restates conflicting positions – so both sides can hear
- Summarizes decisions made by the group

Qualifications of a Facilitator:

- Skilled in active listening and communicating concerns
- Knowledgeable about group process design
- Personal ability to avoid judging and remain neutral
- Sufficient knowledge about the subject matter so he/she can follow the conversation

Other meeting leadership roles:

- Recorder: Keeps a summary of what is being said on a flip chart
    - A “servant” of the group – each person is the expert on his/her own comment, and the recorder must try to capture the comment they way the participants want them
    - While the facilitator may acknowledge feelings, it is more crucial that the recorder capture content
    - Flip charts sheets serve as the record of the meeting – have people review the summaries to be sure they are to their satisfaction
- Spokesperson: In a meeting, all comments on policy should come from an agency person, not the facilitator.
- Fact person: There may be a technical expert present only, but his/her comments should be limited to factual issues only

All people in other roles must work through the facilitator or they will undermine the facilitator’s control of the meeting.

Team Exercise:

FACILITATING A MEETING

Team Exercise:

FACILITATING A MEETING

PURPOSE:

To practice facilitating a meeting under conditions similar to real life.

INSTRUCTIONS:

1. The instructor will divide the class into teams.

2. Your team is a working group that has been set up to develop a set of alternatives for addressing fisheries issues on the Whattawatta River System. The working group includes representatives of citizen groups, representatives of agencies, and representatives of a tribal nation. By the end of this meeting you hope to have reached agreement on a set of alternatives that the working groups believes adequately captures the range of options that should be considered as part of a major study of how to protect endangered fisheries on the Whattawatta River System. More information on the case and the roles of the various working group members is provided on the next page.

3. The agenda for the meeting is:
   - Purpose of the Meeting, Introductions and Meeting Groundrules
   - Identifying Problems/Opportunities
   - Developing Principles & Measures
   - Identifying a Set of Alternatives

1. Each person in the team will take a turn as Recorder and as Facilitator. You have until ____ for this exercise, so control your time so that everybody gets a turn.

2. After each “turn,” stop and give feedback to both the Recorder and Facilitator. The forms on the following pages provide suggestions on what to comment upon during the critique.

3. Each team member is to pick a role from the list of roles on pages ____. Each team member should announce which role he/she will play. You can also make up roles or switch roles, but any changes in role must be announced to the group at the beginning of a "turn."

4. After each critique, a new Recorder and Facilitator will take over, but the meeting should continue from where it left off at the end of the last "turn."

THE WHATTAWATTA RIVER SYSTEM CASE

The Whattawatta River System is the major drainage for a large mountain range in the western United States. It consists of six rivers and a number of smaller tributaries that become the Whattawatta River, which ultimately drains into the Pacific Ocean.

During the 1920s-1960s a number of dams, some very large, were build on the Whattawatta and its major tributaries. Some of the largest dams were built primarily for flood control, and these are managed by the Corps of Engineers. Roseland, the largest city in the region, had heavy flooding in 1936, 1948, and 1956. If similar flooding occurred today, the damages could run into the hundreds of millions of dollars,

Other dams were built primarily for irrigation water supply, with some flood control storage, and these dams are operated by the Bureau of Reclamation. All the federal dams also provide hydropower. This power is marketed by the federal Power Marketing Agency (PMA). The amount of hydropower generated by the federal system accounts for 50% of the power supply in the region, and many key industries located in the area during and immediately after World War II precisely because of the cheap hydropower. As the region began developing new power supplies, the price of electricity began to rise as well, so while the region retains a slight price advantage, it is not as big as it once was. In fact, some major aluminum manufacturers have closed operations or are threatening to move off shore (to other countries) because of the higher price of electricity.

The Whattawatta River is also a major transportation network, with large barges transporting agricultural products from the interior to the coast through a series of locks.

Many tribal reservations are located along the Whattawatta or its tributaries. These tribes signed treaties with the federal government during the 1800s, often under duress. However, these treaties state that the tribes retain both water and fishing rights. For many years, these rights were largely ignored, but recent federal court decisions make it very clear that these tribal rights do exist and must be respected. The Department of Interior exercises trust responsibilities

on behalf of the tribes, although the tribes do not trust Interior to represent their interests. The tribes have become very effective at protecting their rights in the courts.

At one time, the Whattawatta was famous for its anadramous fisheries. Many historical photos show people catching very large Salmon. The tribes would catch Salmon in nets, while standing on platforms built over rapids in the river.

Anadramous fish hatch in the far upper reaches of the Whattawatta tributaries. The immature fish, called “smolts,” make their way down to the Whattawatta and ultimately out to sea. During this journey they transform from a fresh-water fish to a salt-water fish. After they mature, the fish swim back up the river to the tributaries where they mate, spawn and then die. These fish always attempt to return to the tributary where they were hatched, and scientists believe it has something to do with the “smell” of the water.

The Whattawatta River System once provided a seemingly endless supply of Salmon. But now some of the stocks are so reduced that the number of mature Salmon reaching the upper tributaries is less than 50. There are many points at which human activity has interfered with the natural processes. Logging and other development along rivers and streams has sharply reduced the number of useful breeding areas. Some of the dams have fish ladders that permit fish to migrate upstream, but some do not. In addition, smolt get caught in the flow of water into the power turbines, and are chewed up by the turbines.

The Corps and Bureau have tried to solve these problems by transporting the smolt downstream in large barges. But some people claim that many smolt are lost en route, and also argue that the barge travel does not replicate all the natural processes that would take in route. The process by which smolt turn from fresh-water to salt-water fish is very complicated, and there is still a great deal of scientific controversy about what aspects of the process are most important and most be protected. In addition, the agencies have built a number of fish hatcheries upstream. There is considerable controversy over whether the fish from the hatcheries are as strong and resilient as the “natural” fish.

Upstream, a series of dams built by an independent power company on the Sneaky River do not have fish ladders and block all species that would previously have hatched upstream of those dams. Many environmental groups have called for removal/destruction of these dams. In fact, and increasing number of people are calling for breaching all the dams and returning to a “natural, run of the river” condition.

During the period that the smolts head downstream they are fragile and subject to disease and predators. As noted earlier, many are killed in the turbines at the downstream dams. Once they reach the ocean, there is intense fishing. Then there are all the problems the mature fish have in returning to their hatchery, and finding appropriate breeding habitats.

Several of the Salmon species have been declared to be threatened or endangered species. As a result, the U.S. Fish & Wildlife Service (Dept. of Interior) is deeply involved in all decisions about river operations, as in the National Marine Fisheries Service (Dept. of Commerce).

The fisheries issue is a major political controversy. The Whattawatta River has a major economic impact on the region, because of the transportation and hydropower benefits it provides. On the other hand, tourism is also a major income producer, and tourism is strengthened by the perception that this is a region with bountiful natural resources. The Salmon are symbolic of the whole way of life of the region.

The political climate in the region has become increasingly “green,” so major political figures walk a real tightrope for fear of alienating those who recognize the economic benefits of the river, and those who believe that preserving the fisheries takes first priority.

Congress has passed a law authorizing a study to be conducted jointly by the Corps, Bureau of Reclamation, and Power Marketing Authority. This study is to evaluate the full range of alternatives to resolve the fisheries issue. The Governors of the affected states, working in cooperation with the agencies, have appointed a working

group to work with the study team. This working group includes representatives of citizen groups, agencies, and tribes. The study team knows that to produce an outcome that has a hope of success, it must work with the working group to produce as high a level of consensus as possible.

Because the level of controversy is so high, even the subject of who will run the meetings of the working group is controversial. So the study team has decided that the various members of the working group will take turns acting as facilitator.

POSSIBLE TASK FORCE ROLES

Corps: The Corps' primary interest in this issue is to protect the flood control storage in the dams. The primary run-off period is late spring and early summer, so you would like as much available storage as possible going into that period. Without the dams, you would be unable to provide any significant flood protection. The Corps is also protective of navigation. Without upstream storage and the system of locks, barges would be unable to reach many of the upstream ports by mid-summer. The Corps is well aware that unless the fisheries problem is solved, the Corps will increasingly lose control over river operations, and the pressure to breech the dams will grow. Corps' credibility has been seriously challenged by the declining fish stocks.

Bureau of Reclamation: The Bureau's primary concern is providing irrigation water. The critical period for supplying irrigation water is mid to late summer. This means you want to hold the water in the dams as late as possible. You are deeply afraid that water for fisheries will come at the expense of the irrigators, as that seems to be the political trend in the region. The Bureau is well aware that unless the fisheries problem is solved, the Bureau will increasingly lose control over river operations, and the pressure to breech the dams will grow. The Bureau' credibility has been seriously challenged by the declining fish stocks.

Federal Power Marketing: Your responsibility is to market the hydropower from the dams operated by the Corps and Bureau. Electricity has the greatest value during the summer months, particularly if the power can be held in the dams and released on the peak power market on the summer's hottest days. So you would prefer that as much water be held in the dams and released as late in the summer as possible. You play a unique role in the situation, because the primary way the region can finance fisheries research and other programs is by building these programs into the electric power rates. At times you believe the environmentalists are utterly unrealistic, because if the dams are breeched the region will lose billions in electricity revenues, and with that, lose the ability to fund the fisheries programs the environmentalists advocate.

Governor's Representatives: Your primary concern is that it seems like the region is losing control over critical resources. It's been bad enough that the river has really been operated by the three federal agencies (Bureau, Corps, FPA), but if protecting rare and endangered species becomes the primary concerns, the USFWS and NMFS will be calling the shots. This scares you because it seems to you that all these agencies care about is protecting the fish, and they have no regard for what happens to the regional economy in the meantime. The Governor is in a bind. He won the last election with the support of the environmental community, but on the other hand he personally believes that breeching the dams is a ridiculous proposal. But he can't really say that out loud, so he keeps hoping that the federal agencies can come up with a palatable solution that solves the problem and takes the pressure off of him to support the environmentalists' position.

Tribal: The tribes most important interest is to have the federal agencies treat them with the respect due sovereign nations. In the past, the federal agencies have treated the tribes more like an annoying local government rather than as nations. Recent court decisions have educated the Bureau, Corps and FPA to your true status, but you are fearful that the USFWS and NMFS do not understand your status, and will expect to just dictate what fish can be taken and where. It is your understanding that a certain percentage of the fish are yours by treaty right, and the agencies have no right to tell you how to manage them. On the other hand, your share a desire to protect the resource, as your ultimate goal is to protect tribal culture, which is dependent on the fisheries.

FWS: You had hoped to avoid listing the fisheries on the Whattawatta, for fear the only real solutions would have such dire consequences for the region that it could lead to overturning the Endangered Species Act. But environmental groups keep up such pressure in the courts, that you finally had to agree to list them to settle several lawsuits. So far, however, nothing that has been done seems to be helping. You are particularly suspicious of the barging of the smolts. You believe many contract diseases that weaken them so that they die or are more susceptible to predators. Unfortunately, not enough money has been spent on research to really answer these questions. The FPA has been funding considerable research in the

past few years, but there hasn't been time to accumulate a sufficient body of knowledge to really put things on a scientific basis. One thing that has happened, though, is that the controversy has given you a real seat at the decision making table. In the past the Bureau, Corps, and FPA you like a poor relation, and they made all the decisions. Now they have to listen to you. But at the same time you are being asked to make decisions without all the scientific basis you would like, and you are fearful that the agency's credibility if the solutions don't result in replenishment of the stocks. As best you can tell though, the best regimen for fish is to emulate natural flows, with water permitted to run off throughout the winter and spring, even if this leaves little water for irrigation or hydropower late in the Summer/

Save Our Salmon (SOS) Group: Your group advocates tearing down the dams and returning the river to its natural state. You believe the solution to flood control problems is to remove those uses from the flood plain that cannot tolerate occasional flooding. You believe that only through constant pressure and confrontation will you be able to get the agencies to see the light.

Salmon Fisherman: You see the salmon fisherman as the true endangered species. Not only do you face pressure from fishing boats from other countries, the fisheries agencies keep reducing the length of the fishing season, to reduce the take. You can see a time in the future where they will ban all offshore fishing. Yet the Indians are allowed to take all they want. A number of your friends have already been forced to abandon fishing. Many still owed money on their boats, but some just had to walk away from their boats, letting the banks repossess them. You could buy up a lot of boats cheap, right now, but what good would it do you since even the boats that continue to operate are barely keeping in business.

Navigation Group: You represent the waterways transportation industry. Every year hundreds of millions of dollars of commodities are shipped up and down the Whattawatta and its tributaries. The people who advocate the destruction of the dams are often people with no real economic stake in the region. They are often in jobs that don't aren't directly related to the business community, and they seem to think that destroying the economy won't have any impact on them.

Business & Industry: The business community's first interest is keeping the cost of electricity low. The aluminum industry, in particular, is extremely sensitive to the cost of electricity and is having more and more difficulty competing with offshore aluminum plants. Waterway transportation is also crucial for some industries. A great number of industries would be inundated if the region were to return to the kind of flooding that occurred before the dams were built. On the other hand, the region is very "green" politically, and the business community can't afford to be too out of step with this. So you have a need to present yourself as supporting "responsible" environmental positions.

FACILITATOR FEEDBACK FORM

Facilitator _____

	THINGS I LIKED	THINGS I THINK NEEDED IMPROVEMENT
Confident that he/she understood the question or comment		
Felt your question or comment was accepted, acknowledged		
Understood the answer or response		
Felt the answer addressed your concern		
Felt he/she cared		
Understood/accepted the reasons why the leader said things to control the meeting		
Felt that any efforts to control the meeting were in the interest of everybody		

RECORDER FEEDBACK FORM

Recorder _____

	THINGS I LIKED	THINGS I THINK NEEDED IMPROVEMENT
Accurate summary of what people said		
Appropriate level of detail		
Worked through/with the facilitator		
Other:		

Presentation:

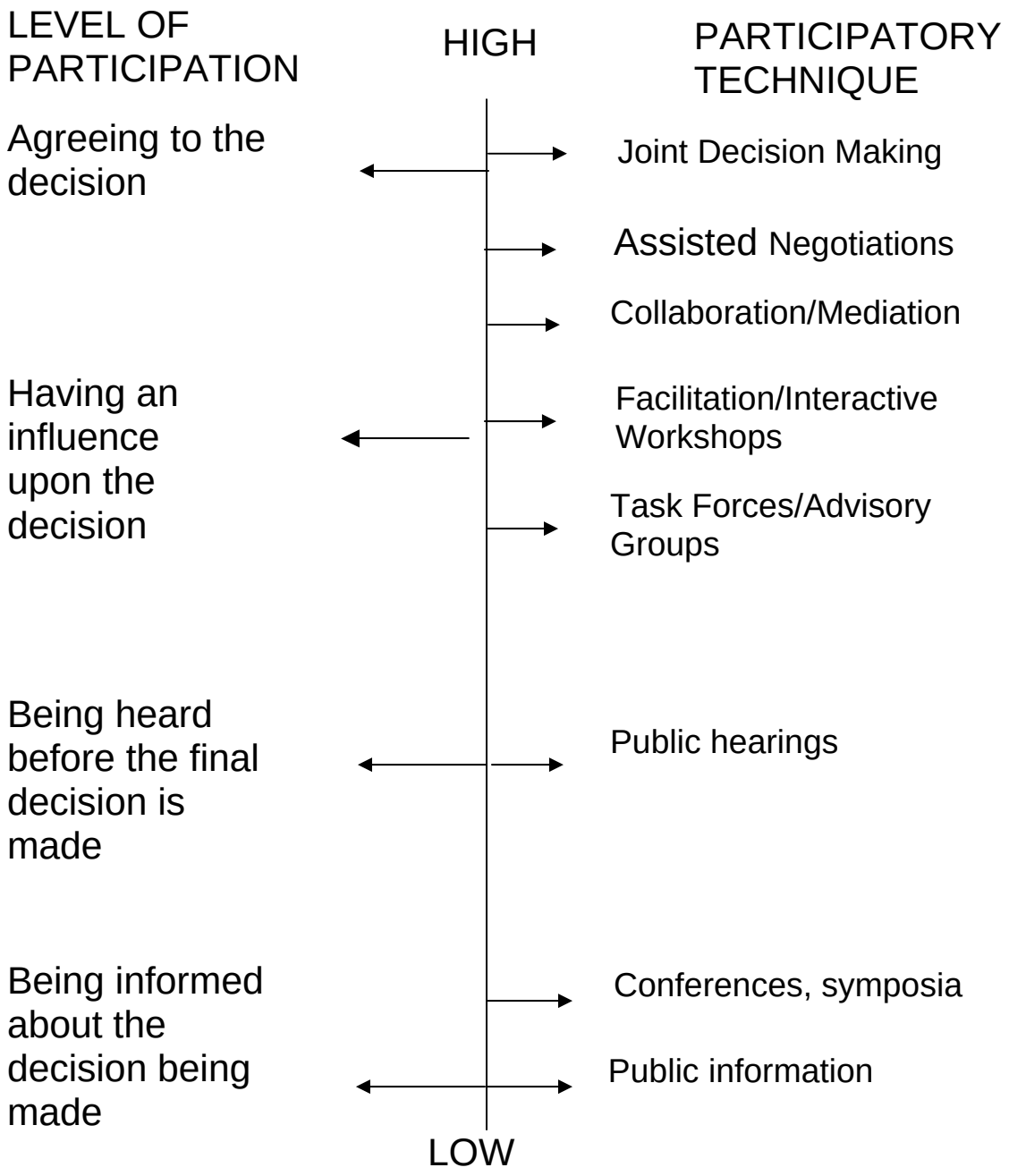
DESIGNING AND CONDUCTING INTERACTIVE MEETINGS & WORKSHOPS

Readings accompanying Designing and Conductive Interactive Meetings and Workshops:

James L. Creighton, “Designing and Conducting Meetings,” course readings, pg. 86.

DESIGNING AND CONDUCTING INTERACTIVE MEETINGS AND WORKSHOPS

Matching techniques to level of participation:



- Problems with public hearings and large meetings
  - Easily “captured” by small but organized activist groups
  - Don’t permit dialogue or interaction
  - You don’t hear from most people in the audience (so you don’t know whether they agree with the activists, have a different position, or just came to get information)
  - People who come to get information may have to listen to hours of speeches just to get the few pieces of information that they want
- Goals of an “interactive” meeting:
  - Reduce “speechifying” and posturing
  - Get many more people involved
  - Get interaction between people with different viewpoints
  - Produce a “product,” e.g., develop lists of brainstorming items, rank items
- Types of interactive meetings:
  - Large meeting, work-at-the tables: Plenary session; discussions at tables to complete an assignment; plenary session for report outs and general discussion
  - Large group, small group meetings: Plenary session, audience divided into small groups (possibly using color coding or other systems to create heterogeneous groups) which complete an assignment; plenary session for report outs and discussion
  - Samoan Circle: “Inner circle” surrounded by chairs in concentric rows with open aisles permitting access to inner circle; complete freedom of interaction within the inner circle; if you want to speak, get up and move to inner circle
  - Open Space: People assemble in large groups; any individual can announce a topic and serve as organizer of a discussion; each topic is assigned a meeting space and notice is posted on the wall of topic and meeting location; people move from topic space to topic space depending on personal interest

  - Workshops: Smaller group, may work as a single group, or use some version of small group format
  - Open houses (but these do not necessarily result in a product): Drop-in during announced hours; “stations” set up, organized around key topics, with an expert on that topic at the station; flip chart for recording comments; there can be a small group or chairs at each station to permit small group discussion. Open houses can be an adjunct to other kinds of meetings
- Interactive meetings frequently draw on a grab-bag of interactive techniques. Examples:
  - Problem Definition: force-field analysis
  - Generating alternatives: post-it blizzard, nominal group process (combines generating and ranking)
  - Ranking alternatives: Stars or points (e.g. allocate 100 points between the alternatives)
- Format follows function – Is this meeting for:
  - Information giving
  - Information receiving
  - Interaction
  - Consensus formation/negotiation
  - Summarizing
- When workshops make sense:
  - You want high levels of interaction
  - You want a “product” outcome
  - Stakeholders need to interact with each other
  - The numbers of interested people is small enough that a workshop – or several workshops – will handle them
- Designing Workshops
  - Facilitated
  - Ideal size - 12-15 (but usually larger)
  - Duration - 2-3 hours (or more)

- Ways to handle more people:
  - Repeated workshops
  - Daytime/evening workshops
  - Interest groups select representatives
- **Typical Structure:**
  - Orientation
  - Group activity to complete a product, e.g. brainstorming lists of alternatives then rankling them
  - Group discussion

- When interactive large group meetings make sense
  - You want interaction
  - You want stakeholders to interact with each other
  - The number of participants is large
  - You want high visibility
- Grab bag of interactive techniques
  - Force field analysis
  - Brainstorming
  - Post-it blizzard
  - Nominal group process
  - Colored dots – “dot democracy”
  - Allocate $ (e.g. allocate $100 between alternatives)
  - Likert scales
  - Normative guides
  - Nominal Group Process
    - Pose an activating question
    - Break into small groups/work at tables
    - Introductions
    - Silent generation
    - Record ideas on flip-chart

- Clarify ideas
- Prioritize ideas
- Discuss of results

Benefits of Interactive Techniques

- To help groups develop a group identity and grow as a group
- To have groups “own” their own tools of evaluation
- To help groups take stock in a non-threatening way

- Added Dimensions at Global Conferences
  - Multiple languages – simultaneous translation over earphones
  - Use of technology for visual recording: white boards, interactive computers, plasma screens, etc.

- An example: National Listening Session
  - Purpose of sessions was to get input on the following questions:
    1. What are the key water challenges facing our country (this region)? (These are needs that if not addressed will negatively impact our prosperity and quality of life, and environmental sustainability)
    2. Why is it a problem? What impact is the problem already having or is likely to have on our prosperity, QOL, and environmental sustainability?
    3. What actions should we take to respond to the challenge? What should be done about the problem?
    4. Who should take these actions? What should the Federal government do to help address the problem? What can you and your organizations do?
       - Audience size variable: 50 – 500 (and no way to know for sure until the day of the event)
       - HQ wanted to use the same meeting format in each workshop to ensure data would be comparable

National Listening Sessions Meeting Format

1:00 PM - 1:15 Welcoming comments by Division Commander; Commander presents slide show outlining the six water challenges identified by the Corps; Commander introduces facilitator

1:15 – 1:20 Facilitator reviews workshop objectives and format, facilitator gives instructions for table-talk discussion

1:20 - 2:20 Table-Talk Discussions

Assignment:

- Introduce yourselves to each other
- Select someone from your group to serve as a spokesperson
- Generate ideas about other water challenges you believe are important
  - jot ideas down on post-its
  - go round the table, each person sharing at least one idea
  - open discussion – additional ideas, plus informing others how particular challenges affect you or your organization
  - record challenges on flipchart
- Prepare summary of challenges identified at the table

2:20 – 3:25 Large Group Discussion – team reports and discussion

- Reports from tables
- Discussion

- Ideas consolidated on wall charts – 1 per challenge
- Participants put up post-its on flip-chart sheets on why the challenges are important

3:25 – 3:30 Dot voting

3:30 – 3:45 Break – During the break the facilitator counts the votes and identifies the highest priority items

3:45 – 4:45 Small Group Discussions

- Organized around priority challenges identified above
- Opportunity to switch to a second group after 30 minutes
- Assignment:
  1) What action or actions should be taken with respect to each challenge?
  2) Who should take such action(s), i.e. what should be the role of the Federal government, state and local governments, and private individuals and organizations

4:45 – 5:20 Plenary – Large group discussion

- Reports from small groups
- Additional comments

5:20 – 5:30 Closing remarks by Commander

Team Exercise:

DESIGNING A WORKSHOP

Team Exercise:

DESIGNING A WORKSHOP

PURPOSE:

To practice designing an interactive workshop or meeting

INSTRUCTIONS:

1) The instructor will assign you to a team.
2) Each team will be assigned one of the cases on the following pages.
3) Develop the format for an interactive meeting or workshop for the case given to your team – feel free to draw on your own experiences and ideas.
4) Be prepared to report on your meeting/workshop format at _____.

Team A – The Futures Scenarios Workshop

Your team has been given the assignment of designing a community leaders' workshop. Approximately 20 local community leaders – city council members, planning commission members, company CEOs, community group leaders – have been asked to participate in a workshop to identify 4-5 futures scenarios for how the community will develop over the next 30 years. In particular the Corps needs to know how the downtown is likely to develop, since that is the area the Corps believes could be affected by flooding. By the end of the workshop you need to know the community leader's ideas about the basic assumptions of future conditions that should be used for scenarios, and how development in the downtown area would play out in each scenario.

Team B – The Watershed Planning Meeting

One of the high priority water challenges identified in the National Listening Sessions was the need for watershed planning. As things are now, the Corps studies flood control, but other federal and state agencies have primary control over water supply and water quality issues. Local communities have control over development, and development decisions have considerable affect upon water demand, floodplain management, water quality, etc. A high level committee consisting of the Division Commander, Governor, and several local Mayors have decided that there should be a pilot effort to develop an integrated watershed management plan for the Rebecca River. Attendees will include representatives of three federal agencies (Corps, EPA, FWS), senior officials from comparable state agencies, and planning directors from 2 counties and 5 cities. This will be the first meeting of this group, and the purpose of the meeting is to develop some sort of strategy or approach for moving to total watershed planning. This will necessarily involve the politically sensitive issue of the appropriate role of federal, state and local governments in decision-making. It is very important politically that this first meeting produce a real sense of progress. If there's no "product" from the meeting, the whole effort could disintegrate, which would be a "black eye" for the Division Commander, Governors and Mayors.

Team C – The Floodplain Management Plan Meeting

The Corps has concluded, as a result of previous studies, that it is no longer viable to provide structural flood protection to the town of Pickwick. This town is located on the banks of a major river that floods frequently. There are numerous upstream flood control dams, but recently the 500-year flood occurred and Pickwick and numerous other communities were completely inundated. Based on this it is clear that structural measures cannot be used to solve the problem. As a result, the Corps is developing a floodplain management plan that will outline what uses will be permitted in the flood plain, how non-conforming uses will be phased out, how relocations will be handled, etc. The topic is very controversial and there are many in the community who are extremely unhappy with the Corps' conclusion that a floodplain management plan must be developed. As a result, there may be very vocal people present who may attempt to disrupt the whole process. You have decided that it is very important that this be an interactive meeting, where people actually work together to develop major elements of the plan, rather than a meeting for speeches that will just rehash the issue of whether there should be a management plan. One of your challenges is that you don't know how many people will be attending the meeting – it could be 25 people, or it could be 250 people.

Team Exercise

INTERGROUP BEHAVIOR

Team Exercise

INTERGROUP BEHAVIOR IN RESPONSE TO PRESSURE AND REWARDS

PURPOSE:

To identify group responses to pressure and rewards.

INSTRUCTIONS:

1) The goal of this exercise is to obtain the highest possible score.

2) The instructor will assign you to a team.

3) Your team will be asked to engage in a series of transactions. Think of these transactions as simulations of transactions that might go on between government agencies.

4) You will be designated as either the RED GROUP or the BLUE GROUP, and you will be engaging in a series of eight transactions with the other group. The results of these transactions will be shown in a score that will depend upon what each group decides to do in a transaction.

5) In each of the eight transactions, each group will decide on a message to send to the other group -- the message to consist of one of these three sets of letters:

   - XX
   - XY
   - YY

   In formulating a message, neither of the groups will know what the other decided to send. Three minutes will be allowed between transactions for each group to decide upon each subsequent message.

Team Exercise INTERGROUP BEHAVIOR - Continued

6) A neutral messenger, who is not a member of either group, will carry the messages between the groups, and report back the outcome to the two groups.

7) The two sets of two symbols will be combined to form a four letter transaction which determines the value of each group's contribution to the transaction, as follows:

If the combined transaction is:	then your group's result is:
4 X	-10 for each X in your group's message
3 Xs and 1 Y message	+10 for each X in your group's message and -30 for each Y in your group's message
2 Xs and 2 Ys message	+20 for each X in your group's message and -20 for each Y in your group's message
1 X and 3 Ys	+30 for each X in your group's message and -10 for each Y in your group's message
4 Ys	+10 for each Y in your group's message

Calculate the value of the transaction for your group from the two letters in the message that your group sent to the other group.

Team Exercise: INTERGROUP BEHAVIOR - Continued

An Example:

The RED GROUP sent the message XX. The BLUE GROUP sent XY. The combined transaction is XXXY. As a result, each group gets a +10 for each X in its two-letter message, and -30 for each Y in its two-letter message.

The RED GROUP, having sent XX as its message, receives a value of +20 (2 x +10) in this transaction.

The BLUE GROUP, having sent XY as its message, receives a value of -20 (+10 and -30) in this transaction.

8) Communication will be permitted prior to the exchange of messages in the 5th and 7th rounds. A single representative of each group will be allowed to discuss whatever group members have instructed these representatives to talk about. The meeting of these representatives will be at some place out of sight of the RED GROUP and the BLUE GROUP. A group may choose not to send a representative.

9) After the meeting between the representatives, the scores for those rounds will be made more important. Whatever score you get in the 5th round (using the formula above) will be multiplied by 5, and the 7th round will be multiplied by 10.

10) You have five minutes to review these instructions and agree upon your first message.

11) After you have been given your final total score, read and discuss the debriefing questions on the next page. DO NOT READ THESE QUESTIONS UNTIL YOU HAVE YOUR FINAL SCORE.

Team Exercise: INTERGROUP BEHAVIOR - Continued

12) Select someone from your team to give a 3-4 minute report on your team's experiences.

SCORING SHEET:

Transaction #	RED GROUP MESSAGE	BLUE GROUP MESSAGE	RED GROUP RESULTS		BLUE GROUP RESULTS	
			This Round	Cumulative (RED)	This Round	Cumulative (BLUE)
#1						
#2						
#3						
#4						
#5			**X5**		**X5**	
#6						
#7			**X10**		**X10**	

Team Exercise: INTERGROUP BEHAVIOR - Continued

DO NOT READ THIS PAGE UNTIL AFTER COMPLETION OF ALL EIGHT TRANSACTIONS

DEBRIEFING QUESTIONS:

1) Did your group view this exercise as a competitive or a cooperative exercise? Why?

2) What elements in the situation made you view the situation as either competitive or cooperative?

3) What events or behaviors changed how the team viewed the exercise?

4) Did your group keep track of the other team's score? If so, what did this tell you?

5) Was there anyone in the group who worked to change the group's perception that this was a competitive or a cooperative situation? How were they treated?

6) Did anyone suggest that the best result might be the best combined score of the two groups? How was that suggestion treated?

7) How did the direct communications with the other group change your perceptions or behavior?

8) Did the group give its negotiator power to adapt or come up with a new direction without consulting the group?

WEDNESDAY NIGHT READING ASSIGNMENT

Read "A Thought Process for Designing Participatory Processes," following pages.

A THOUGHT PROCESS FOR DESIGNING PARTICIPATORY PROCESSES

by

James L. Creighton

There is "no one-size-fits-all" approach to achieving the appropriate level of participation or building consensus. Instead, each process needs to be custom-designed to fit the individual decision-making circumstances. But there is a systematic way of analyzing each situation that will help you determine which process is most suitable for your circumstances.

THE THREE PHASES OF PARTICIPATORY PROCESS DESIGN

There are three stages of design that need to occur for an effective participatory process:

- Process Appraisal
- Process Design
- Process Implementation Planning

The easiest way to distinguish the three levels of design is to look at what decisions are made at the end of each level:

LEVEL OF PROCESS DESIGN	DECISIONS RESULTING FROM THIS LEVEL OF DESIGN
PROCESS APPRAISAL	• What is the decision being made, and what is the decision making process that will be followed? • Is a participatory process needed or appropriate? • Who needs to be included in the process? • What general type of participatory process is needed, e.g. public comment, substantial agreement but agency makes final decision, full agreement of all parties?
PROCESS DESIGN	• What are the participatory objectives for each stage in the decision-making process? • What participatory techniques will

	be used? • How are the techniques linked together in a coordinated plan?
PROCESS IMPLEMENTATION	• How will each step in the process be implemented? • What staff or 3rd party neutrals will be involved? • What's the budget for the process?

In some ways, this three-level design process parallels the Corps planning process. There's a front-end appraisal that determines whether a participatory process is appropriate, and what kind of process may be most feasible. There's a feasibility level to develop a full-fledged plan, and then there's a stage where all the details are worked out, just as there is on an engineering project.

PROCESS APPRAISAL

Here are the specific steps that need to be taken during process appraisal:

- Identify who else needs to be involved in making this appraisal
- Clarify the decision being made
- Determine who has to "sign off" for the decision to "count"
- Clarify decision constraints and special circumstances
- Identify issues and stakeholders
- Identify what level(s) of participation are needed to resolve the issues
- Assess willingness of stakeholders to work together
- Identify the appropriate type of process

A brief discussion of each step is provided below:

1) Identify who else needs to be involved in making this appraisal

First, before you even think about how you analyze the situation, you need to think about *who* is going to be involved in making the analysis. In most circumstances, this kind of analysis is best done with a team of people representing the most critical stakeholders. Why is this?

Rarely does one person have all the information that is needed, and if there is a dispute, even if s/he has the information s/he will interpret it in light of her/his own interests and biases. There is also the danger that if one person or party develops the process, people will suspect that the process has been set

up to benefit that party. The process might have been perfectly acceptable if it had been agreed upon mutually. But when it is proposed by “one side,” it may be viewed as an effort to manipulate.

This is not just true with “external” stakeholders. Experience suggests that if any one part of the Corps acts as if the participatory process “belongs” to it, the process may not receive the support it needs from other Corps units to be effective. Delivering a participatory process is a team effort. Typically no single part of the Corps can implement the entire process by itself. For example, if you were developing a public participation program for a new operating regimen for a river that crosses several district boundaries, the people who may need to be involved include the immediate program people at division and district levels, the Division Engineer, the District Engineers Office, the Public Affairs Office, the Counsel’s Office, and so on.

When people participate in arriving at decisions, they are more committed to implementation. This principle holds true inside the organization as well as it does outside. If you want the support of others in carrying out the process, they need to be included in the planning. One part of the organization or one party may convene the planning effort, but the plan itself should be embraced by everybody as “our” plan. Just as delivering the program is a team effort, so is planning it.

Within the organization, who needs to be consulted or involved? You should consider including people:

- Whose programs might be significantly affected by the decisions made during this process (e.g. program or project manager).

- Who have veto power over the decision (e.g. a regulatory agency)

- Who understand how this decision links to other decisions (e.g. a senior manager or someone who oversees multiple related programs)

- Who already have strong relationships with the stakeholders (e.g. field staff, public affairs staff, Corps staff who live in the community)

- Who will be called upon to implement some portion of the process (e.g. public affairs, people who prepare environmental documents, legal counsel).

- Who have special expertise that may be needed to implement the process (e.g. facilitators, writers, graphic artists, media relations)

- Whose involvement is needed for the credibility or legitimacy of the process (other agencies, peer review panel chair, a representative of a key elected official)

2) Clarify the decision being made

Typically, different parties will define the decision being made differently. One party will see the decision in terms of flood protection. Another party will see the decision as deciding how to ensure flows that meet the needs of fish and wildlife. Another will be concerned with the future of the waterfront area.

Even within the Corps, different parts of the Corps may have different interpretations of what the decision is, "What method is appropriate for isolating people from flooding?" Another part of the Corps may define the decision as, "What kind of structure should be built?" Still another may define the decisions as, "Where should the structure be located?' These differences need to be openly discussed and resolved before going to the public or trying to negotiate with other parties.

Even when there is agreement on the problem definition, the decision may still not be stated — or "framed" — in a way the public can understand or relate to. Here are examples of problems with "framing" the decision:

- Decisions are defined so narrowly that they ask a question that is not of interest to the public instead of a larger question of great interest, e.g. asking "What roads do we need?" instead of the much more interesting question "What's the site going to be used for once cleanup is completed?"
- When decisions are framed by individual programs they are often too narrow, e.g. "How much riprap do we need", not "What's the best way to achieve stream bank protection consistent with maintaining fisheries."
- Decisions are sometimes asked in such a way that the public is asked to react to technical options rather than values choices, e.g. stakeholder are asked to comment on alternative flood control options, each a separate decision, rather than larger questions such as: "What do you think the waterfront area should be like?" or "What kind of a downtown does your community need?"

The public thinks in terms of values and priorities -- the larger questions of political philosophy -- not technical options. If it looks like the decision is being framed solely in terms of options that differ only in technical details, they may choose not to participate or question why technical staff are not making the decision. The public finds it easier to participate if the choices are defined at a high-enough level that the different alternatives show the trade-offs between important values such as cost, safety, environmental or social impacts. If these trade-offs are not apparent to the public, then the Corps needs to educate the public about the values decisions that underlie the

technical options, or reconsider whether this is a decision that requires a participatory process.

3) Determine who has to "sign off" for the decision to "count"

The first step is to clarify whether the Corps will make the decision, or the decision will, in fact, be made jointly with other parties such as a local sponsor or regulatory agencies. If you have genuine "co-decision makers," one of the worst things you can do is act as if it is your decision alone and expect them to ratify it. This will almost guarantee resentment and set up an adversarial relationship.

Also, if you are going to enter into a process where agreements are to be reached, the people in the process have to be people who have the authority to make agreements. This means that the Corps' representatives, and the representatives from the other parties, must be at a high enough level that commitments made in the group will be kept.

Even if the Corps has the legal authority to make the decision, it may not have the political legitimacy to make a decision that "counts" – one that is actually implementable. So even if you don't have an "official" co-decision maker, the reality could be that if the participatory process does not result in substantial agreement, the decision is effectively blocked. This is important to know. It's a key consideration in deciding what kind of participatory process is needed

But even if you are entering into a process where other parties will simply "comment upon" or "influence" the decisions, it is still important to know who the decision maker will be. Participatory programs are often implemented in the field even though the decision maker may be located at headquarters or somewhere else in the organization. It is essential that the team implementing the program be able to consult with the decision maker during the planning of the participation program.

If the decision maker is not actively involved in planning, s/he may be more inclined to ignore the results of the process and simply substitute her/his own judgment. This can leave those people who participated in the process feeling betrayed and used. The best strategy, if possible, is to involve the decision-maker in designing the process. This will reduce the risk that he or she will disavow the process later on.

It may not be possible to have this individual actually participate planning sessions. If not, the following questions should be discussed with the decision maker:

- What are the issues that the decision maker believes will be most controversial?

- Which stakeholder groups are most likely to exert influence at the HQ level?
- Whose participation in the process is essential for credibility?
- At what points does the decision maker want to be briefed on the interim results of the process?
- What "constraints" does the decision maker believe need to be placed on the process?

Decision makers often get their information about what the public feels on a second-hand basis, that is, they depend on staff to provide briefings or summaries. One of the problems with this is that decision makers do not always get the "intensity" — how strongly people feel — of the message. Have the decision maker participate in the process as much as possible, even if only as a listener, so that he/she experiences the intensity of public concerns first-hand.

4) Clarify decision constraints

The next step is to identify any organizational or external constraints that could impact how the decision is made, and how you conduct public participation. Here are some examples of constraints:

CONSTRAINT	EXAMPLE
Corps already committed to a particular outcome	The Chief has already announced that provision of a particular service will be privatized
Schedule constraints	The authorizing legislation Federal law established a firm deadline, and the time remaining before that deadline is very limited -- you have a very short time for any participatory process
Context constraints	There is a close election going on in the community, and if you raise the issue right now, the issue will become part of the election controversy.

Resource constraints	Although the decision is potentially controversial, the staff time available to conduct a participatory process is very limited
The decision will have significant effects on other programs	A decision being made about Corps policy on federal financing formula requirements would have impacts on many other projects.
Constraints on release of the information needed to reach the decision	The project involves security considerations that mean you cannot release all the relevant information
Opposition to use of a participatory process on this decision	Key managers feel the decision is an "expert" decision and do not believe a participatory process is appropriate

What can you do when you identify key constraints:

- Accept the constraint and design your participatory process accordingly, or
- Go back to the people or organization who imposed the constraint and see whether it can be changed, or
- Push to get the issue resolved before starting the participatory process

Most constraints can be worked around if they are identified upfront, and accepted by everyone involved. But be sure that the constraints are "real." For example, it's not unusual for people to set deadlines, hoping to ensure tasks are completed in a timely manner, without an awareness of the impact on the participatory process. Before accepting such a constraint, you may want to test it by going back to whomever imposed the deadline and discuss the implications. Sometimes there are compelling reasons for the deadline, and you'll just need to work within them. Other times they can be changed.

If there is controversy within the organization about even consulting with the public or other stakeholders, attempt to force some resolution on this issue. Otherwise, the differences are likely to be all too visible to the public, and will undermine the agency's credibility. You don't want to get out on a limb with the public, only to find another part of the agency is cutting off the limb. If

you suspect people are sharpening their saws, elevate the issue before you go to the public.

5) Identify issues and stakeholders

Actually, this step involves two tasks: (1) identifying the issues that are likely to emerge, and (2) Identifying the "stakeholders" – those people who need to be included in the participatory process. They have been combined here because you will find it is almost impossible to do one without doing the other. As you think about what the issues are that are likely emerge, you will inevitably say, "Oh, if that's one of the issues, then so-and-so is going to want to be involved." Similarly, if you concentrate on stakeholders, you'll soon find yourself saying, "Oh, if they're going to be involved, they will insist we talk about such-and-such." So the easiest thing to do is to complete the tasks side-by-side.

Identifying Issues

Why do you want to forecast what the issues are likely to be? First, the nature of the issues will tell you something about the potential level of controversy. If you can tell from looking at the issues that a decision is going to be very controversial, that can influence not only what kind of participatory process you want but also the scale of the process (i.e. will it need to be a huge process, involving a cast of thousands, or will it be important to only a few key people).

Also, as we've already discussed, identifying the issues helps you identify the stakeholders. You may start out thinking only a few individuals or groups are going to be interested in the issue. But as you list the issues, you may suddenly realize there are issues involved that could draw in many more people than you originally expected.

Finally, once you know what the issues are, you can do some advance planning. Do you need to prepare some printed materials on that issue? Is there a policy decision you need the agency to make before you are ready to address an issue? Are there studies that should be set in motion because you'll need the results of those studies before any resolution can be reached?

On big controversial decisions it may be difficult to predict all the issues that arise – after all, one of the favorite strategies of stakeholder groups is continue to raise new issues and concerns. But experience shows that if you have assembled a knowledgeable team, you can probably identify about 90% of the issues. That's one of the reasons for doing the process design work as a team.

Identifying "Stakeholders"

What is a "stakeholder?" Stakeholders are individuals or groups who perceive themselves as having a stake in the decision. This "stake" could be:

- Economics - the decision could affect their business, or their property values
- Use - they currently recreate in the area, or they'd like to use the area
- Mandate - the decision impacts another governmental entities' programs or decisions (e.g. local planning decisions)
- Proximity – they live near the project site and could be impacted by dust, noise, traffic, smoke
- Values/philosophy – the decision is consistent or inconsistent with their beliefs about how natural resources ought to be managed

The term "stakeholders" has come into vogue based on the observation that resolving issues often doesn't mean that the entire public, or even a majority of the public, buys into or even cares about the decision. Often, the critical factor is whether those people who see themselves as impacted by the decision – which is always a smaller number than the public at large – can reach a resolution. If they do, on most occasions the issue will be resolved for all practical purposes. [For a moment, let's duck the extended debate that could ensure if we raise the question of whether a consensus of the people who see themselves as affected is the same as "the public interest.]

Sometimes it is obvious who the stakeholders are. For example, to resolve a dispute about a biological opinion, the stakeholders might be the Corps, the local sponsor, and the state and federal resource agencies. On the other hand, that issue might be so controversial that even though the agencies will make the decision, there's a large, interested public outside the agencies clamoring for some form of participation.

How do you anticipate who stakeholders will be? Often the first step is some sort of *staff identification*. This simply means that you gather together a knowledgeable group of people and ask them to identify the likely stakeholders.

There are a number of different strategies for staff identification:

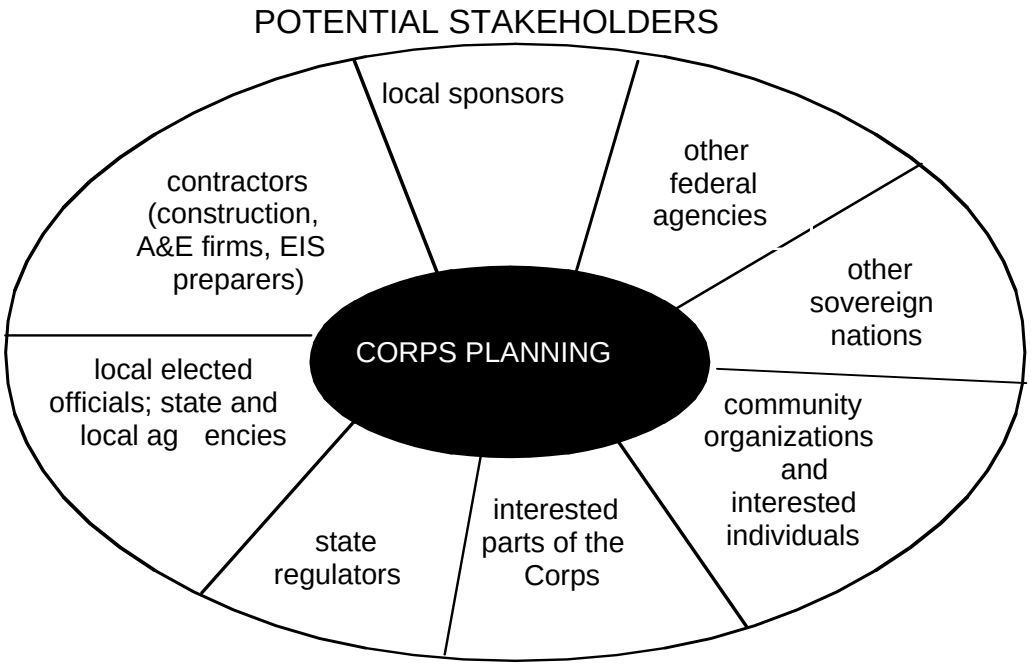
- As discussed earlier, identify probable issues then analyze which individuals or groups are likely to be concerned about those issues

Issues	**Likely Stakeholders**

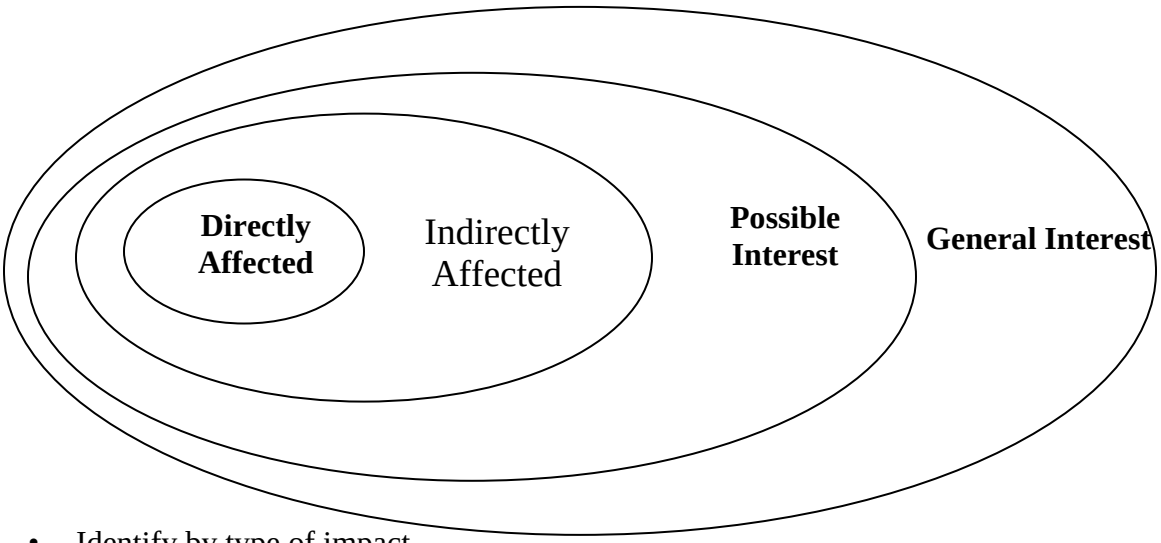
Channelization through the downtown area	Downtown business groups, resource agencies, tourism, city government, etc. etc.
Streambank protection	Landowners, agriculture, resource agencies, etc. etc.
Water quality	Industry, homeowners, recreationists, local government, health agencies, etc., etc.

- Ask yourself questions such as:
  - -- **Who might be affected?**
  - -- **Who are the voiceless?**
  - -- **Who is responsible for what is intended?**
  - -- **Who are representatives of likely affected?**
  - -- **Who will be actively against?**
  - -- **Who can contribute resources?**
  - -- Whose behavior would have to change if this decision were made?

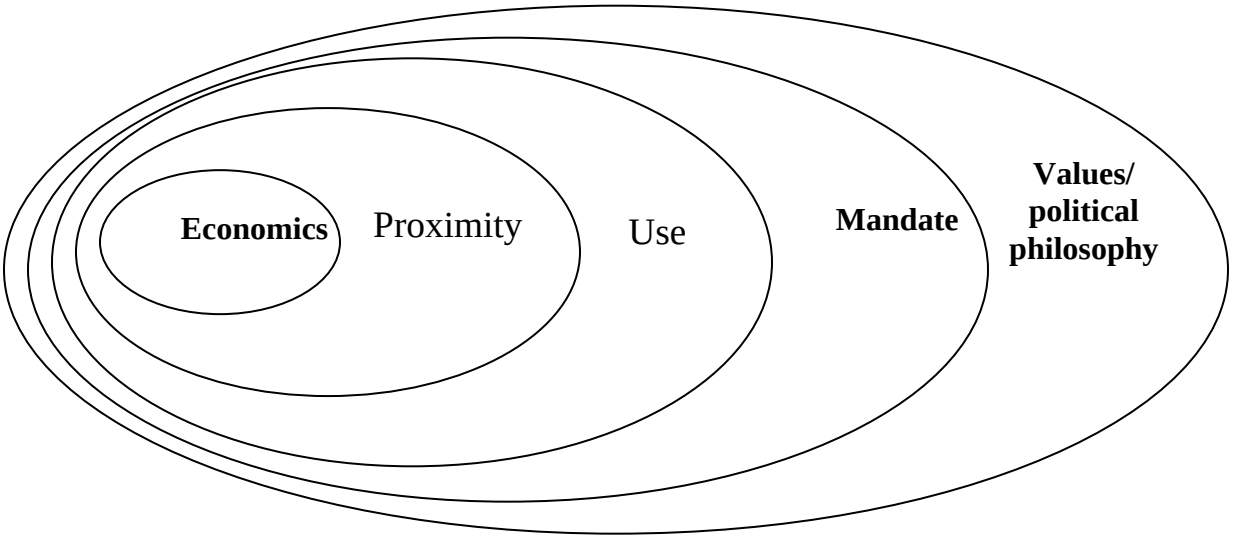
- Identify by type of entity



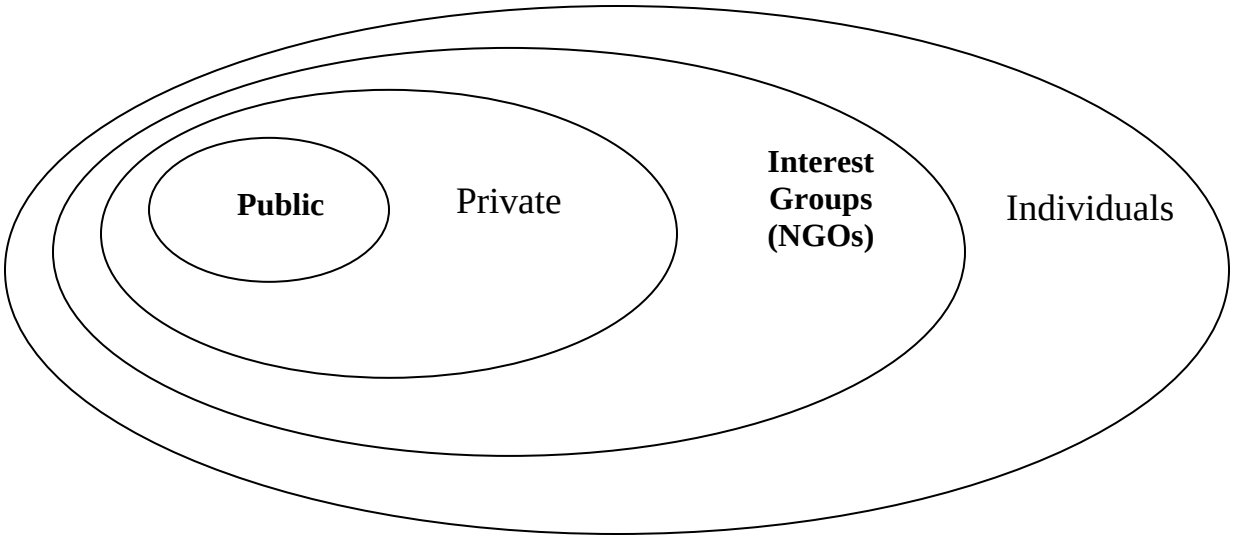
- Identify probable impact/interest



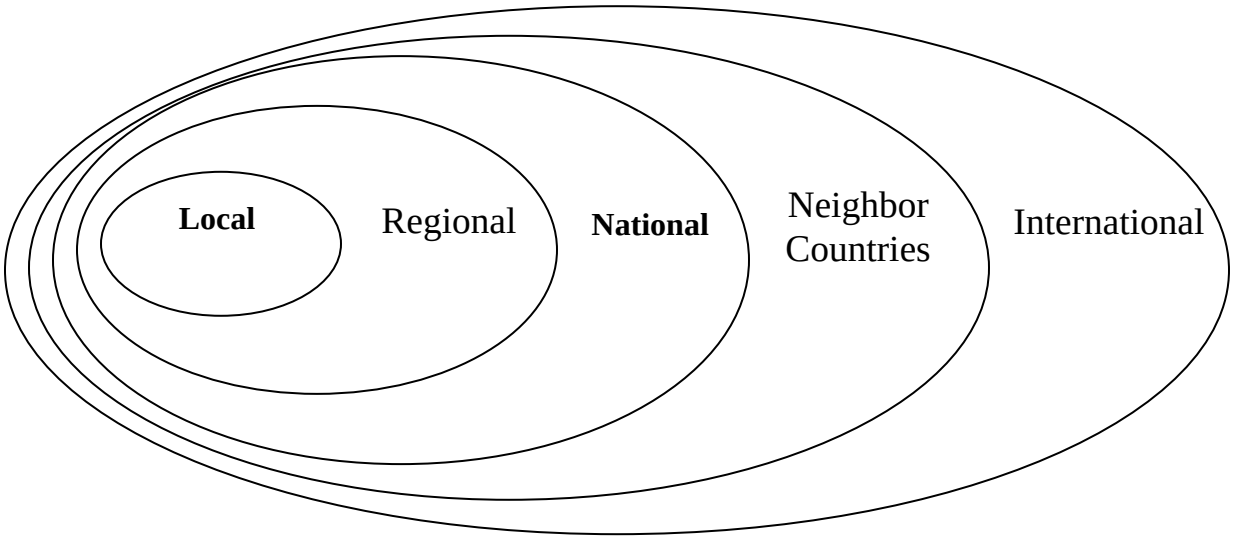
- Identify by type of impact



- Identify by sector



- Identify by location



Other strategies for identifying stakeholders include:

- Get people to self-identify: Send out information and let people who are interested identify themselves

- **Analyze prior decision-making documents: Review past decision making documents, e.g. EAs, EISs, and see who has participated in similar past decisions**
- Ask Other People/Seek Local Help: Ask other people who you know are knowledgeable/have an interest to tell you who else may need to be involved by virtue of: (a) position (role in an influential organization), (b) reputation (power behind the scenes), or (c) influence on past decisions of a similar nature

Finally, be aware that there are "internal stakeholders" as well, people or groups within the Corps – who may have a considerable impact upon the decision. It is probable that more projects have run aground due to opposition of internal stakeholders than external stakeholders.

Internal stakeholders might be interested because:

- The decision could affect their "turf."
- The decision could set a precedent that might ultimately affect them.
- They will be required to provide support to the decision-making process, such as conducting studies.
- Their organizational unit will play an important role in implementing the participatory process.
- Their unit will play a key role in implementing the decision.

6) Identify what level(s) of participation are needed to resolve the issues

Not every stakeholder has the same level of interest, the same ability to influence the decision, the same resources to participate, or the same level of knowledge about the issue. As a result, rather than thinking about stakeholders as just one giant laundry list of individuals and groups, it helps to think about "orbits of participation."[2]

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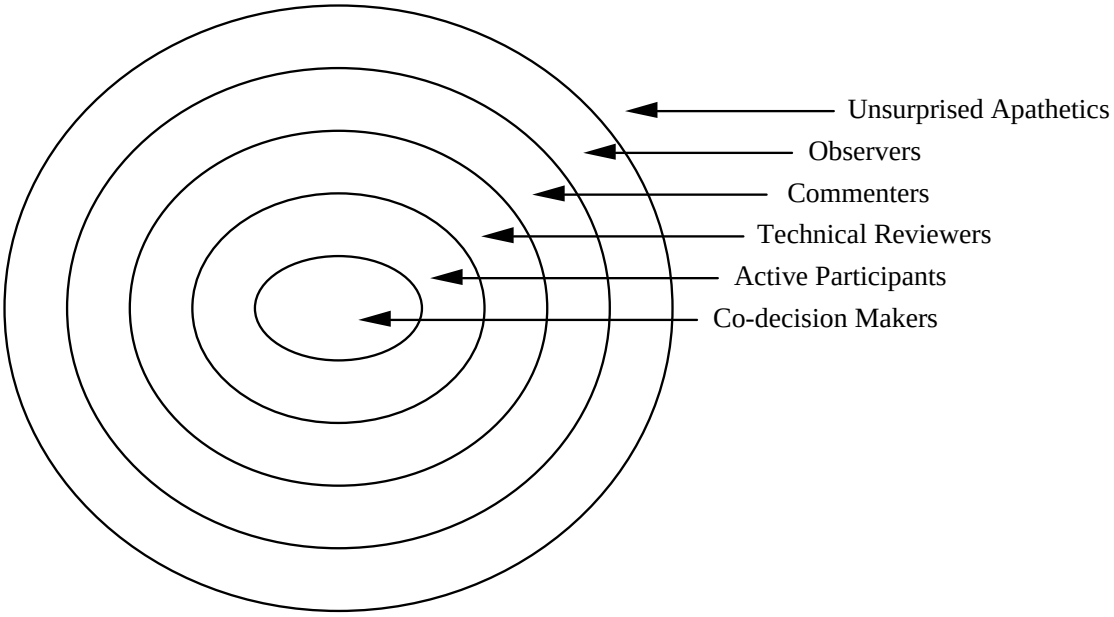
[2] This typology is based upon the ideas discussed in Lorenz Aggens, "Identifying Different Levels of Public Interest in Participation," in Public Involvement and Dispute Resolution – Volume 1, Fort Belvoir. VA: Institute for Water Resources, IWR Research Report 82-R1, pages 193-198.



This concept comes from Lorenz Aggens, who likens the public to particles in orbit around the nucleus of the atom. The idea is that the closer you are to the center, the more influence you have over a decision. But the closer you are to the center, the more time, energy and commitment of resources is required.

These orbits can be described as:

- Co-Decision Makers – Individuals or groups who have actual veto power; implementation can not occur without their support

- Active Participants - Organized groups or active individuals who care deeply about the decision and will participate – either in your process or through other processes (other agencies, other levels of government, courts, media, etc.) – so you'd better provide opportunities for them to participate *within* your process

- Technical Reviewers – Typically other agencies or people from the academic community who have an active role in determining the adequacy of your study methodology, but not the content of the decision itself
- Commenters – People who care about the issue, will attend meetings or write comments, but do not devote their entire life to the cause
- Observers – People who read the newspapers, and will read your newsletters if you send them, but remain silent unless they think something is seriously wrong. If they think something is wrong, they may become commenters or even active participants
- Unsurprised Apathetics – These people are called "unsurprised" because you've kept them informed but "apathetic" because they've made a choice

not to be involved. But they may be very active on other issues, e.g. schools, housing, etc.

There are several important implications of this concept:

- Not everybody wants to or can participate at the same level of intensity
- To be effective, your participatory process might – depending on the nature of the stakeholders and decision being made -- provide multiple levels of participation.
- Participatory processes often consist of multiple levels of participation, appropriate to the level of interest of the stakeholders, all going on simultaneously.

To illustrate: If you establish an Interagency Working Group to resolve issues among federal and state agencies. There would typically be one representative from each of the agencies, perhaps 5-6 representatives total. But each representative, in turn, reports back to his/her own organization, and a working group may set up some system of approving, then distributing, minutes within the agencies. At key points, the working group as a whole might even decide that it wants to hold briefings for agency management. The working group might also decide that it wants to have a peer review of studies that are being conducted, and might set up a peer review process. Finally, if the issue is controversial, the working group may want to send out a newsletter to interested parties, or might even hold public meetings before it reaches a final decision. So what seems one of the most restricted processes, at least in terms of numbers of people involved, has turned into a complex process with multiple forms of participation.

During this step you need to group your lists of stakeholders into general categories, such as Aggen's orbits, to determine what levels of participation may be required. You'll probably find it most critical to identify co-decision makers, technical reviewers, and active participants. These are the groups that it is most critical to involve.

7) ***Assess the willingness of stakeholders to work together***

There's one last step before you decide upon the type of participatory process you will need. You need to assess the willingness of the stakeholders to work together in a collaborative manner. You cannot, for example, enter into *mediation* within agreement of all the key parties. A professional mediator will go through a careful appraisal process before beginning mediation to determine the willingness of the parties to participate, and the probability of reaching some kind of agreement. You can't enter into *partnering* without willing partners. Even partnering with a "luke-warm" partner is likely to fail.

You can't set up an *interagency working group* unless the agencies are willing to commit the time, resources, and good will necessary to make it viable.

There are many reasons people may not choose to work collaboratively. These include:

- There may be historic antagonisms that prevent people from believing that collaboration is possible
- Agencies or groups may be afraid of being co-opted into taking positions that they see as compromising important values
- Groups may fear being dominated by the Corps or other parties – they fear they will be unable to hold their own in discussions with agencies or parties with many more resources, expertise, or political power
- Opposition to a controversial project is a way of mobilizing membership or demonstrating your effectiveness to a constituency – if you work collaboratively you lose the adversarial attitude that mobilizes your constituency

On the other hand, if people don't want to collaborate, they can still participate at some level. This is why you need to assess people's willingness to be part of a participatory process. If you know agencies or group aren't willing to enter into negotiations or joint decision making, then you know you'll have to use a "participation" approach.

Here are a few guidelines for how willingness to collaborate affects technique selection:

- Among public participation techniques, task forces and advisory committees require careful upfront assessment to ensure a willingness or ability to participate
- Partnering and Interagency Working Groups require agreement among the agencies (parties) on who is included, how decisions will be made, or choice of a facilitator.
- Third-Party Fact Finding and Disputes Review Panels require agreement of the parties to the process, the role of the neutral(s), and the use of the neutral's findings, etc.
- Mediation and Non-Binding Arbitration both require agreement to participate, agreement on the role of the neutral, and agreement on the steps in the process.

How do you assess willingness to participate? This is typically done in 1-1 meetings and interviews. If the agencies are being asked to enter into a genuine sharing of decision-making – such as in Partnering, or in an Interagency Working Group, there may need to be meetings of agency heads or other senior management to make the basic commitment to proceed. If the situation has become polarized, it may even be useful to hire a neutral party

(such as a trained facilitator or mediator) to do the appraisal of the willingness of the parties to participate.

8) Identify the appropriate type of process

At this point you should be able to determine what general type of participatory process you need. For example:

- Do you need stakeholders to be informed ?
- Do you need to satisfy procedural requirements (e.g. hold a public hearing and formal comment period)?
- Do you need informed consent (sufficient consensus that you'll be able to overcome any remaining opposition or a general acceptance that the decision is as good as possible under the circumstances)
- Do you need agreement of all the parties to ensure implementation?

Don't automatically assume that greater participation in the decision is better. For example, before you consider any process that requires a formal agreement, you need to recognize that there are preconditions before that can work. These preconditions include:

- A manageable number of parties
- Well-defined parties
- The parties are able to make binding commitments or there is some external mechanism for binding the parties to maintaining the agreement

It is also important not to promise or imply that stakeholders will have a greater level of influence upon the decision than the agency is willing to grant in the final analysis. If the Corps is going to be the final decision maker, this needs to be clearly communicated even if it is your intent to achieve a substantial level of consensus before you make your decision.

The key decision at the end of Process Appraisal is to determine what type of process you need with your "most-involved" stakeholders. For example, if you have co-decision makers, what participatory mechanisms need to be established with them? Will you establish an interagency team? Will you engage in a partnering process? Will you need a third party neutral, such as a mediator or facilitator?

On the other hand, if you don't have co-decision makers, but you do have Active Participants and Technical Reviewers, what type of participatory process do you need to establish with them. Do they simply need to be "heard" before the decision? Do you want to interact with them in an effort to resolve as many issues as possible through collaboration, even if you make the final decision?

During the Process Design phase you can think about what kind of participations opportunities need to be provided to other "orbits." For example, if you establish a partnering team, that team – as a whole – may then take on responsibility for conducting a public participation program.

Remember, if you do have co-decision makers, decisions about what kind of participatory mechanisms you need should be made jointly with those co-decision makers. If you go too far in your planning without including them, this may create resentment that will get you off to a bumpy start for the rest of the process.

To summarize: The key decision that you make during the Process Appraisal stage is what type of participation you will need for you to have the authority and the legitimacy to make a decision that can be implemented. If you are simply going to be unable to proceed without full buy-in from the regulatory agencies, it is a waste of time to simply have them "comment" on your work. Get them involved. Make joint decisions. If the Corps will make the decision, but will be unable to implement the project without general public acceptance, then you need a participatory process that results in that acceptance, not one that just jumps through the procedural hoops. On the other hand, if the decision had already been made for all practical purposes – and that does happen occasionally – don't promise a participatory process in which people have genuine influence on the decision. You'll simply leave people feeling betrayed and sufficiently cynical that they may be unwilling to participate when you really want their participation.

PROCESS DESIGN

Here are the basic steps to follow during process design:

7. Identify the process design team
8. Identify the steps in the decision process, and the schedule for completion of those steps
9. Identify process objectives for each step in the process
10. Analyze the exchange of information that must take place to achieve the objectives
11. Identify appropriate techniques to meet those objectives
12. Develop a plan integrating the techniques

1) Identify the process design team

This step is identical to the first step in Process Appraisal. You need to decide who has to be involved in designing the process. Since the level of planning is more detailed, the composition of the design team may need to be changed from the team that did the Process Appraisal. For example, you may not as much involvement from senior managers. But you may need additional people

with expertise in implementing participatory processes, such as meeting facilitators, writers or media relations specialists. Also, as a result of the appraisal that you made, you may have identified other agencies or groups that need to be included during the design stage.

2) Identify the steps in the decision process, and the schedule for completion of those steps

Next, identify the basic steps that will be followed in reaching a decision and array them on a timeline that will permit completion by the target date and meet intermediate milestones. This could be something very simple such as shown in the figure on the next page.

Typically the steps in the decision making process mirror the Corps' basic six-step planning process (See Orth and Yoe, pg.). But on large planning studies, those major steps may be broken down into a number of sub-steps. When decisions are not formal planning studies they still can follow the logic of the six-step planning process, but the stapes may be called by different names, as they are in the figure on the next page.

Why do you need a well-defined decision-making process? One of the measures of an effective participatory process is that it is well-integrated into the actual decision making process. To do this, you will need to coordinate the participatory process with the other technical studies, e.g. engineering, cost or environmental studies. For example, if you are conducting a public participation process there may be technical studies that need to be concluded so that the public can be given the information it needs (the results of those studies) to participate effectively. If the public's ideas are going to influence the decision, the public must be given the technical information in a timely manner, then the public's views must be obtained in a timely manner, to ensure that the public's ideas and concerns are considered by a certain date.

EXAMPLE OF DECISION MAKING STEPS AND SCHEDULE

STEP IN DECISION MAKING PROCESS	START DATE	COMPLETION DATE
Develop a problem/ opportunity statement and criteria for evaluating alternatives		May 200_
Identify the values to be portrayed in the alternatives		July 200_
Formulate preliminary alternatives.		Sept 200_
Evaluate preliminary alternatives.		Dec. 200_
Present a comparison of conceptual alternatives.		Jan. 200_
Select alternatives that should be considered in greater detail.		April 200_
Refine the criteria to be used in evaluating the detailed alternatives.		May 200_
Formulate detailed alternatives.		Aug. 200_
Evaluate the detailed alternatives.		Dec. 200_
Present a comparison of the detailed alternatives.		Jan. 200_
Select a preferred plan.		April 200_

Also, if you are going to explain to people how their participation is going to affect a decision, the decision making process itself needs to be well understood. If your decision making process is not well understood, you won't be able to explain to people how their participation matters. Also, a poorly

thought-out decision-making process can undermine the credibility of the participatory process before it even gets started.

Once the steps in the decision making process have been defined, the next task is to define the schedule.

One strategy that planners recommend is to start at the "end point," the conclusion of the process, then work backwards step by step. Often it will take several tries before it is possible to get all the steps in and still reach the end point on schedule.

One reason for starting at the end point is because it helps identify the "drivers" for the schedule. Examples of schedule drivers include:

- Congress requires a report or action by a specified date
- The Assistant Secretary or chief has publicly announced that a product will be completed by a certain date
- If a decision is not made by a certain date, the budget cycle will be missed and the program will be halted
- There is a legal or regulatory requirement to complete an action in a certain time period

Some of these "drivers" may be within the power of the Corps to change, but some may not.

The schedule can have impacts beyond just the challenge of integrating the decision making process and the participatory process. For example, if the time frame is too short, it may create the impression that the Corps is not being realistic or is not serious about allowing enough time for genuine participation. This can undermine the credibility of the process. There may be techniques you would like to use that simply can not be completed in the time available. This can force a switch to techniques that may not be as effective but can be completed in the time available.

3) Identify process objectives for each step in the process

During this step, identify exactly what it is that needs to be accomplished with the stakeholders during each step in the decision-making process.

To develop objectives, simply ask: "What do we have to have accomplished with the stakeholders by the end of this step?" Then write an objective that describes the completion of that task. For example, if the decision-making process followed the six steps in the Corps planning process, the objectives might look like those on the next page.

Remember that objectives often specify what level of participation is required. For example:

- Inform stakeholders about possible options
- Obtain stakeholders' comments on a list of options
- Have a dialogue on the range of alternatives to be considered
- Get agreement on the range of alternatives to be considered

During the Process Appraisal you should have agreed, in general terms, on what overall level of participation is required for you to reach a decision you are going to be able to implement. But there may still be choices to be made at this stage. For example, even if you have decided that you need a public participation process, with the agency making the final decision, you might still decide that you want to get agreement on the range of alternatives being evaluated, even if you don't expect to be able to get agreement on the selection of the alternative.

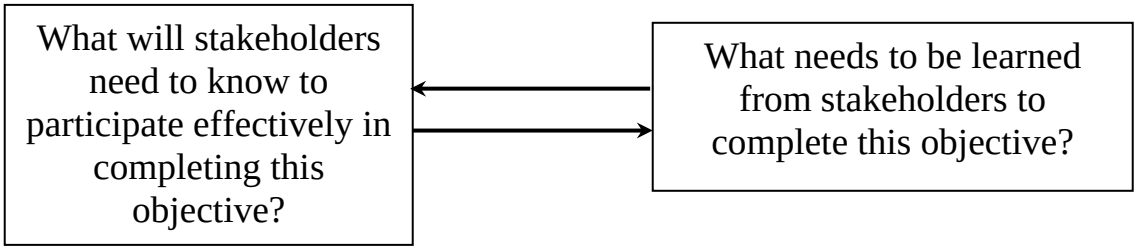
POSSIBLE PARTICIPATORY OBJECTIVES FOR SIX-STEP PLANNING PROCESS

Step in the Process	**Possible Participatory Objectives**
Identifying Problems and Opportunities	Obtain a complete identification and understanding of how the problem(s) is viewed by all significant interests Agree on evaluation criteria and measures
Inventorying and Forecasting Conditions	Identify key assumptions of stakeholders about future conditions Get agreement on a set of scenarios that portray the range of probable future conditions
Formulating Alternatives	Get agreement that the set of alternatives that has been formulated captures the values orientations of the major stakeholders
Evaluating Alternative Plans	Develop a complete understanding of the impacts of the various alternatives, as viewed by the public Assess the relative merit assigned to alternatives by various interests

Comparing Alternative Plans	Determine which alternative would be the most acceptable
Selecting a Plan	Ensuring the stakeholders are informed on the basis for the decision

4) Analyze the exchange of information that must take place to achieve the objectives

For each objective there is an exchange of information with the stakeholders that will need to take place. For each objective analyze:



Here is an example of what this analysis might look like for one objective:

Public Participation Objective:

Obtain a complete understanding of how the problems and opportunities are view by all major stakeholders

Information from Corps to Stakeholders:

- The nature of the study and the decision making process
- What the Corps knows about the problem or issue
- Opportunities for participation

Information from Stakeholder to the Corps:

- How different stakeholders view the problem or opportunities
- How the problem/opportunities affect different stakeholders
- The intensity of the impacts

Unlike all the previous steps, this analysis may be more easily completed by one person than the whole design team. Experience shows that this step is tedious when done in a team. It is a good deal easier for one person to do this step individually, then have the team review it.

5) Identify appropriate techniques to meet those objectives

The goal of all the preceding analysis has been to provide the information needed to decide what participatory techniques to use. The following information should now be available:

- Exactly what needs to be accomplished with stakeholders at each step in the decision-making process and by what point in the decision-making process (time and sequence) this must be accomplished
- How the Corps will use the information it receives, e.g. will it help determine the range of alternatives being considered, or help choose between alternatives

- Who the key stakeholders are likely to be, and what level of participation they will likely require
- What information needs to be provided TO stakeholders, and obtained FROM stakeholders to achieve your participatory objectives.

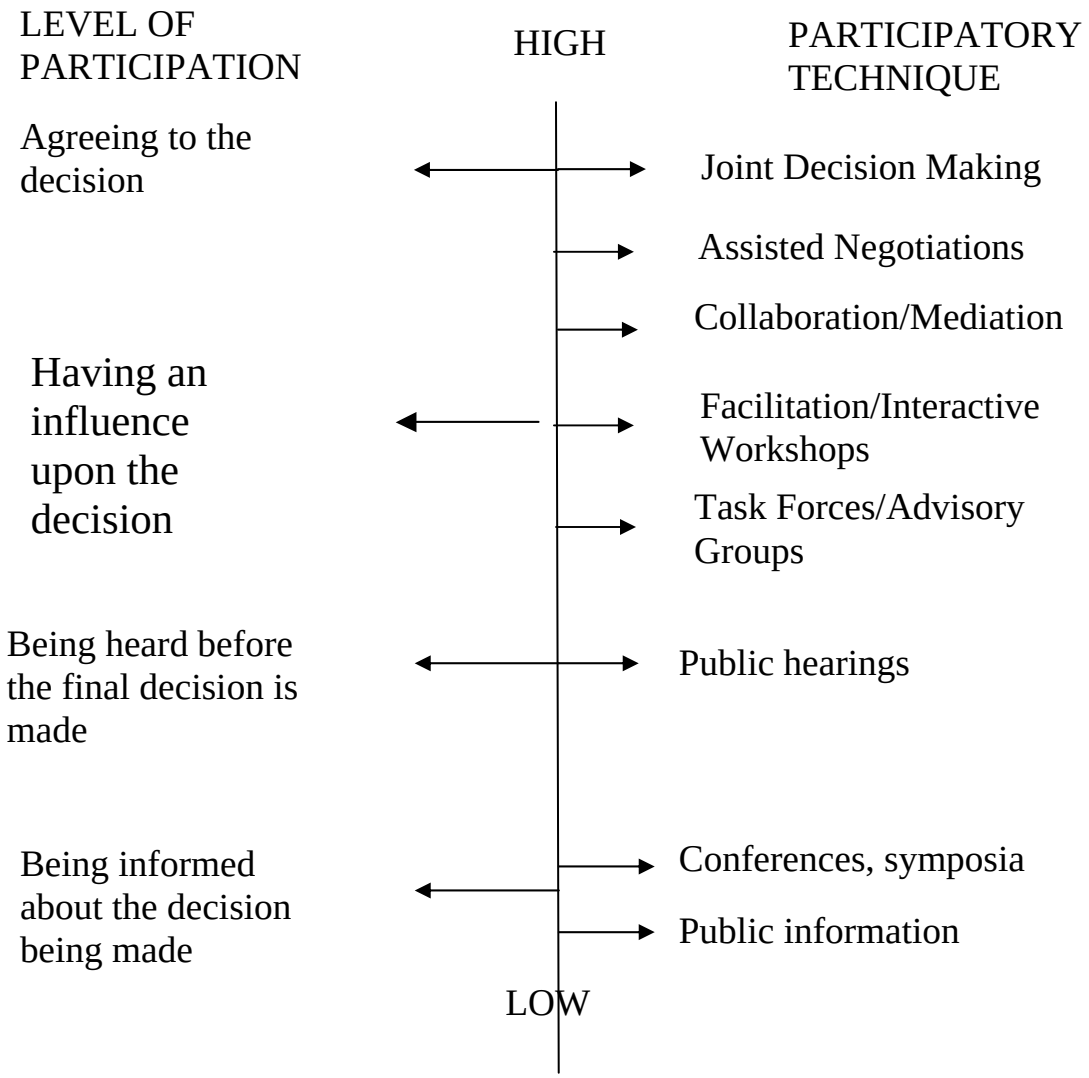
Now you are in a position to select specific techniques to achieve your participatory objectives.

Remember, though, that you may need to provide multiple participatory activities to meet the level of interest of different "orbits" of participation. For example, you might need:

ORBIT OF PARTICIPATION	POSSIBLE MECHANISMS
Co-decision makers	Interagency teams, mediation, partnering, negotiation
Active participants	Interactive workshops; advisory groups or task forces
Technical reviewers	Peer review processes, technical advisory committees
Commenters	Public meetings, comment periods
Observers	Newsletters, information bulletins, web pages
Unsurprised apathetics	Press releases; news stories

Other articles in this reader provide considerably more information about the techniques you can choose from. In general, however, there are certain techniques that are associated with different levels of participation, as shown on the next page.

Matching Techniques to Level of Participation



6) Develop a plan integrating the techniques

To develop a complete process plan, put together the techniques you selected in a coordinated sequence. Each activity should be accompanied by an assignment of responsibility (the person whose job it is to make that step occur) and a completion date.

Here is an example of a public participation plan for the first step in the planning process:

Step in the Decision Making Process:	Public Participation Activities	Responsibility	Completion
Identifying Problems and Opportunities	Prepare draft project brochure	XX/XX/XX	5/1/XX
	Obtain approvals for project brochure	XX/XX/XX	6/1/XX
	Conduct briefings for key agency and elected officials	XX/XX/XX	7/1/XX
	Conduct interviews with selected stakeholders	XX/XX/XX	8/15/XX
	Prepare draft Newsletter #1	XX/XX/XX	8/15/XX
	Obtain approvals for Newsletter #1	XX/XX/XX	9/15/XX
	Identify meeting sites for scooping meetings	XX/XX/XX	9/15/XX
	Publish Federal Register notice of scoping meetings	XX/XX/XX	10/1/XX
	Mail scoping meeting invitations to stakeholders	XX/XX/XX	10/15/XX

In many cases it is helpful to actually write out a detailed plan that includes such topics as:

- Plan purpose and contents - introductory overview
- Vision, goals, and objectives
- Assumptions made in designing the process - explicitly stated
- Stakeholder profile - identifying the major stakeholder
- Description of key issues and stakeholder concerns
- Public participation program description: framework and design, forums and processes, workshops, comment periods, how feedback will be provided, internal and external communication flows, and self evaluation mechanisms
- Organization and resources: specific roles and responsibilities, planning and coordination framework; resources and training needed to ensure effective implementation

Why is it useful to actually write out the plan?

- Writing the plan forces clarity of thought
- Writing the plan serves as a basis for getting the commitment of internal stakeholders
- People will relinquish authority to a plan that they won't relinquish to another part of the organization (e.g., people will carry out tasks in a plan that they might never get around to if asked by another part of the organization)
- The plan can be shared with external stakeholders

PROCESS IMPLEMENTATION

It is hard to make generalizations on the kind of planning that is done during Process Implementation. At this stage you are down to the level of detail where you are talking about the names of specific participants, the number of meetings, how frequent meetings will be, which meeting room is best, and so on.

There are three issues that justify some discussion however:

1. Selecting a neutral

One of the key considerations in selecting a "neutral" – such as a facilitator, mediator, or arbitrator – is that all the key parties must find him/her acceptable. Otherwise there will be fear that the neutral is being unduly influenced by one of the parties, or is biased. This is particularly true when the Corps, or any one agency, is footing the bill. It is usually wise to discuss the process for selecting the neutral amongst all the key parties first, rather than proposing a specific person without consultation.

Be aware that the attributes of a facilitator or mediator are very different than those of an arbitrator, fact-finder, or disputes review panel member. Facilitators and mediators are skilled at designing and conducting a *process*. Typically arbitrators, fact finders or review panelist are *subject matter* experts, knowledgeable about the technical aspects of the decision. Obviously its helpful if a mediator or facilitator has some knowledge of water issues so he/she won't get lost during discussion of the issues, but that is not the primary qualification.

The Institute for Water Resources can suggest possible facilitators or mediators. In addition, the Institute for Environmental Conflict Resolution, a Congressionally-established institution, maintains a roster of qualified neutrals at www.ECR.gov.

2. Developing an issue management plan

When groups raise issues and the Corps is not prepared for those issues, the agency is put in a reactive mode. Stakeholder groups can make claims or predictions about the issue that the Corps cannot address or refute because it has not done the studies or developed the policy needed to respond in an informed manner. Sometimes these claims can become fixed in the public's mind and their opinions may not even change once the technical or scientific studies are completed.

One way to minimize these problems is to develop an Issue Management Plan. The idea behind developing an Issue Management plan is to become proactive. The Plan outlines the steps the Corps needs to take to ensure the agency is prepared to address the issue on an informed basis.

To develop an Issue Management Plan ask the following questions for each issue:

- Are there studies or research that need to be conducted to answer questions about this issue?
- Are there policy decisions that must be made to be able to answer questions about this issue?
- What publications or other information products are needed to answer questions about this issue?

It takes time to conduct studies, develop policies, pr prepare publications. To be proactive, you may need to initiate this work now. An Issue Management Plan simply lists the tasks, completion schedule and responsibilities to ensure that this information is available when it is needed during the decision-making process.

3. Developing a shared information base

Increasingly as the Corps works closely with resource agencies to develop programs regarding environmental rehabilitation/restoration or fisheries protection and enhancement, there are often disagreements rooted in an absence of solid information and good science. When this occurs, the agencies – including the Corps – are likely to drop back into taking positions that are more about values or philosophies, or protecting missions, rather than positions based on a solid factual base. As a result, many joint decision-making processes, such as Interagency Working Groups, must start with developing a shared information base before participants can even begin to work on the decision making.

Because the agencies may have a history of difficulty working together, it is important to discuss and agree upon the ways to develop this shared information base. If the Corps simply does what it thinks best, then lets the resource agencies "review" it, the data will not be trusted.

Because of this need to develop a shared information base before the decision can be made, joint decision making processes, particularly in areas where the science is incomplete or uncertain, take time. The good news is that once the agencies have worked together this way, the trust level goes up. By the time the agencies get ready to make the decision, the trust may be strong enough that decision making is much easier -- trust always makes it easier to reach joint decisions. Also, when agencies and parties have a success working together this way, the trust that is built is often transferable to future issues that must be resolved between the same parties.

THURSDAY

Presentation:

THE DYNAMICS OF WORKING IN TEAMS

Readings accompanying The Dynamics of Working in Teams:

James L. Creighton, “Working Effectively in Teams,”
course readings, pg. 99.

James L. Creighton, “How Disputes Escalate,”
course readings, pg. 120

THE DYNAMICS OF WORKING IN TEAMS

Sharing control of the process

- Teams make joint decisions about how they are going to work together
- When you share control of the process: the team must make decisions about process as well as about content – many people are not used to making team decisions about process, instead process decisions are made by the boss or corporate culture

Can the Corps facilitate the team process?

- The Corps can try to manage the process in a “facilitative” manner – but whether this is accepted or not depends on the stakes in the decision, the past relationships between the parties (e.g. trust), and the skill of the facilitators

Process communicates relationship

- Whenever people communicate, they communicate both CONTENT and RELATIONSHIP:

CONTENT	Information, facts, arguments
RELATIONSHIP	How much you value, care about, or respect the other person

- Often RELATIONSHIP is communicated in non-verbal behaviors or in other subtle ways to which we respond, often without being aware that we are doing it.
- When people work in groups to reach a decision, they also communicate at these two levels.

WHAT is being decided	Information, facts, arguments
HOW it is being decided	▪ Who gets to participate in making the decision? ▪ What information or values are treated as important? ▪ Who is listened to? ▪ Who has the most influence on what is decided?

- Processes say a great deal about roles and values
    - Example: Mother lets one child cut the piece of cake in half, but the other child gets to pick first. What is she saying to the children with this process?

Four phases of team development:

Forming:

Team members are getting to know each other and going through the preliminary stages or organization; people are polite and rather “careful” to avoid potentially controversial issues; its relatively easy to get buy-off on sweeping statements about working together in a cooperative manner

Storming:

The real issues begin to emerge; sessions begin to be heated; people are no longer as polite; increasing emphasis on staking out agencies positions and demands. Underlying dynamic – “differentiation” – we need to state our differences before we feel safe discussing our commonalities.

Norming:

Team begins to set its own standards and defining how they’ll get past the impasses; team may even confront team members who don’t live up to standards or expectations.

THE DYNAMICS OF WORKING IN TEAMS - Continued

Performing:

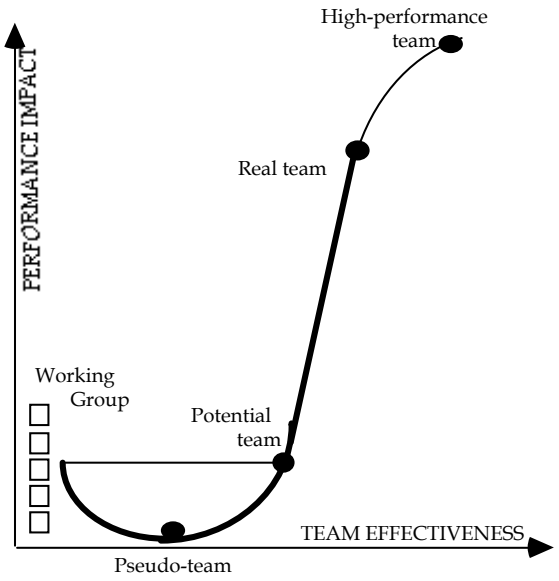
The team is now producing work as a team, resolving problems, getting the job done.

When is a team not a team?

- Danger that people will talk a great deal about partnering and teamwork, but not really do the homework necessary to create a “real” team.

- The term “teamwork” is often used for any cooperative behavior in working together, whether or not it describes the behavior of real teams. This can create cynicism if people hear all the rhetoric but don’t see any real differences in behavior.

DIFFERENT TYPES OF TEAMS



- Many groups that are called “teams” are, in fact, working groups. In a working group the participants share information

and perspectives and make decisions necessary for individuals to do their jobs better, but the emphasis remains on individual performance and accountability.

- The distinguishing characteristic of a real team is that the members of a real team are equally committed to a common purpose, goals, and working approach for which they hold themselves mutually accountable.

- Working groups are preferable when the work to be performed does not require collective work products or real-time integration of multiple-person skills, and when the sum of the individual results is all you need.

- A pseudo-team is a group that recognizes the value of being a team, may even use the rhetoric of acting as a team, but takes no collective responsibility for performance and doesn't share an equal commitment to accomplishing the purposes of the team.

- The problem with a pseudo-team is that all the talk of acting as a team may disrupt the effectiveness of the individuals in the team. Prior to talking about being a team, individuals were getting things done although perhaps not as effectively as a team could do them. The claim that people are a team may remove the freedom that individuals have to act, without substituting effective collective performance.

Basics of setting up the team:

- Check to be sure the team isn't too large (above 10-12). If a larger team is needed, consider the use of sub-teams.

- Assess the skills within the team -- technical/functional, problem solving/decision making, and interpersonal -- and develop a team plan for how to improve the mix of skills in the team.

THE DYNAMICS OF WORKING IN TEAMS – Continued

- The skills needed to make a team work effectively include:

TASK ORIENTED (CONTENT) FUNCTIONS

- INITIATING-INNOVATING: Suggesting a new idea, a new way of looking at a problem, or a new activity.
- SEEKING INFORMATION OR FACTS; Requesting facts, asking about feelings, asking for ideas or values.
- GIVING USEFUL INFORMATION OR FACTS: Offering facts, stating a belief, making suggestions.
- CLARIFYING AND SUMMARIZING: Probing for meaning, defining terms, enlarging or restating issues, bringing related ideas together, restating suggestions of others.
- CONSENSUS TESTING: Checking to see if the group is ready to decide, sending up trial balloons, verifying group consensus.

PROCESS ORIENTED FUNCTIONS

- HARMONIZING: Attempting to reconcile disagreements, mediating differences, initiating a compromise.
- GATE KEEPING OR EXPEDITING: Inviting others to talk, suggesting time limits or other procedures to permit wide participation, keeping talk flowing.
- ENCOURAGING: Indicating acceptance and understanding of other points of view, being friendly and responsive to others.
- FOLLOWING: When appropriate, accepting the direction of the group, indicating understanding without intruding.
- STANDARD SETTING: Expressing standards for the group to achieve, testing group attitudes towards procedures, reminding the team of underlying values.

THE DYNAMICS OF WORKING IN TEAMS - Continued

- Create a sense of urgency and larger purpose that reinforces the common purpose of the team.
- Work with management to define a “solution space” that provides the team a sense of direction, but leaves the team free to decide how to get there.
- Set performance goals that are both realistic and “stretch” the team’s expectations about what it can accomplish.
- Set up ways to measure success, so the team can tell when it achieves it. The emphasis should be on team, not individual, performance.
- Check to be sure that the approach is concrete, clear, and understood by everyone in the team.

Building Team Performance

- Substitute agreed-upon norms for unconscious expectations
- Spend lots of time together
- Schedule periodic refresher sessions
- Challenge the group regularly with fresh facts and information
- Agree on meeting procedures and critique how well you are doing
- Use visual recording
- Agree on problem-solving process
- Use group process techniques to stimulate creativity
- Celebrate successes
- Develop a team training plan (including joint training)
- Consider having a team room
- Hook up electronically
- Plan for how to incorporate new members in the team

Team Exercise:

HOW DISPUTES ESCALATE

Team Exercise:

HOW DISPUTES ESCALATE

PURPOSE:

The purpose of this exercise is to identify: (1) behaviors that start disputes, and, (2) the "life cycle" of an uninterrupted dispute. To do this, it helps to be able to see the dispute as if one were an observer.

INSTRUCTIONS:

You will be assigned to be a member of a team. The assignment for each team is to prepare and present a 5-10 minute "skit" which shows the beginning and evolution of a dispute. A "skit" is a short drama, often humorous, in which the roles (“parts”) and major events are agreed upon by the actors in advance, but the actual words are improvised.

As a team agree upon:

- the subject about which there is a dispute
- the major roles, and who in the team will play them
- the major events that will take place
- how the skit should end

Be ready to present your skit at _____ AM.

Presentation:

HOW TO KEEP DISPUTES FROM ESCALATING

HOW TO KEEP DISPUTES FROM ESCALATING

The sequence of escalation behaviors is as follows:

Triggering Comment or Action : One or both people (or groups) make a comment or take an action that provokes the other person's defensiveness or fear.

Proliferation of Issues : After a short period of discussion, one or both people start bringing up new issues, or expanding the basis for the argument.

Formation of Adversarial Alliances : One or both people begin pulling in other people for support, thus forming alliances. Often this involves lining up alliances within a family or group, or with other groups. Individual or groups take “sides.”

Distortion of Communication: Both sides begin to communicate through exaggeration, making broad, sweeping generalizations, through character attacks, and through prolonged and hostile periods of silence.

Rigid and Extreme Positions: The harder people fight, the more entrenched they become. One or both sides become rigid and extreme in their positions, through depersonalizing others, taking the position that "I'll never give an inch," etc.

Focus On Hurting Each Other : Although the conflict may have begun with the goal of solving a problem, as both sides become increasingly defensive the goal shifts to hurting or attacking the other side's position as having no validity.

HOW TO KEEP DISPUTES FROM ESCALATING - Continued

FIVE LEVELS OF CONFLICT				
LEVEL	**MAJOR OBJECTIVE**	**KEY ASSUMPTION**	**EMOTIONAL CLIMATE**	**COMMUNICATION STYLE**
1. Problem Solving	Solve the problem	We can work it out	Hope	Open, direct, clear and non-distorted; interests recognized
2. Disagree-ment	Self-protection	Compromise is necessary	Uncertainty	Cautious, vague and general language; “calculated” thinking begins
3. Contest	Winning	Not enough resources to go around	Frustration and resentment	Strategic manipulation; distorted communication; personal attacks begin; no one wants to be the first to change
4. Fight	Hurting the other	Other party cannot and will not change; no change necessary in self	Antagonism and alienation	Verbal/nonverbal incongruity; perceptual distortions; refusal to take responsibility
5. War	Eliminating the other	Costs of withdrawal greater than the costs of staying	Hopelessness and revenge	Emotional volatility; no clear understanding of issues; self-righteousness; compulsiveness; inability to disengage

HOW TO KEEP DISPUTES FROM ESCALATING - Continued

Signals that escalation is occurring:

- Seeing the other person or group as an opponent or adversary.
- Lost awareness of caring about the impact upon the person
- Denial of responsibility
- Unwillingness to change
- Communication is restricted
- Perceptual distortion

The key principle for breaking the spiral of escalation is: *TAKE RESPONSIBILITY FOR YOUR OWN BEHAVIOR* -- do not have to let the other person or group's behavior dictate yours.

Team behaviors for breaking the spiral of escalation.

- Schedule regular “process checks” – times you can talk about how you are working as a team without having to have a crisis
- Share concerns <u>before</u> you find yourself accumulating grievances
- Share problems without blaming or accusing
- When people send you positions, probe for the underlying interests
- Don’t team-up or “pile-on”
- Check out your interpretations
- Schedule “venting” sessions
- Separate problem-solving session from venting-session
- Consider using a neutral facilitator

- Share your feelings without blaming or accusing
- Don't expand the issue
- Don't use other people or authorities as ammunition
- Avoid "you always" or "you never."
- Stay with behaviors, not labels
- Break the pattern of resistance
- Don't insist on solutions while you're still upset

Presentation:

A THOUGHT PROCESS FOR DEVELOPING PUBLIC INVOLVEMENT PLANS

Readings accompanying A Thought Process for Designing Participatory Processes:

James L. Creighton, “A Thought Process for Designing Participatory Processes,”
course readings, pg. 154.

A THOUGHT PROCESS FOR DEVELOPING PUBLIC INVOLVEMENT PLANS

By the time you select participation techniques you should know:

- Who the stakeholders are at whom the program is targeted
- What has to be accomplished with them at each step in the planning process
- What you'll be doing with the information you learn from them

There are three stages of developing a public involvement (PI) plan:

- Appraisal
- Design
- Implementation

PI PLAN APPRAISAL

1. Identify who else needs to be involved in making this appraisal
2. Clarify the decision being made
3. Clarify decision constraints and special circumstances
4. Identify issues and stakeholders
5. Determine who has to "sign off" for the decision to "count"
6. Identify what level(s) of participation are needed to resolve the issues
7. Assess willingness of stakeholders to work together
8. Identify the appropriate type of participation

PI PLAN DESIGN

1. Identify the PI Plan design team
2. Identify the steps in the decision process, and the schedule for completion of those steps

3. Identify participation objectives for each step in the 6-step planning process
4. Analyze the exchange of information that must take place to achieve the objectives
5. Identify appropriate techniques to meet those objectives
6. Develop a plan integrating the techniques

PI PLAN IMPLEMENTATION

Develop an implementation plan showing task breakdown, responsibilities, detailed schedule, budget, etc.

CONDUCTING A PI PLAN APPRAISAL

- **Identify who else needs to be involved in making this appraisal**
  - Typically, the group of people who are originally involved does not include everybody who should be invited to participate
  - Developing a plan is an opportunity to work out differences between parts of the Corps -- before you have to do it in front of the public -- but this only works if those parts of the organization that care deeply are involved in the planning.
  - Participation in planning is a way to get commitment to priority and schedule and ensure that everybody understands how the tasks link
  - Participation is a way to ensure that your program will reach diverse interests
  - In some cases it's wise to include representatives of non-Corps stakeholders in the planning in order to increase credibility and ensure responsiveness
  - Examples of individuals who need to be included are:
    - Individuals with program responsibility for the issue/decision, (e.g. program manager)
    - People with veto power over the decision (e.g. a regulatory agency)
    - People who understand how this decision links to other decisions (e.g. a senior manager or someone who oversees planning)

- People/organizational units that will be impacted by the decision or will be expected to implement the decision (e.g. other programs or operational units)

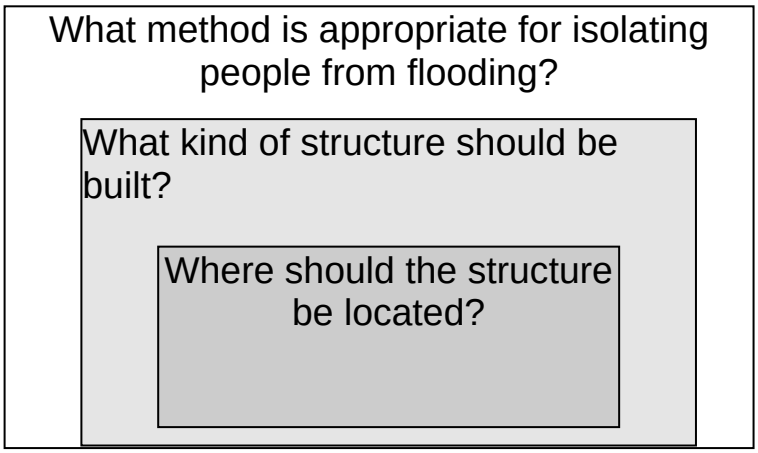
- People/organizational units who will be called on to assist with the process (e.g. public affairs, people who prepare environmental reports, legal counsel)

- People whose participation is needed for credibility (e.g. other agencies, members of a site advisory committee public participation subcommittee, key stakeholders)

- People with special expertise that will be needed to implement the process (e.g. facilitators, writers, graphic artists, media relations).

- **Clarify the decision being made**

  - Which size box contains the needed decision?



  - Is the decision framed in a way the public can understand?

    -- the public thinks in terms of value choices not technical options

-- it's often helpful to frame the decisions in terms of key issues, which-- once resolved -- permit you to make choice between technical options

-- when decisions are framed by individual programs they are often too narrow, e.g. "How much riprap do we need", not "What's the best way to achieve stream bank protection consistent with maintaining fisheries."

- **Clarify decision constraints and special circumstances**

  Examples:

  - Corps management already committed to a particular decision/outcome
  - Opposition to participation from within the Corps
  - Schedule or resource constraints
  - Constraints on release of information

- **Identify issues and stakeholders**
  - These two tasks are combined, because as you think about one you will always thinks about the other
  - Forecasting issues isn't foolproof, but you'll end up identifying 90% of them
  - Why forecast?

    -- Helps you estimate the probable level of controversy

    -- Helps you think through who the stakeholders are likely to be

    -- Helps you anticipate issues and plan for them
  - Who is a stakeholder?

    -- People who perceive themselves as having a stake in the decision. This "stake" could be economics, use, mandate, proximity, or values/philosophy

    -- Indirectly and directly affected people

    -- Those who can affect the outcome

-- Clients are stakeholders, but not all stakeholders are clients

-- Internal stakeholders (people or organizational units inside the agency) often have as much or more impact upon decisions as external stakeholders

- Questions to ask yourself:

  -- Who might be affected?

  -- Who are the voiceless?

  -- Who is responsible for what is intended?

  -- Who are representatives of likely affected?

  -- Who will be actively against?

  -- Who can contribute resources?

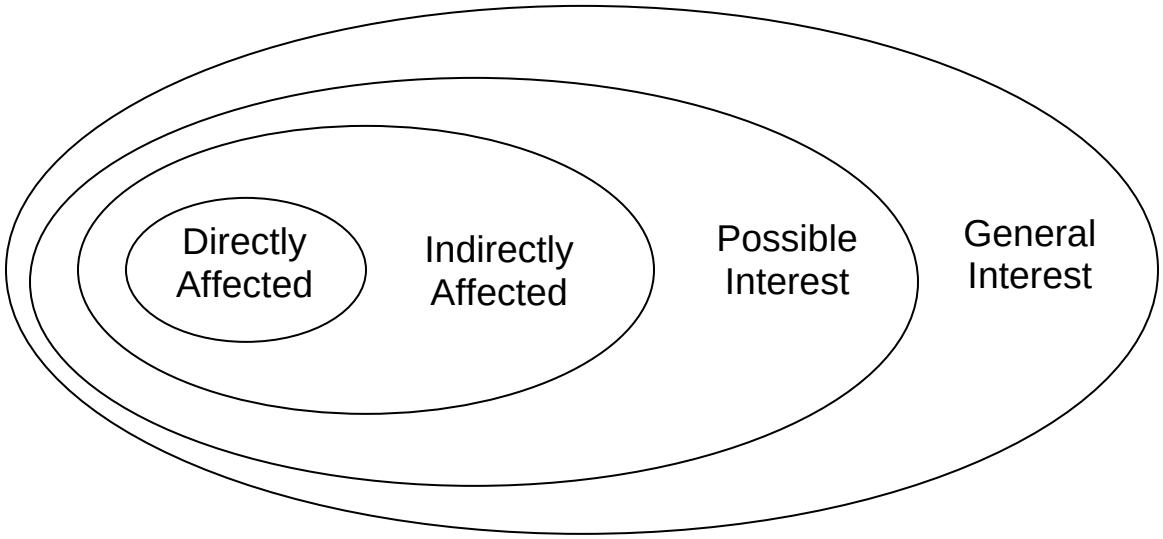
  -- Whose behavior would have to change if this decision were made?

How do you identify stakeholders?

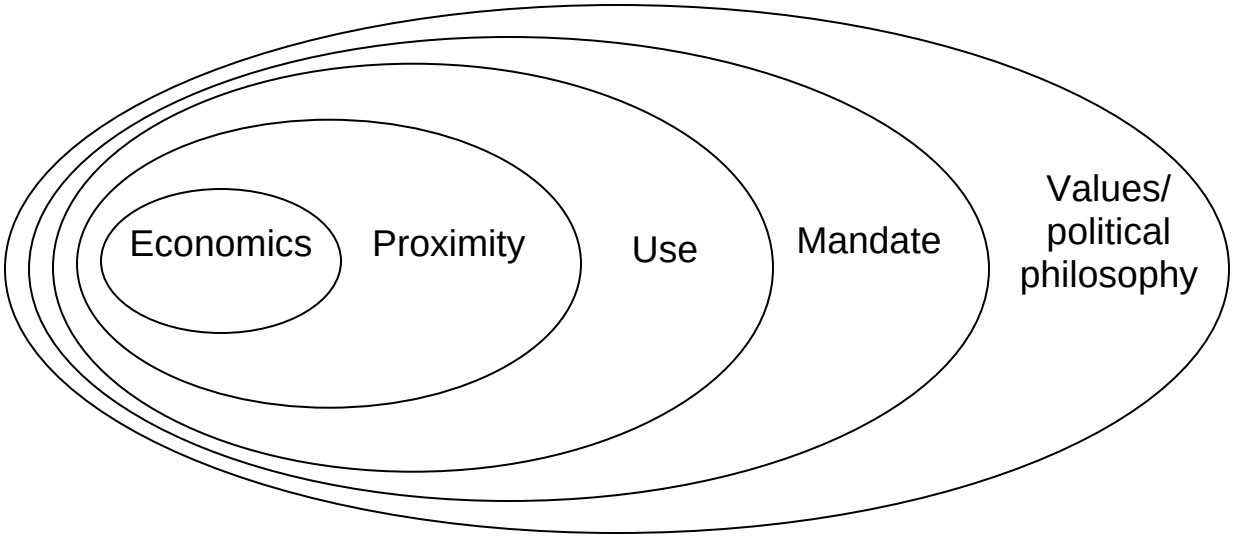
-- Identify probable issues, then analyze which individuals or groups are likely to be concerned about those issues

Issues	**Internal Stakeholders**	**External Stakeholders**

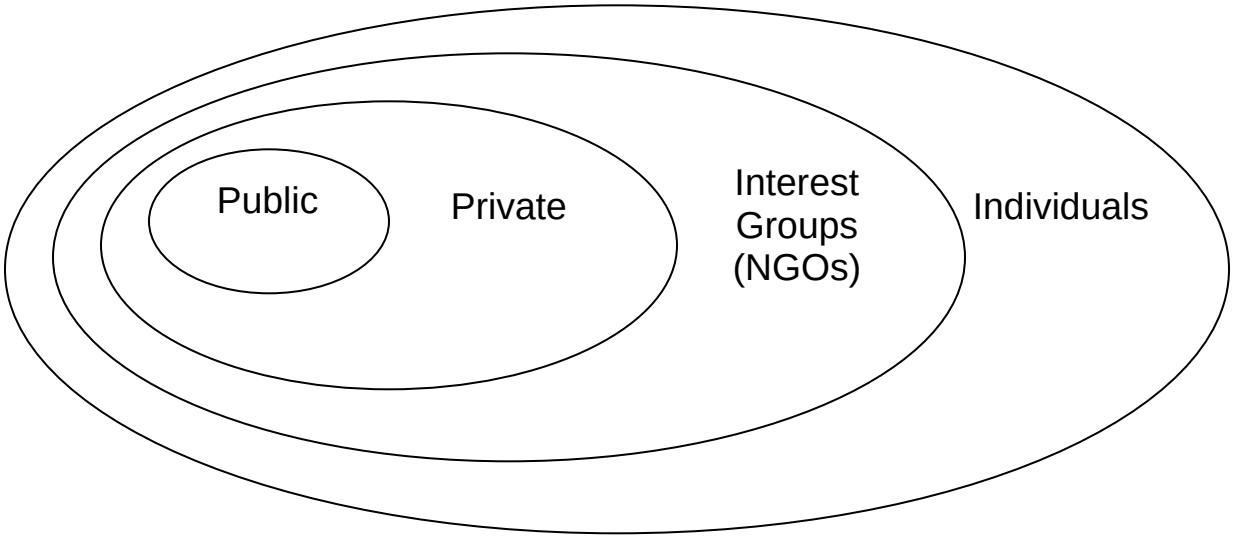
-- Identify stakeholders by probable impact/interest:



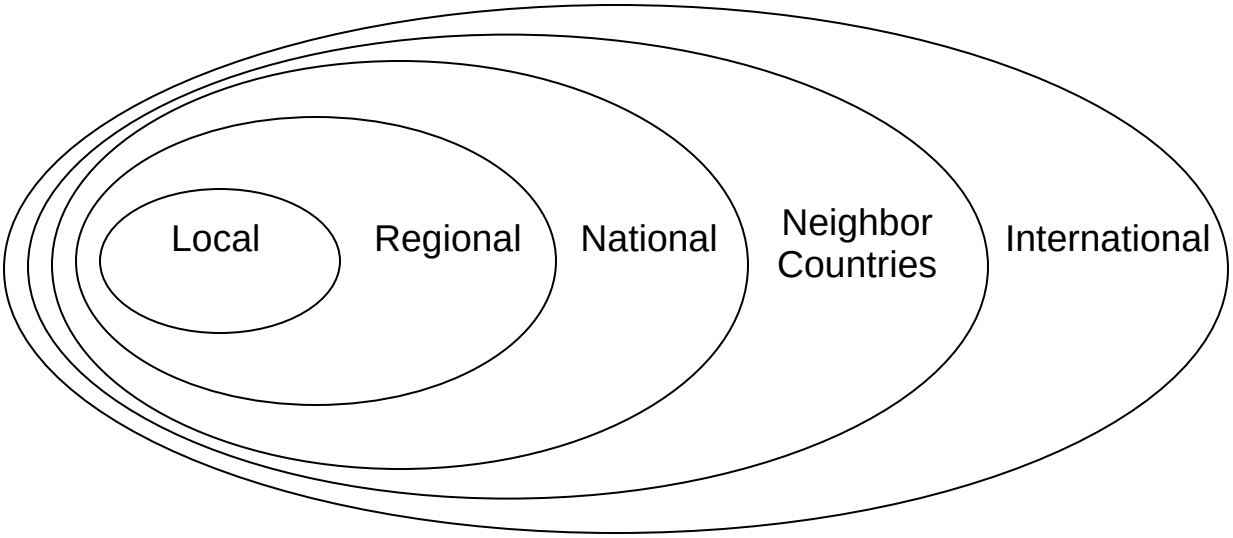
-- Identify stakeholders by type of impact:



-- Identify stakeholders by sector:



-- Identify stakeholders by location:



- How do you find out who the stakeholders are?
  - -- Get People to Self-identify: Send out information and let people who are interested identify themselves
  - -- Analyze Prior Decision-Making Documents: Review past decision making documents, e.g. EAs, EISs, and see who has participated in similar past decisions
  - -- Ask Other People/Seek Local Help: Ask other people who you know are knowledgeable/have an interest to tell you who else may need to be involved by virtue of a) position (role in an influential organization), b) reputation (power behind the scenes), or c) influence on past decisions of a similar nature
  - -- Identify Based on Staff Knowledge: Utilize the knowledge of Corps or other agency staff about the issues and community to identify likely stakeholders

Developing an Issue Management Plan

-- Studies that must be completed before this issue can be resolved

-- Policy decisions that must be made before the issue can be resolved

-- Informational materials that need to be developed to address this issue

-- Other actions needed

Assessing the level of controversy:

Indicators of probable controversy:

-- Prior controversy on same issue

-- Ties into another major issue or power struggle

-- Significance to major stakeholders

- **Determine who has to "sign off" for the decision to "count"**

o Worst-case scenario: Work with public, achieve a consensus, but it is over-ruled by someone in Wash DC

o Ask the decision-makers who the critical constituencies are

o Get decision-maker to buy into the design

- Even within an agency it can be difficult to find the decision maker
  - -- Involve the decision-maker in public participation design, or he/she may disavow the process later on
  - -- Make sure the decision maker gets information about what stakeholders feel, and how strongly
- Are there co-decision-makers, e.g. regulatory agencies, local sponsor?
- Are there others who can effectively veto the decision either legally or politically?
- Are there people who must be "at the table" for the decision to be credible?
- Are there people who will be expected to implement the program who may choose not to implement if they disagree with the decision?

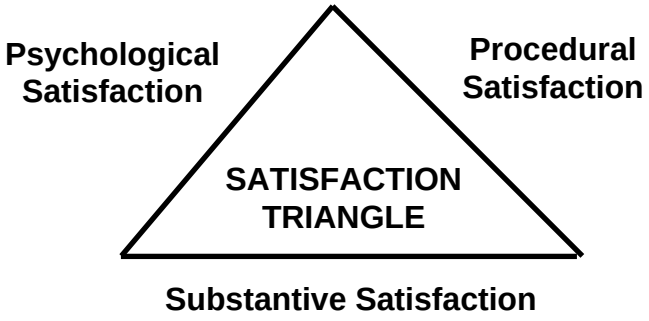
- **Identify what level(s) of participation are needed to resolve the issues**
  - Do you just need for the public to be informed
  - Do you just need to satisfy procedural requirements
  - Do you need informed consent (or sufficient consensus)
  - Do you need agreement – then you may need a negotiation process, but if you do you will need:
    - A negotiation process
    - A manageable number of parties
    - Well-defined parties
    - Parties are able to make binding commitments or there is some external mechanism for binding the parties
- **Assess willingness of stakeholders to work together**
  - Among public participation techniques, task forces and advisory committees require careful upfront assessment to ensure willingness or ability to participate
  - Partnering and Interagency Working Group require agreement among the agencies (parties) on who is included, how decisions will be made, etc.
  - Third-Party Fact Finding and Disputes Review Panel require agreement of the parties to the process, the role of the neutral(s), the use of the neutral's findings, etc.
  - Mediation and Non-Binding Arbitration require agreement to participate, agreement on role of neutral, etc.
  - How do you assess willingness?

    -- Typically done by 1-1 meetings and interviews

    -- May require meetings of management senior to those who will be directly involved, e.g. agency heads committing to an Interagency Working Group

    -- Sometimes a "neutral" is hired to do the appraisal

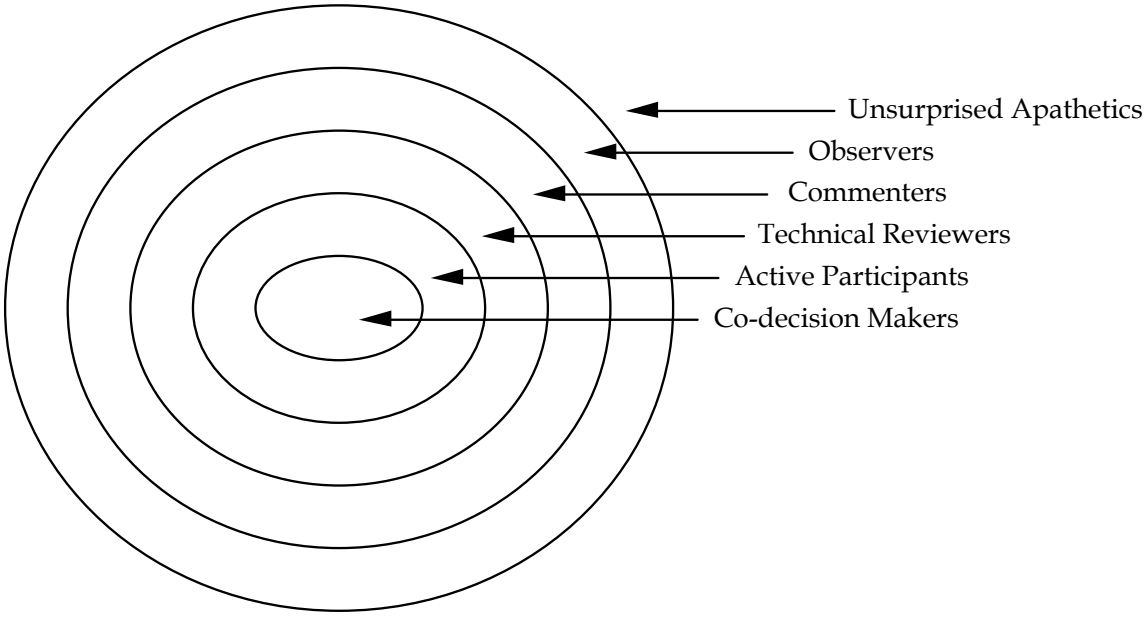
- **Identify the appropriate type of particpation**
  - People derive satisfaction from different aspects of participation:



  - Match the participation technique to the level of participation needed to get to an implementable decision

    How much power over the process are you willing to share?

    - How much control over the process you share depends on the “orbit”
    - With co-decision makers: Your chances of achieving a mutually acceptable outcome are low unless you are willing to share control over the process
    - With public groups:
      - Do they bring something to the table [having to share power with someone you see as having less at stake breeds resentment]?
      - Do they commit up-front to finding a solution (or wait until you make a decision then tell you whether you guessed right or not)?
      - Will they commit the time, resources or energy to be a full partner?



- Different "orbits" may be involved in different ways. For example, on a major decision different techniques may be used for different orbits:

ORBIT OF PARTICIPATION	POSSIBLE MECHANISMS
Co-decision makers	Interagency teams, partnering, negotiation
Active participants	Interactive workshops; advisory groups or task forces
Technical reviewers	Peer review processes. technical advisory committees
Commenters	Public meetings, comment periods
Observers	Newsletters, information bulletins, web pages
Unsurprised apathetics	Press releases; news stories

Team Exercise:

CONDUCTING A PI Plan APPRAISAL

Team Exercise:

CONDUCTING A PI PLAN APPRAISAL

PURPOSE:

To practice conducting a PI plan appraisal

INSTRUCTIONS:

1) The instruction will assign you to a team.
2) Each team will be assigned a case. Your team's case is _____.
3) Conduct the first seven steps of a PI Plan appraisal for this case. These steps are:
   - Identify who else needs to be involved in making this appraisal
   - Clarify the decision being made
   - Clarify decision constraints and special circumstances
   - Identify issues and stakeholders
   - Determine who has to "sign off" for the decision to "count"
   - Identify what level(s) of participation are needed to resolve the issues
   - Assess willingness of stakeholders to work together
   - Identify the appropriate <u>type</u> of process
4) Identify 2-3 major things you learned during the PI Plan Appraisal, and select a spokesperson to present your report.
5) Return to the class at _____.

THE ROBERTS BAY CASE

Roberts Bay is the second most important port for shipping on the coast, and shipping remains very important to the economic vitality of the large metropolitan area that surrounds the Bay. The upper end of Roberts Bay is the delta of the Sandy River. True to its name, the Sandy River produces very significant amounts of sediment that threaten to fill in the ship channel. At the same time, the Sandy River delta area is the most biologically productive area on the coast.

This project started out as a dredging study, after the Port of Roberts Bay asked the Corps to dredge out the ship channel in order to protect the future of the Port. The Corps completed the study and an EIS. The Corps' proposed plan included ocean disposal of millions of cubic feet of dredged materials. The Corps' EIS predicted negligible environmental impacts from ocean disposal.

The proposed ocean disposal caused a firestorm of protest from resource agencies and environmentalists, who predicted all sorts of dire environmental consequences. These concerns were soon echoed by local and state elected officials, and it quickly became clear that the plan could not go ahead as originally planned. However, the sedimentation problem remained as a real threat to the Port of Sandy Bay, so there continued to be pressure to "do something."

Part of the problem was that both sides were arguing about potential impacts without much of a solid scientific basis for these claims. There simply wasn't much "hard data" to support either the Corps position that there were few effects or the environmentalists' predictions of drastic effects.

Ultimately there was a high-level of meeting involving the Governor, the senior U.S. Senator, and high-level officials of the Army, Interior Department (because of the USFWS), and Commerce Department (because of NMFS). After intense discussion, these individuals re-directed the study to focus on how sediment could be used to

produce environmental benefits, such as turning upland habitat (actually most of it currently in agriculture) back into inter-tidal zones. Recognizing that it was unlikely that all the sediment could be used for environmental purposes, they directed the establishment of a state-federal agency working group to overseeing technical studies that assess the environmental impacts of alternative disposal methods. This will include modeling of sediment flow and dispersion in the bay system. Finally, they insisted that the process include a substantial public involvement program, to ensure public acceptance for whatever plan resulted. These officials also set up a senior management group (known as the Senior Management Action and Research Team – SMART) that will meet quarterly to review the progress of the study, as well as resolve any policy issues that cannot be resolved by the Interagency Working Group. Because of the political clout of the Senator, funding for the study was included in the most recent funding authorization from Congress.

The SMART Team has met and has established the following general schedule guidelines:

Conceptual alternatives – 12 months
Evaluation of conceptual alternatives – 18 months
Detailed alternatives – 24 months
Evaluation of detailed alternatives and environmental documentation – 36 months

The SMART Team also directed the Interagency Working Group to prepare a public involvement plan for presentation at its next meeting. This meeting occurs next week, <u>so the plan must be completed by the end of the training course</u>. The plan needs to address public participation both in the development and evaluation of plan alternatives, but also in the research program.

The Interagency Working Group includes the Corps, USFWS, NMFS, EPA, the state Fish & Game Department, the state Environmental Protection Agency, the Port of Roberts Bay (local sponsor), the

Roberts Bay Economic Development Commission, and staff from two local cities.

While environmentalists are deeply concerned about ocean disposal, and some have claimed that the new approach is just a “cover” for proceeding with ocean disposal, the resource agencies have shown tentative support for the project. In fact, some wetlands and habitat reserves have been filling in with sediment, so the Port is not alone in having sediment problems. However, the plan to convert upland habitat into wetlands is viewed with suspicion by agricultural interests, who feel they are being driven out of the area already, and see this as just one more attack on their continued viability. Privately, however, some farmers might welcome the opportunity to sell their land at a decent price and reestablish operations in a less costly area.

Local development interests are watching the project carefully to see what impact it has on land that could be developed in the future. Some have proposed that the plans could include water features, such as lakes or lagoons, that would be attractive as a focus for townhouse developments.

Local elected officials have mixed opinions on the study. A few city council members are environmentalists who rode the anti-dumping issue into office. Others are very concerned about economic issues, and worry about the impact if the Port is unable to compete with other ports on the coast.

THE BULLION RIVER FLOOD CONTROL CASE

Location:

(See map on next page)

The Bullion River begins at the confluence of Bullion Creek and Steve Creek at the 3,800 foot elevation in the Somerville Mountains. It flows in an easterly direction for approximately 21 miles until it empties into Sherry Slough and ultimately Hathaway Bay. The Bullion River passes through the Elna Valley which has a 2001 population of 1,163,600. It passes through the heart of the central business district of Timsville, the largest city in this valley with a 2001 population of 524,000.

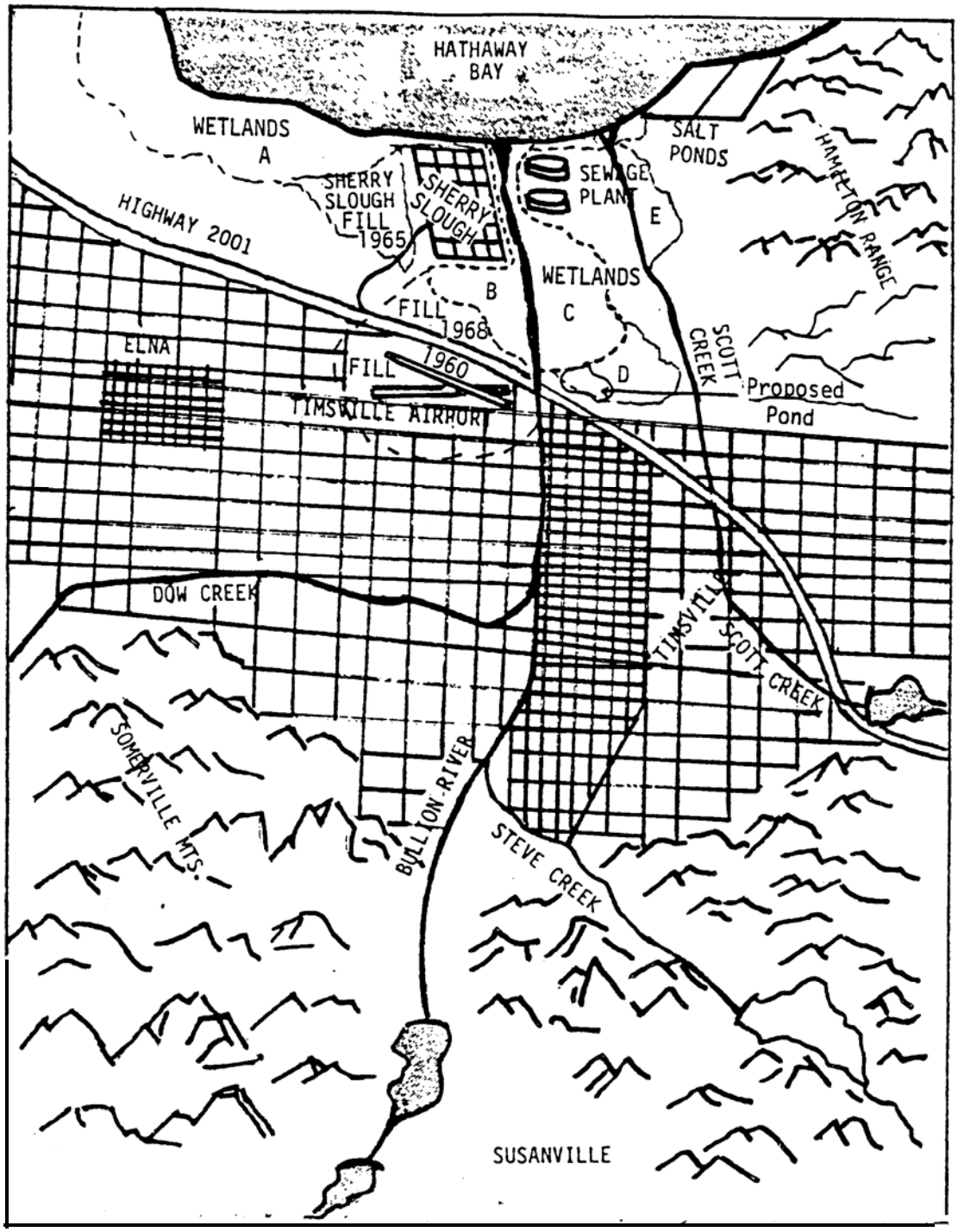
Problem:

According to newspaper accounts, large floods occurred in 1862, 1893, 1911, and 1919. The largest flood in recent history occurred in April of 1993 (although this flood was still considered a “50-year” flood by the Corps). Damages from the 1993 flood totaled over $50 million dollars. About 2,700 acres of agricultural land were flooded and parts of Sherry Slough remained under water for 17 days. While the major damage was to agricultural land, the flood did overtop the river’s banks in Timsville, with flood waters up to four feet deep in a two-block area of downtown Timsville.

The Bullion River Flood Control Project was authorized by the U.S. Congress in the Flood Control Act of 2000. The Corps conducted a reconnaissance study of the various options available to protect the community flood control from future flood damage

The Corps has computed that the 100-year flood would cover nearly 2,400 developed acres. Approximately 1,300 of these acres are residential. The remainder is comprised of 600 acres industrial, 200 acres commercial and 250 acres public lands. Based on 2001 price levels the value of the structures and their contents within the flood area is $3 billion, and the estimated damages would be $225 million for a flood of this magnitude. The worst flooding would occur in the

BULLION RIVER STUDY AREA



stretch from the entrance of Dow Creek into the river to Sherry Slough. This is the most heavily populated portion of Elna Valley.

The existing channel capacity of the Bullion is such that flood flows much lower than the 100-year flood would also overtop the channel in a number of places. Because of the nature of the channel, even these small flood flows would cover an extensive area.

A particular problem, should major flooding occur, would be the inoperability and subsequent discharge from the Timsville-Elna Sewage Treatment Plant. The plant, located along Sherry Slough, is a $100 million dollar facility that treats the waste from 95 percent of the Elna Valley. It discharges treated water into the slough and subsequently into Hathaway Bay. Should this facility become flooded and inoperable, raw sewage from the entire Elna Valley would flow directly into Hathaway Bay.

Past and potential flooding has also placed severe limitations on development in the suburban town of Sherry (population 50,000). In a letter from the Department of Federal Emergency Management Agency to the Project Director of the Sherry Family Health Center, FEMA took the position that, “Due to the serious nature of potential flooding and subsidence problems, FEMA will not approve mortgage insurance or subsidies in the Sherry area until a definite plan is implemented to adequately prevent serious flooding or ground subsidence.”

In addition to the problem of fresh water flooding, part of the study area is subject to inundation from bay water. The area concerned includes Sherry Slough, the county’s sewage treatment plant, the Smith Co. salt ponds, as well as a limited amount of land used for agricultural and industrial purposes.

Study History:

The first study of the Bullion River by the Corps of Engineers was conducted as early as 1945 as part of a study of all the streams flowing into the southern portion of Hathaway Bay. The severe floods

of 1958 resulted in a detailed study of the Bullion River, but the studies at that time did not indicate a positive benefit/cost ratio, so the study was suspended.

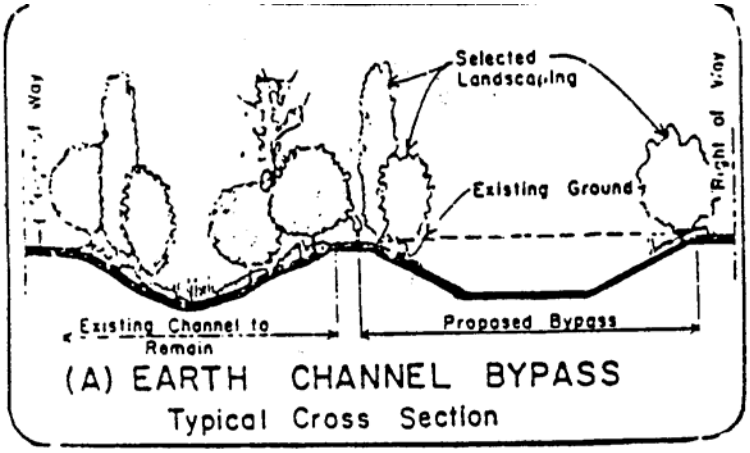
Throughout the 1970's -1980's there were a number of studies conducted by local agencies, and nearly $10 million in local funds was spent on various flood protection projects. In an effort to gain federal assistance, the Elna County Water District spearheaded a drive to get a reevaluation of federal involvement in flood control. The district was successful in obtaining the support of the City of Timsville, City of Sherry and Elna County. After the 1993 flood, the Corps of Engineers received a direct request from the City Manager of Timsville to reopen the study. Support was obtained from all the local congressmen and one of the U.S. Senators representing the state to obtain study funds. The Chief of Engineers authorized the study to begin during calendar year 2002.

Probable Solutions:

Based on the reconnaissance study, the probable alternatives basically involve widening the existing channel, constructing a bypass channel to handle flood waters, or erecting flood walls. In the reconnaissance study, the Corps identified variations on these three strategies creating six specific alternatives. Because the degree of urbanization and ease of right-of-way acquisition differs along the river, the ultimate solution may involve using several of these alternatives on different portions of the river to respond to the unique problems of each stretch.

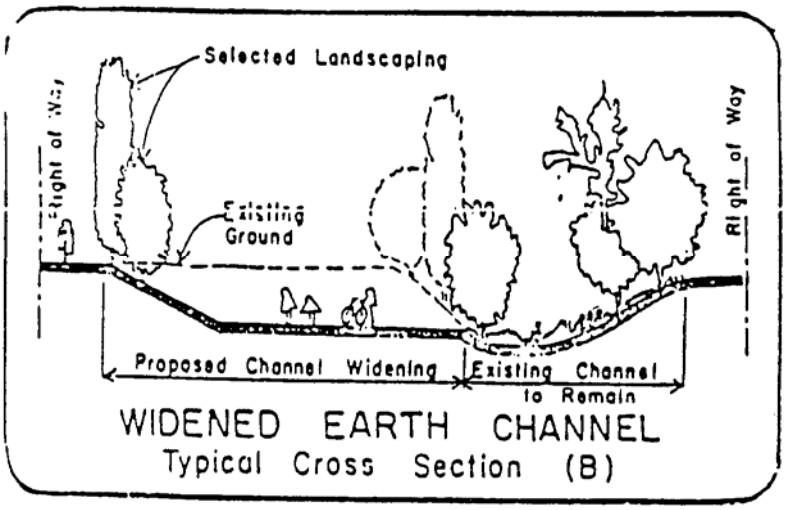
The six alternatives are as follows:

ALTERNATIVE A: EARTH CHANNEL BYPASS



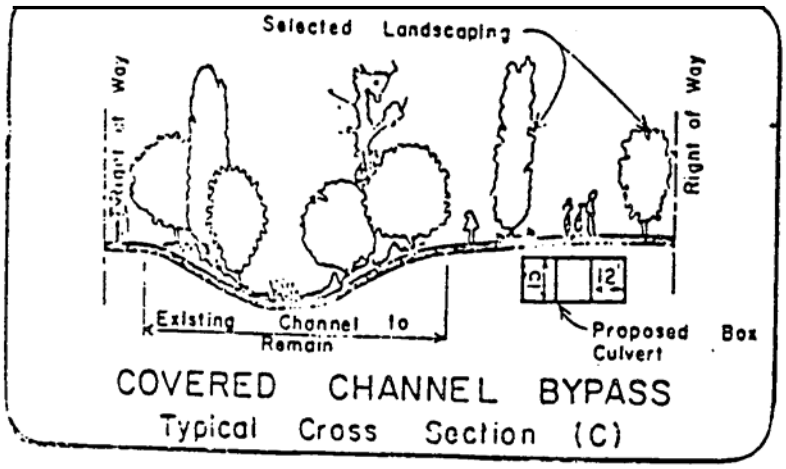
This alternative is designed to allow the natural channel to carry all flows up to its existing capacity. During flood flows the excess water coming down the channel is diverted into a bypass channel. These floodwaters are then carried downstream to a point where the natural channel would be capable of carrying the total flow. The bypass channel is dry at all other times. The primary advantage of this design is that the natural channel remains untouched except at the diversion and re-entry points. A second positive environmental effect of this alternative is the creation of additional open space. The bypass would be fully vegetated and could be landscaped as desired to provide public use of trails, bike paths, parks, or similar compatible uses. The primary disadvantage of this alternative is the large right-of-way (R/W) required outside the natural channel. The acquisition of large R/W's in urban areas such as this typically requires the relocation of may homes and businesses.

ALTERNATIVE B: WIDENED EARTH CHANNEL



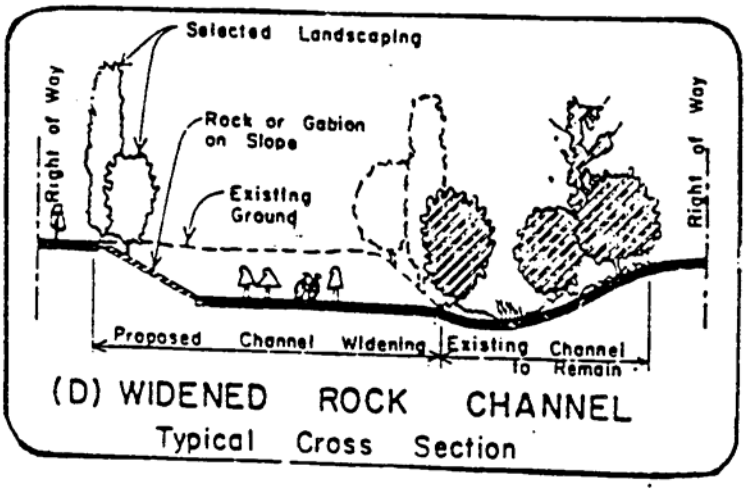
In this alternative the natural channel is excavated from one side only. The channel is designed to be sufficiently large to carry flood flows at velocities slow enough that they will not cause erosion in the channel. No rock or concrete lining is required on either sides or bottom of the channel. The excavated side would be revegetated with native grasses, shrubs, and trees. The primary advantage of this alternative is that it preserves one bank of the natural channel and the opposite bank would return to a fully vegetated state over a period of years. The primary disadvantage is that this design requires a channel slightly wider than a lined channel and thus requires slightly more R/W.

ALTERNATIVE C: COVERED CHANNEL BYPASS



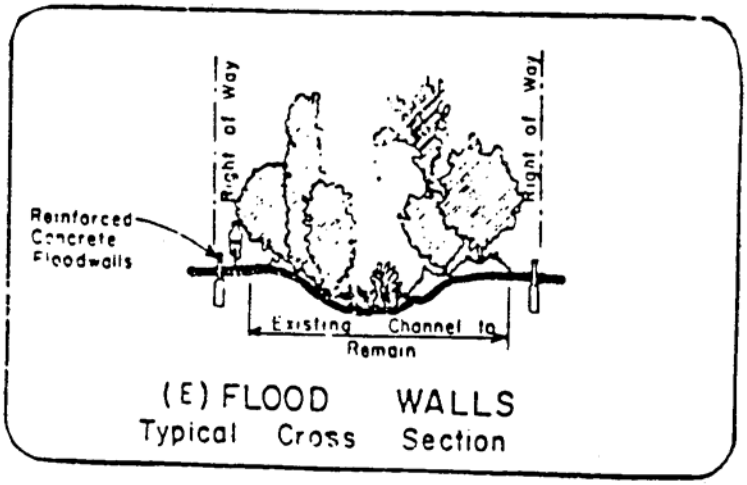
This alternative is similar in concept to Alternative A in that the existing channel is preserved and flood flows are diverted to a point further downstream. But in this design the bypass is a reinforced concrete box culvert buried beneath the surface of the ground. The land above the bypass can be put to such uses as parks, streets, areas, or open space. The primary advantage of this alternative is that it preserves the natural channel. The advantage of this a over the earth channel bypass (Alternative A) is that it takes less R/W. Moreover, this R/W can be used in a greater variety of ways. The main disadvantage is the higher construction cost involved.

ALTERNATIVE D: WIDENED ROCK CHANNEL



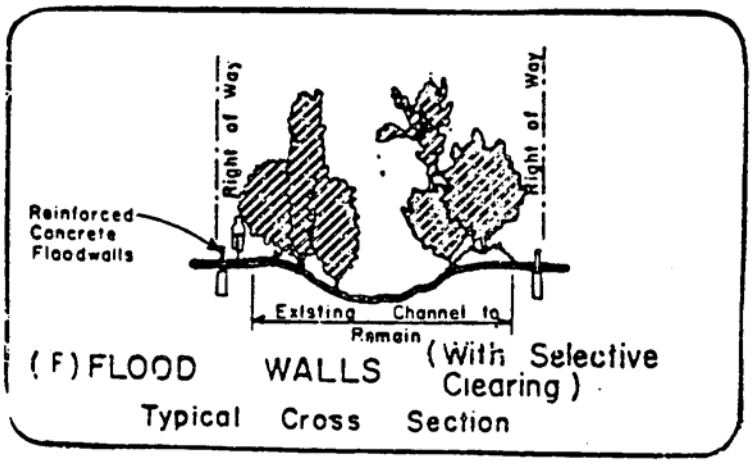
With this alternative, the natural channel is excavated from one side only thus preserving the natural vegetation on the other bank. This design, however, calls for a slightly narrower channel than the widened earth channel. This results in higher flow velocities that will mean that the channel bank must be lined with rock to prevent erosion. The advantage of this alternative over the widened earth channel (Alternative B), is that this design requires slightly less R/W. In some reaches this could result in fewer relocations of homes and businesses. There is a loss of habitat with removal of the natural vegetation on one side of the channel, and the rock lining on this one bank would certainly detract from the natural appearance of the channel.

ALTERNATIVE E: FLOOD WALLS



This alternative consists of reinforced concrete walls, typically about three feet high, set back from the tops of both channel banks. This alternative is practical only in the uppermost reach where flood flows exceed the natural channel capacity by only a small amount. Downstream the floodwalls would have to be so high as to be unacceptable. The primary advantage of this alternative is that the natural channel is preserved. The primary disadvantage is that these floodwalls may be viewed as an intrusion by landowners along the river.

ALTERNATIVE F: FLOODWALLS WITH SELECTIVE CLEARING



This alternative is essentially the same as “E” except that brush and some low shrubs are cleared along the channel banks. The effect of this is to increase the flow capacity of the channel by reducing the resistance to flow. The main advantage of this alternative over “E” is that slightly lower floodwalls could be used. The main disadvantage of “F” over “E” is that the natural channel would be disturbed.

Environmental Issues:

At the beginning of the study these environmental issues are already known:

1. With the population doubling in less than 20 years, the Elna Valley now has serious problems with smog and traffic congestion. In addition, there has been a rapid decline in the amount of the open space that was once one of the most desirable aspects of living in the Elna Valley. As a result there are a number of groups that would like to discourage further development and oppose all projects which they consider to be “growth inducing.”
3. The existing reservoirs are a major source of recreation in the area. In several cases they have been integrated into the County Park System and produce several hundred thousand days of

recreation use per year. They are the only source of boating, fishing and other water-related activities in the immediate area. An increase in such facilities would be considered highly desirable, but any alteration in the existing uses of these areas would cause considerable protest.

3. The number of riparian zones on the valley floor have been greatly diminished by the population growth in the area. As a result the existing areas, particularly in urbanized areas such as Timsville, are seen as important environmental assets by people in the area.
4. There are several endangered species of plants and animals in the upper reaches of the Bullion in the Somerville Mountains. These species include the Golden Eagle, Bald Eagle, Peregrine Falcon, Kaiser Kit Fox, and the Glaborous Popcorn Flower.

5. There may be a few historic sites in the Somerville Mountains area of Bullion River, although none have been specifically listed. There are no known historic areas in the urban areas that would be disturbed by the project.

6. The rights-of-way associated with any of the projects constitute major new open spaces and recreation possibilities. These areas would be administered by the County Park System.

Social Issues:

1. Nearly 25% of the population of Timsville and Sherry are Spanish-speaking or Spanish-surname people with Mexican ancestry. Acquisition of major rights-of-way through the urbanized areas is likely to place a disproportionate burden on this sector of the population and create requirements for replacement of low-cost housing. On the other hand, this sector of the population is a major user of existing reservoir and right-of-way areas for recreation.

2. Solution of the flooding problems could lead to major growth and development in the Sherry area. This is viewed positively by some and negatively by others.
3. After an incredible housing boom during the 90's, the construction industry in the area has been ailing as there has been less land available for development. The construction trade unions are active supporters of any projects that will stimulate the construction industry.
5. The wealthier sections of Elna County are upstream, while the less expensive housing is downstream. This project could require acquisition of property upstream from wealthy and influential landowners to provide flood protection for less affluent people downstream.

Political Structure:

The County of Elna has a County Manager form of government. A Board of Supervisors is elected and in turn hires a County Manager and other key officials. The County Manager is the Chief Administrative Officer of the County. In the past the Board of Supervisors has been very responsive to developmental interests. However, the two recently elected Supervisors from the affluent foothills districts (near the Somerville Mountains) are more environmentally inclined. The remaining three Supervisors represent the more urbanized and racially mixed parts of the Valley and are primarily concerned with economics.

The City of Timsville has a City Manager form of government, similar to the County's structure. The Mayor of Timsville is a more important figure, however. The last Mayor was just elected to Congress, and the present Mayor is said to have statewide political ambitions.

The Directors of the Elna County Water District are elected, but because few people know anything about the District, these elections tend to be dominated by agricultural or development interests.

The Association of Area Governments is a regional government that has taken a strong role in planning in the area. EPA has designated AAG as the lead agency for planning on regional issues such as sewage treatment, run-off, etc.

The State has a very active Department of Fish and Game that takes a strong role on behalf of fish and game protection.

The Governor has appointed leading environmentalists to key government positions including the Secretary for Natural Resources. The Director of the Department of Water Resources also has an environmentalist background.

THE AMERICANA RIVER STREAMBANK PROTECTION CASE

The Corps is authorized to provide streambank protection for the Americana River. For many years, the Corps has placed riprap along the river to prevent erosion or to protect levees. The USFWS and the NMFS have questioned this practice, maintaining that the natural habitat for fisheries includes eroded banks, fallen trees, and other protected areas for spawning and protection. The Corps has engaged in a number of mitigation programs designed to emulate natural conditions, but the resource agencies do not believe these actions have been effective.

In April 2000 the Corps requested formal consultation under Section 7 of the Endangered Species Act of 1973 (U.SC 1531 et seq.) with the U.S. Fish & Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) for proposed bank protection located at River Mile (RM) 136.0. Subsequent to the Corps request for formal consultation the USFWS and NMFS issued draft jeopardy biological opinions on the Corps proposed projects under contract 55A and 55B. The draft biological opinions concluded that the individual and aggregate effects of the incremental streambank protection actions would jeopardize the continued existence of several endangered species.

Throughout the first six months of 2001, representatives of the Corps of Engineers, Fish & Wildlife Service, National Marine Fisheries Service, California Reclamation Board and technical consultants met to discuss the issues raised in the draft jeopardy opinion. In July 2001, senior-level staff of the Corps, FWS, NMFS, state Department of Water Resources (DWR), and state Department of Fish & Game (DFG) reached agreement on a Reasonable and Prudent Alternative that would be incorporated into the existing project description. Based on this change in the project description, the USFWS and NMFS issued final non-jeopardy opinions on Contract 55 contingent upon the implementation of off-site conservation measures that fully compensate for the effects to the listed species.

One element of the agreement between the agencies was the establishment on an Interagency Working Group (IWG). The Biological Opinions describe the IWG as follows: “The Corps will immediately convene an interagency working group (IWG) to locate and design a set-back levee or other conservation measures that restores fluvial functions to off-site locations which are currently lacking (i.e. removal of riprap from a site with high erosion potential).

The primary goal of the IWG is to identify, evaluate, design and endorse conservation measures, consistent with the Biological Opinions and the Corps’ mandate to provide flood protection, that will provide full compensation for actions that will be taken under Contracts 55A and 55B. The conclusions of the IWG may also serve as a model for achieving agreement on full compensation for future streambank bank protection projects.

The fundamental problem is the there is not a sound scientific basis for quantifying the value of the compensation activities proposed by the Corps and DWR. There is some value, but no agreement on what it is. The Corps and DWR have pointed out that the same is true of some of the measures proposed by the resource agencies, such as setback levees. The challenge is to provide a system for quantification that is acceptable to all the agencies.

The full members of the IWG are the Corps, FWS, NMFS, and the state DWR, and DFG. The Corps acts as the lead agency for this action. Member agencies retain their statutory authority and their membership does not abrogate their regulatory authority.

Each agency has one permanent position on the IWG and designates its own representatives and alternates. The agencies have agreed that these representatives will be appointed for their specific scientific/engineering expertise relating to the mission of the IWG. All current representatives are fisheries biologists.

The team has agreed that substantial technical must be conducted to provide an appropriate scientific basis for decision making about how future compensation will be quantified. The IWG will agree on the scopes of work for the studies and will approve the contractors who will conduct the work, although the Corps will be paying for the studies and will manage the contracts. The plan is to use university researchers to conduct the studies, since some of the consulting firms have done so much work for the respective agencies that they are no longer perceived as neutral.

The team has agreed upon three Statements of Work for technical work that must be before they will have an appropriate scientific basis for making decisions. The Statements of Work cover the following three tasks: (1) Develop a standardized assessment methodology (SAM) for proposed streambank protection construction projects and related mitigation features, with the primary objective of quantifying project effects and developing measures to avoid, minimize, and fully compensate for project effects to listed threatened and endangered fish species; (2) Develop a comprehensive monitoring plan (CMP) for aquatic habitat and focus fish species affected by bank protection activities and associated mitigation, compensation and experimental features along the lower Americana River system. (This may involve monitoring and sampling of (a) habitats (and related habitat attributes) and (b) fish populations), and (3) Develop GIS maps showing all riprap along the river in the streambank protection action area.

The IWG has also begun consideration of projects that would provide compensation for Contract 55 and future streambank protection construction projects. Both projects currently under consideration have actually been brought to the agencies by outside organizations.

One is a project proposed by the Nature Conservancy, a non-profit group that purchases land and turns the land over to resource agencies for environmental management, restoration or preservation. This project involves removing a privately owned levee and installing

a setback levee, leaving a large piece of land that forms an oxbow in the river subject to the natural functioning of the river. The project also provides mitigation for a flood protection project designed to protect a town that is immediately upstream. This project was set to be funded under another Corps program, but when the money for that project was cut back substantially, there were no funds for this project.

The principal advantages of this project are: (1) the Nature Conservancy already owns the land; (2) the Nature Conservancy has worked with local government, landowners, and interested stakeholders, and there is support for the project, (3) final design could be completed this year, and construction could begin the following year. However, the resource agencies are not enthusiastic about this project. They acknowledge that this project may actually fulfill legal requirements, but they point out that this project is located almost 50 miles from the section of the river where the streambank protection construction is to take place. They fear this will set a precedent of doing projects where it is politically easy to do them, rather than in the impacted area. They point out that this project is in a stretch of the river that already provides a comparatively large amount of natural habitat, while the area where the construction activities are to take place do not.

The other project was brought to the agencies by a private company that makes a business of constructing mitigation banks, e.g. it buys and restores the land, and then sells of credits as mitigation for projects occurring elsewhere. The firm has also done restoration projects for the resource agencies, so it is a fully qualified and reputable firm. This company has verbal agreements with two adjoining landowners that they would be willing to sell as total of 1300 acres along the river that would be in an ideal location for a setback levee. The entire 1300 acres could be restored as habitat (and would have benefits for terrestrial listed species as well), or a portion could be restored and the remainder could be retained in agriculture consistent with the habitat needs of some of the terrestrial

listed species. However, there is no potential “market” for compensation in this area except the agencies. As a result, the company is not willing to simply invest the money and take its chances, but would need to develop some sort of partnership with the agencies to develop the project. It would be willing to obtain formal options to purchase the land if the agencies are willing to make a definite statement of interest from the agencies. It is open to a variety of partnering arrangements.

This project is located in a different county, however, and in this county there has been strong political opposition to converting agricultural land into environmental resources. There is a highly organized group that advocates policies that are a combination of protection of landowner rights and protection of agriculture. They have great influence upon a local Congressman who in the past essentially vetoed another environmental project despite support of local organizations and local government.

Everybody on the IWG acknowledges that the second project is environmentally superior. But there seems to be some trade-off to be made between “a bird in the hand” versus a project that is clearly superior but could takes several years before it would even be known whether the project was technically and politically feasible.

Management of the Corps and DWR has directed the IWG to design and conduct a public participation process in support of their effort. The management of the resources agencies support this decision, but are deeply concerned that public participation will stir up controversy that will result in pressure to make political rather than technical decisions. In particular, the resource agencies are fearful that agricultural groups will mobilize and make it politically impossible to make decisions based on their scientific merits. But just as there agricultural interests that would probably oppose any project, there are very vocal environmental interests that demand that the resource agencies “hang tough” in forcing the Corps/DWR to provide fully adequate compensation.

The Americana River Streambank Protection Case - continued

Some of the issues the IWG has been discussing is whether there needs to be participation on the three technical studies, or just on the selection of a project? Does peer review constitute public participation? Will “going public” simply alert agricultural interests, perhaps causing the local Congressman to exert his influence to cut off consideration of alternatives?

The management team has asked the IWG to present a draft public involvement plan by the end of the training course.

Presentation:

PI PLAN DESIGN

PI PLAN DESIGN

- Goal: Ensure that the participation process is an integrated part of the decision making process – no matter what level of participation is provided

- Whenever you interact with stakeholders you should know what it is you hope to accomplish, who the target audience is with whom you need to accomplish this, and how you will use what you learn from the stakeholders in the decision making process

STEPS IN PI PLAN DESIGN

- Identify the PI plan design team
  - This step is comparable to Step One in PI Plan Appraisal.
  - People who may need to be included:
    - -- People/organizational units that will be impacted by the decision or by open discussion of the topic
    - -- People/organizational units who will be called on to assist with the process
    - -- People with special expertise that will be needed, e.g. facilitators, writers, graphic design
    - -- People whose participation is needed for credibility
  - As you move into process design you may need fewer senor managers and more program implementers
- Identify the steps in the planning/decision process, and the schedule for completion of those steps (work back from when the process has to be completed)
  - Why the schedule matters:
    - -- You need to know the schedule of the planning/decision making process to ensure that participatory events produce outcomes in a timely manner

-- If the participatory process gets out of synch with the planning process you will either get delays, while you pause for the participation to catch up, or you will hold participatory activities that serve no purpose in moving the planning/ decision making process forward

-- Getting clear on schedule often results in clarifying and "testing" the schedule drivers

-- Schedule can have implications for which techniques can be used

-- Schedule can also have implications for the credibility of the process, e.g. if the time frame is too short, the stakeholders may get the message that you're not serious about allowing enough time for genuine participation

- Identify levels of involvement for each stakeholder orbit
  - Process assessment resulted in an overall assessment of the level of participation needed. This step asks whether you need different levels of involvement for different orbits. For example, you might need:

ORBIT OF PARTICIPATION	LEVEL OF PARTICIPATION
Co-decision makers	Agree with the decision
Active participants	Substantial influence over outcome
Technical reviewers	Substantial influence over technical methodology
Commenters	Be heard before decision
Observers	Provided complete information
Unsurprised apathetics	Given sufficient information to decide whether to explore further

- Identify particpation objectives for each step in the 6-Step Planning Process

Step in the Process	Possible Participation Objectives
Identifying Problems and Opportunities	Obtain a complete identification and understanding of how the problem(s) is viewed by all significant interests Agree on evaluation criteria and measures
Inventorying and Forecasting Conditions	Identify key assumptions of stakeholders about future conditions Get agreement on a set of scenarios that portray the range of probable future conditions
Formulating Alternatives	Get agreement that the set of alternatives that has been formulated captures the values orientations of the major stakeholders
Evaluating Alternative Plans	Develop a complete understanding of the impacts of the various alternatives, as viewed by the public Assess the relative merit assigned to alternatives by various interests
Comparing Alternative Plans	Determine which alternative would be the most acceptable
Selecting a Plan	Ensuring the stakeholders are informed on the basis for the decision

- Identify appropriate techniques to meet those objectives
- Use different techniques to reach different audiences within the public.

- Effectiveness requires the integration of a number of techniques.

  Example: To conduct a workshop may require:

  -- prior briefings of elected officials

  -- newsletter to potential participants

  -- paid meeting announcements

  -- dry-runs

  -- workshop summary

- If the conflicts are between parties, not just with the Corps, use techniques that encourage interaction between the parties.

- Maintain visibility -- find ways to preserve visibility even during “internal” study periods.

- Close the loop -- every time people participate, acknowledge it and tell them what you’re going to do with their ideas. Show people the connections between their participation and the outcomes: what we need is this; you said this, this is what we did with what you said; here’s what we need from you now and how we’ll use it.

- Use public affairs, public participation and dispute resolutions specialists to help with technique selection.

- Develop a plan integrating the techniques

Step in the Decision Making Process:	Participation Activity	Respon-sibility	Comple-tion Date
Identifying Problems and Opportunities			
Inventorying and Forecasting Conditions			
Formulating Alternatives			
Evaluating Alternative Plans			
Comparing Alternative Plans			
Selecting a Plan			

Team Exercise:

DESIGNING A PI Plan

Team Exercise:

DESIGNING A PI PLAN

PURPOSE:

To practice designing a PI PLAN for a specific case

INSTRUCTIONS:

1) Continue in the same team you were in for the PI Plan Appraisal

2) Continue to work on the same case for which you did a PI Plan Appraisal.

3) Design a PI Plan for this case using the following steps:
   - Identify the design team
   - Identify the steps in the decision process, and the schedule for completion of those steps (work back from when the process has to be completed)
   - Identify levels of involvement for each stakeholder orbit
   - Identify participation objectives for each step in the 6-Step Planning process

   NOTE: DO NOT SELECT PUBLIC PARTICIPATION TECHNIQUES YET.

4) Identify 2-3 important things you learned during this exercise, and select a spokesperson to present a report for your group.

5) Be prepared to present your plan at _____.

Presentation:

Implementing a PI Plan: OVERVIEW OF TECHNIQUES

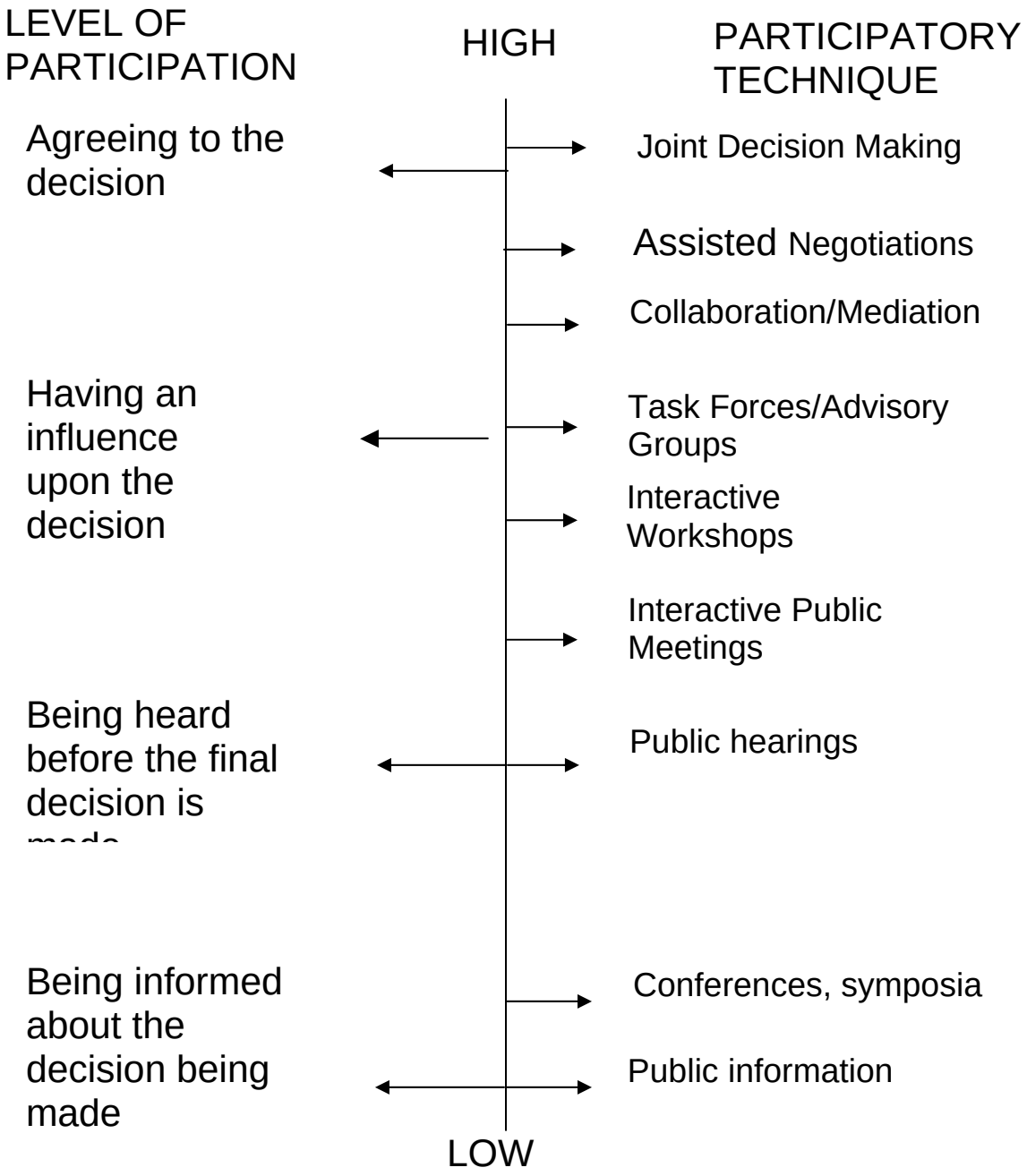
Readings accompanying Overview of Techniques:

Jerome Delli Priscoli, “From Hot-tub to War: Alternative Dispute Resolution in the U.S. Corps of Engineers,”
Course readings, pg. 130

James L. Creighton, “Public Participation Techniques,”
course readings, pg. 133.

Implementing a PI Plan: OVERVIEW OF TECHNIQUES

A general framework:



PUBLIC INFORMATION TECHNIQUES

People need good information in order to participate intelligently. Techniques to provide this information include:

- Briefings
    - 1-1 and small group presentations
    - Very useful for building relationships
- Exhibits/Displays
    - Better if they are interactive or if they are staffed
- Feature stories
    - Story written by a reporter about the subject
    - No control over content – although you can influence it somewhat by providing information to the reporter
    - But its more credible than something that obviously came from a press release
    - Ability to get this kind of coverage varies with media market – easier in rural areas
- Hotlines
    - Have you ever tried to reach the exact person in a large-agency who knows about a topic if you don't have that person's name and number? It can take 8-10 phone calls, and you frequently just give up
    - Hotline is a widely publicized phone number that gets through to someone who can provide info
    - It's value depends of the skill and knowledge of the person answering the line
    - Can be combined with touch-tone selection messages
- Information repositories
    - If you can switch to an e-based repository, there is a great cost-saving and people who are e-comfortable prefer it
    - Issue: Does everyone have access to an e-repository? It isn't always just the technology, but also an issue of comfort using the technology

- Mailings containing technical reports/environmental reports
  - Better if accompanied by well-written summaries
- News conferences
  - Advantage: Your “sound-bite” may appear on the evening news
  - But media will only show up for a high-ranking person or “big” story
- Newsletters
  - An important way to maintain visibility
  - You control the message and can go into much more depth
  - Their value depends on how well they are written and presented
  - Possibility of e-letters
  - Requires a good mailing list
- Newspaper inserts
  - An alternative to newsletters, targeted at larger public
  - You control the message
  - It’s value depends on how well it is written and presented
  - Can include clip-out coupon or return questionnaire
- News releases
  - Value of news releases greatly enhanced with personal follow-up
- Paid advertisements
  - One-way to ensure you reach a mass public with your message
  - Can be made interactive by having a clip-out return form
  - Their value is highly dependent on whether the ad is attractive and has human interest
  - If it is advocacy for a particular position people will criticize the use of public funds for this purpose

        - But people are usually complimentary and think it is an appropriate use of public funds if it announces public meetings
    - Press kits
        - Provide easily written backup information that a reporter on a deadline can turn to
    - Public service announcements
        - In larger markets, you're competing with many others for the time
        - Humor or human interest may be critical to getting media attention
    - Speaker's bureau
        - Build a program of continuous communication to community groups
        - You also get feedback from these sessions
    - Web sites
- Very convenient for computer literate
- Can virtually replace physical information repositories
- "Digital Gap" issues

<u>INFORMATION GATHERING TECHNIQUES</u>

- Focus groups
- Small groups, asked questions by facilitator, observe responses
- Repeat as needed until you are confident of findings
- Groups may be "random" or "targeted"
- Useful for getting subjective information
- Public is sometimes fearful of manipulation with information obtained in focus groups
- Polls, surveys, questionnaires
- Strength: quantitative data

- Weaknesses: captures a point in time only; counts all votes equally even though some people have more influence; results can be skewed by bad design

- Interviews
  - One of the most under-used and most valuable techniques
  - At key times in a major process, schedule a round of 10-15 interviews
  - People will tell you things they cannot tell you in meetings about their own organizations and the interactions internally and with other groups.
  - Need to be sure the people you interview represent the full range of points of view
  - Time consuming
  - Lacks visibility – you learn a lot but the public can't observe what's said

<u>INTERACTIVE TECHNIQUES</u>

- Advisory groups/task forces
  - Advisory groups are the most widely used technique within DOE
  - Makes sense when the stakeholders remain relatively constant from issue to issue – but not if they change significantly from issue to issue
  - Stakeholders become much better informed and have to interact with each other – they are influenced by each other's points of view
  - Problems with advisory groups:
    - Some groups have dysfunctional mixes of personalities
    - It's hard to keep up the interest and enthusiasm after a couple of years

        - Advisory groups may take a run at trying to “make” decisions not just “advise” on decisions
    - Task forces are like an advisory committee, but they just have a major assignment and go out of existence when the assignment is done
    - Task forces remove some of the problems with keeping up the energy and trying to run the place
- Open houses
    - An increasingly used technique, particularly at the beginning of the process
    - Mechanics:
        - Held in large meeting room, e.g. multi-purpose room at a school
        - “Booths” or “stations” are set up, each focused on a specific topic
        - Staffed by people knowledgeable on that topic
        - Flipchart at each stand for recording comments
        - Drop-in anytime during an announced time period
        - Might ask people to fill out a response form/or have someone walk with them and record comments
    - Works well if there is high interest
    - Allows people who want specific information to come, get the information they want, then leave – they don’t have to listen to a bunch of speeches to get one piece of information
    - There are often good in-depth discussions between people with strong interests, e.g. in-depth discussion of issues such as habitat, etc.
    - Activists hate open houses because it doesn’t give them a chance to make speeches to the rest of the audience
    - Open houses can be combined, e.g., open house in the afternoon followed by an evening meeting; or open house in one room, meeting in the other

- Participatory television/cable television
  - Some communities have public access channels – but audience is small
  - Volunteer staff of public access channels may have a political agenda
  - Genuine videoconferencing still technically complex – only large companies have the technical facilities to do it well and even they have technical problems
  - Still coming – but not quite here yet
- Public hearings
  - Often required by law
  - But tends to exaggerate conflict rather than resolve issues – leaders of constituencies have to be seen defending the “holy faith”
  - Provides an audience, a meeting room, and a microphone for activists to make speeches
  - But public hearings don’t have to look like public hearings
  - Legal requirements for public hearings:
    - Hearing officer – but it doesn’t say how the hearing officer acts, so long as fair to all
    - “Complete record” – can be handled by tape recording and typing up
    - Adequate notification
  - Alternative meeting formats can be used:
    - Phone-in comments
    - Mini-van with meetings in town squares
    - Small group discussions, each with a tape-recorder
- Public meetings
  - Universally, the most used public participation technique
  - Large public meetings have most of the same problems as public hearings

    - Be sure it is the conclusion of the public participation process only, not the whole process.
    - Consider providing other mechanisms for participation alongside the meeting; e.g., open houses, phone-in comments, etc.
  - Where possible, use interactive meeting formats, e.g. large group, small group, with group reports
  - Use hand-in response form to hear from those who don't speak
  - Keep front-end presentations short
- Retreats
  - Taking a small group, such as a task force, away from work setting for a concentrating work session, e.g. weekend
  - Typically involves group meals, social activities, even athletic events
  - Provides a concentrated interaction away from work pressures
  - People get to know each other as people not just roles
  - Useful when you need to have a breakthrough or up energy a bit
- Workshops
  - Usually limited to about 25 people – and smaller is preferred – although some of the same effect can be achieved with large group/small group format
  - Workshops have a task to be accomplished – e.g. identify alternatives or evaluate alternatives, and everybody works together to accomplish that task
  - Stakeholders must interact with each other – not just criticize agency

JOINT DECISION MAKING BETWEEN WELL-DEFINED PARTIES

- Interagency Working Group
  - Representatives of agencies (or parties) work as a task force to complete a major project
  - Typically decisions are made by consensus, with decisions elevated to higher management if the working group is unable to reach agreement
  - May be combined with partnering
- Partnering
  - Think of this as “preventative dispute resolution” between parties who are going to have to work together to complete a major project.
  - At the front-end, management of the parties agrees to “partner”
  - Key team goes through a partnering workshop during which they discuss how they are going to work together as a team, set team goals, set norms for group behavior
  - Team co-manages the project
  - Team goes through periodic “maintenance workshops” where they talk about how they are working together, go through joint training, and agree on new directions

THIRD-PARTY ASSISTANCE

- Four types of third-party assistance
  - Relationship building assistance
  - Procedural assistance
  - Substantive assistance
  - Third-Party Decision Making
- Relationship Building Assistance
  - Counseling/Therapy
  - Conciliation

    - Team building
    - Informal social activities
- Procedural Assistance
    - Coaching/Process Consultation
    - Training
    - Facilitation
    - Mediation
- Substantive Assistance
    - Mini-Trial
    - Technical Advisory Boards
    - Dispute Panels
    - Advisory Mediation
    - Fact Finding
    - Settlement Conference
    - Non-Binding Arbitration
    - Summary Jury Trial
- Decision Making
    - Binding Arbitration
    - “Rent-a-Judge”
    - Adjudication – judge makes the decision

<u>Some pointers:</u>

- Use interactive techniques in preference to formal meetings
- If you must use a formal meeting, consider:
- Make sure it is the conclusion of the public participation process, not the whole process
- Providing other mechanisms for participation alongside the meeting

- Use interactive formats to make it less formal
- If the conflicts are between parties, not just with the Corps, use techniques that encourage interaction between the parties
- Maintain visibility -- find ways to preserve visibility even during “internal” study periods

Team Exercise:

PI PLAN IMPLEMENTATION: SELECTING PUBLIC INVOLVEMENT TECHNIQUES

PURPOSE:

To practice selecting public involvement techniques for a case

INSTRUCTIONS:

1) Continue in the same team you were in for the PI Plan Design.
2) Continue to work on the same case for which you did a PI Plan Design.
3) Identify appropriate techniques to meet the public involvement objectives you identified in the last exercise (including techniques for getting information TO the public as well as FROM the public).
4) Develop a step-by-step plan showing the sequence of activities (see form, next page, but do not complete the responsibility column)
5) Be prepared to present your plan at _____.

Step in the Decision Making Process:	Participation Activity	Respon-sibility	Comple-tion Date
Identifying Problems and Opportunities			
Inventorying and Forecasting Conditions			
Formulating Alternatives			
Evaluating Alternative Plans			
Comparing Alternative Plans			
Selecting a Plan			

THURSDAY NIGHT
ASSIGNMENT

Go have fun!

FRIDAY

Presentation:

STRATEGIC COMMUNICATION

INTEGRATING COMMUNICATIONS INTO PROJECT MANAGEMENT PLANS

TIMELINE

- Before: Pockets of excellence or a block to check
- Get serious with communication in the vision
- Reno workshop, April 2001
- Now in Business Process manual

THE TEAM

- Mostly PMs
- Several other SMEs
- Hand-picked
- Skeptical at first
- Great results!

STEP 1 -- AUDIENCE

- PDT needs to ask:
  - Who is affected by this project
  - Who affects the project? How? Why?
- To identify stakeholders, consider:
  - Geography
  - Economics
  - Quality of Life
  - Political sensitivity
- Document key information for PDT access

STEP 2 – IDENTIFY ISSUES

- What are the problems, concerns, issues?
  - Technical

  - Institutional
  - Political (Tribal, Federal, State, Local)
  - Environmental
  - Cultural
  - Other
- How do these affect the project?

STEP 3 -- RESEARCH

- Listen to better understand expectations, problems, concerns, issues
  - Talk with local sponsors, customers
  - Talk with interest groups
  - Review existing documents
  - Conducts survey or focus groups

STEP 4 -- COMMUNICATE

- Design communication strategy for each interested party and link to project milestones
  - Determine key messages for each step
    - Timely, clear, honest, sensitive, relevant, open, consistent
    - It's OK for a message to draw feedback, as in "Tell us what you think about this plan…"
- Get help
  - Toolbox PAOs are there to help. Involve them early.
- Get stakeholder feedback and use it

STEP 5 - EVALUATE

- Define success: Did the communication strategy…
  - Allow us to define the playing field?

  - Allow us to frame the issues?
  - Bind us to our partners?
- Was the majority of the dialog fact-based rather than emotional?

5 STEPS TO EFFECTIVE INTERVIEWS WITH THE MEDIA

OBJECTIVE

- Help you become a better communicator
- Help you tell the USACE story
- Raise your comfort level

PHILOSOPHY – WHY INTERVIEW

- Public's right to know
- Understanding = Support
- Opportunity to deliver message
- Opportunity to set the record straight

HOW TO APPROACH INTERVIEWS

- Business deal – Mutual gain
- Prepare
- Negotiate

EFFECTIVE INTERVIEWS

- Get the details
- Get the questions
- Develop messages
- Do the interview
- Evaluate, improve & inform command

1. GET THE DETAILS

- Name, publication, station, organization
- Ground rules
- Deadline
- Topic & angle
- Ask yourself – Am I the right person?
- Air Date
- Coordinate

2. QUESTIONS & ANGLE

- What are the reporter's questions?
- From what viewpoint are the questions posed?
- What is the objective?

WII - FM

- Every audience is tuned into one station – WII – FM. The call letters for "What's In It For Me?"
- Media needs: facts, figures, quotes, plain English and access

DEVELOP MESSAGES

- Get your team together
- What's the issue?
- Prepare the 5 best and worst questions
- What are the 15 most important words you can tell the audience?
- What are logical follow on questions?
- First Questions:
    - What outcome do you want?

    - Who is the audience?
- Develop the message using:
    - Logic
    - Word choice
    - Message
    - Legal Issues

MESSAGES

- Army based – America's Army
    - Army Transformation
    - Homeland Security
- Corps Vision-based
    - People
    - Process
    - Communication

4. DO THE INTERVIEW

- Get back to the reporter
- What you like like vs. what you say
- Ready with messages – key phrases
- Listen to the questions
- Respond in terms of people – not programs or statistics
- Tape the interview – audio or video

MAGIC WORDS – BOWING OUT

- I'm not prepared to talk about that issue today. Let's schedule…
- The answer to that would be pure speculation. <<<STOP>>>
- My personal opinion isn't important, what's important is…

MAGIC WORDS - BRIDGING

- …just as important is …
- Another important point …
- We may be overlooking the facts …
- I don’t know about that, but what I do know …
- No, let me explain …

MAGIC WORDS - FLAGGING

- Don’t lose sight of the fact …
- The most important thing is …
- (I thin) It boils down to …
- Focus on this one point, because …
- Let me correct something you said …

IN FRONT OF THE CAMERA

- Objective: Deliver your message
- Objective: Tell the truth
- Variety of formats
- Pick out strong points
- Television interview techniques good for all media interviews, press conferences, public meetings

TALK SHOW FORMAT

- Answers short – messages simple
- Speak in English
- Be aware of body language
- Talk with the interviewer

- Always take a PAO with you
- Watch the show

STAND UP

- Sound bite answers
- Give your message
- Speak in English
- Talk with the interviewer

REMOTE

- Unusual situation
- No reporter
- Talk to the camera

AFTER ACTION

- Provide promised material
- Develop any new messages
- Inform appropriate people
- Accept a balanced story
- Set the record straight if appropriate

EVALUATION

- How did you look?
- How did you sound?
- What did you say?
- What message received/used?
- What was your overall impact?

- Will your mother be proud of you?

ADVANCE PLANNING

- Get your PAO on the team
- Philosophy: Maximum Disclosure – Minimum Delay
- Develop communication plan, sample questions & answers
- Consider public interest
- Educate reporters, special interests
- Prepare 5 best questions
- Prepare 5 worst questions
- Do it NOW and keep updated
- Watch television interviews critically

READING MATERIAL

- Media card
- USACE Public Affairs Resource Page:
  - http://www.hq.usace.army.mil/cepa/paresources/paresource.htm
- Communicators Guide:
  - http://www.fcn.gov

Presentation:

SPECIAL ISSUES

- Federal Advisory Committee Act
- Conducting polls and surveys
- Public hearing requirements
- Using the Internet
- Evaluating Public Involvement
- Use of consultants

SPECIAL ISSUES

THE FEDERAL ADVISORY COMMITTTEE ACT (FACA)

The Corps of Engineers has not established many formal advisory committees because of the constraints of the Federal Advisory Committee Act.

The Federal Advisory Committee Act (FACA) 1972

- Purposes of the act:
    - To recognize the value of public advice and counsel
    - To make sure that advisory committees provide advice that is relevant, objective, and open to the public
    - To make sure that advisory committees act promptly to complete their work
    - To make sure that advisory committees comply with reasonable cost controls and record keep requirements
- FACA requires the approval of each advisory committee through a rather lengthy process (at least 6 months) that goes up through the Secretary of the Army, over to the General Services Administration Committee Management Secretariat, which must approve a formal charter before the committee can meet. This can be a cumbersome process taking many months.
- Examples of Corps FACA Advisory Committees:
    - Chief of Engineers Environmental Advisory Board
    - Inland Waterways Users Board

      U.S. Army Coastal Engineering Research Board
- Other Examples: The Department of the Army has established a BRAC in each community where there is a base closure, and the Department of Energy has established site-specific advisory groups for each of its sites where there is an environmental cleanup program. In both cases, a single advisory committee has been charted at a headquarters level, complying with all the

requirements of FACA, and each local committee is considered a subcommittee of the headquarters committee.

- Once a FACA committee has been approved, there are a number of specific requirements that must be met related to keeping of records, public notice of meetings, etc. Most of these requirements are designed to ensure the openness and legitimacy of the committee's operations. So while the requirements must be met, they are consistent with doing a good job. The real challenge of FACA is getting the initial committee approval.
- Under FACA law and implementation regulations, the term "advisory committee" means any committee, board, commission, council, conference, panel, task force, or other similar group, which is established by statute, or established or utilized by the President or by an agency official, for the purpose of obtaining advice or recommendations for the President or on issues or policies within the scope of an agency official's responsibilities.
- But there are important exemptions. Groups excluded from FACA include:

    - Any committee or group created by non-Federal entities (such as a contractor or private organization), provided that these committees or groups are not actually managed or controlled by the executive branch;

    - Groups assembled to provide individual advice -- any group that meets with a Federal official(s), including a public meeting, where advice is sought from the attendees on an individual basis and not from the group as a whole;

    - (Groups assembled to exchange facts or information - any group that meets with a Federal official(s) for the purpose of exchanging facts or information;

    - Intergovernmental committees - any committee composed wholly of full-time or permanent part-time officers or employees of the Federal Government and elected officers of State, local and tribal governments (or their designated

employees with authority to act on their behalf), acting in their official capacities. [However, the purpose of such a committee must be solely to exchange views, information, or advice relating to the management or implementation of Federal programs established pursuant to statute, that explicitly or inherently share intergovernmental responsibilities or administration]

- Intragovernmental committees - any committee composed wholly of full-time or permanent part-time officers or employees of the Federal Government;

- Local civic groups - any local civic group whose primary function is that of rendering a public service with respect to a Federal program;

- Groups established to advise State or local officials - any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies;

- Operational committees - any committee established to perform primarily operational as opposed to advisory functions. Operational functions are those specifically authorized by statute or Presidential directive, such as making or implementing Government decisions or policy.

- As you can see, there are some occasions where the Corps can consult with other entities without coming under the provisions of FACA. Examples include:

  - If you hold consultations with other federal, state, local or tribal governments, these consultations are not subject to FACA.

  - An established interagency working group or task force that jointly makes decisions about a program would not require FACA approval so long as it consists solely of federal, state, local or tribal government agency representatives or staff. But if you make private citizens or leaders of non-

governmental groups members of the group, FACA would apply.

- You are not subject to FACA requirements if you hold a public meeting, workshop, open house, or focus group where individuals express their individual opinions. But if you ask participants to develop a group recommendation you could come under FACA.

- If a state, local or tribal governmental entity establishes an advisory group, then transmits the advice of that committee to a federal agency, the advise is considered to come from the governmental entity, so FACA doesn't apply.

- FACA means that on most occasions, the Corps will be unable to use a citizen advisory committee without going through the full FACA approval process. There may be a few circumstances that justify this expenditure of effort – but not too many.

CONDUCTING POLLS AND SURVEYS

- Congress has passed laws designed to protect the public from intrusive questioning, e.g. regulators asking questions of the people they regulate
- Basically, if you are going to use a formal poll, survey or questionnaire, you must first get OMB approval
- Takes at least 6 months
- OMB review is primarily to ensure it isn't intrusive and uses good research design
  - Representative sample
  - Questions aren't "leading" or biased
- The Corps can't pass Federal money on to a state or partner to do the survey/poll
- Options:
  - Conduct interviews – use open-ended questions

▪ Arrange for someone else to do the poll/survey

PUBLIC HEARING REQUIREMENTS

- Minimum requirements:
  - Adequate public notice - minimum two weeks
  - “Complete record” - usually a court reporter transcript – but could be a typed-up tape recording
  - “Hearing Officer” – but doesn’t specify meeting leadership style
- Creative Hearings
  - Motor home river basin study
  - Telethon
  - Phone-in comments
  - Railway caboose

USING THE INTERNET

- Present state-of-the art
  - Web page for major studies
  - Using the Internet to get out announcements to people who are actively involved
  - Using the web page as the information repository
  - Experimentation with interactive forums, e.g. EPA Public Involvement Policy
- Problem: Not everybody has access to a computer & modem
- Both a socio-economic and generational issue:
  - African-American use lower than other ethnic groups, but catching up fast
  - Asian use is higher than average, but new immigrant rate is lower
  - Older Americans' use is lower than average, but rapidly catching up, and when they do use it, they spend more time on it
- Examples:
  - **Web site: Everglades Study**

    http://www.evergladesplan.org

  - **Information repository: Fort Ord**

    http://www.fortordcleanup.com/docreview.shtml

  - **Interactive discussion: EPA**

http://www.network-democracy.org/epa-pip/archive/date-X1.html

EVALUATING PUBLIC INVOLVEMENT

- There are several motivations for evaluating public participation:
  - Wanting to know if people were satisfied with a public participation program (or a phase of a program) that has been recently completed
  - Wanting to learn what improvements should be made in future programs – the “continuous improvement” goal
  - Wanting to have solid information upon which to make comparative judgments, e.g. Will spending these extra dollars result in an appreciable improvement in people’s perception that the program was adequate?
- Regrettably there has been relatively little comprehensive evaluation of public participation. It may be possible to satisfy the first two motivations, but there is little “hard data” for comparative judgments
- Problems with evaluation:
  - Public participation is, in part, an act of faith in the values of democracy. The belief that a democratic decision is “better” whether or not it is more cost effective is essential to the survival of democracy.
  - The “end state” is not always well-defined. Is the purpose of public participation:
    - To inform the public
    - To enhance the accountability of government decisions
    - To build consensus, reducing conflict
    - To enhance the legitimacy of government decisions
    - To build trust between government and citizens
    - To produce “better” decisions (which requires a well-defined definition of “better”)

- The results of an evaluation may be very different depending on which of these goals is measured
- Public participation can be evaluated as a process or for the outcome it produces, for example:
    - "I'm not all that happy with the decision, but the opportunities for participation were certainly adequate." (Process-oriented)
    - "Public participation is a sham. After all those meetings, they still went ahead and built the project." (Outcome/content-oriented)

  - As a result, an evaluation process that would follow a fully satisfactory methodology would (a) identify stakeholders; (b) have each stakeholder group (including the Corps) identify its goals (both process and outcome), objectives, and measures; (c) conduct evaluations that permit you to identify the extent to which each stakeholder group satisfies its own objectives. This is good research, but time-consuming and can be expensive. [For an example of this kind of study see: Rosener, *The Sanibel Evaluation: What Was Learned*, IWR Reader #2, pg. 409.]
- Everyday techniques for assessing whether your program was/is adequate:
    - Interviews
    - Hand-In response forms
    - Mail-in response forms in newsletters
    - Citizen committee review
    - Check-point Meetings
    - Post mortems
    - Polls (conducted by other agencies)

USE OF CONSULTANTS

- Why consultants may be useful:
  - Some provide in-depth experience with public involvement
  - They may have staff/mechanisms in place to deliver public information/public involvement services
  - They have the ability to provide short-term focused support
  - In multi-agency process, other agencies may perceive the consultant as more neutral
  - May provide a different perspective
- Roles consultants can play
  - Process advisor
  - Meeting facilitator
  - Implementation/logistics coordination (e.g. renting meeting rooms, placing ads, setting up rooms, etc.)
- Roles consultants should <u>not</u> play:
  - Don't put (or allow) consultants in a position to speak for the Corps
  - Don't make the consultant the "face" of the program – the public wants to talk to decision makers, not minions
  - Don't relinquish decision-making about the process to the consultant – the consultant may recommend, but you must always decide
- Key issue: You can't buy a "turn-key" public participation program – to try will only divorce the public participation from the real decision making.

IMPLEMENTATION PLANNING

IMPLEMENTATION PLANNING

- The basic strategy should have been laid out in the process design phase.

- The implementation phase is where you work out all the details, such as:
  - You've agreed on have a set of workshops, but how many of those workshops do you need, in which cities, on what dates, etc?
  - You've agreed that you want to do workshops, but what is the agenda going to be, who will lead the meeting, who will be making presentations, how will the workshops be publicized, etc?
  - You've agreed that you want to put out a newsletter, but what are the contents, who will write it, who will do the layout and design, to whom will the newsletter be sent, etc?
  - You've agreed to do briefings for local officials, but which local officials, on what time schedule, who will do the briefings, etc?

- Typically, this kind of planning is not all done at the front-end – you may want to wait until just a few weeks beforehand to finalize plans for workshop agenda, newsletter contents, briefing schedule, etc.

- However, management typically wants some cost estimate of what the public involvement program will cost before it will commit to the program – and that is likely to be requested at the front end.

- Like a planning study budget, public involvement program budgets are built "up" not "down" – you don't start with an amount of money and then work backgrounds, you design the program and then develop the cost estimate (although there may be several iterations, to cope with reality)

- The measure of “how much is adequate” is not defined by the amount of money on hand, but what it will take for the decision to “count.” A public participation process that’s on time and within budget, but doesn’t get sufficient consent that you can proceed, is no bargain

- Satisfying legal minimums alone will rarely get you sufficient consent to proceed, unless the project is not controversial anyway.

- But nobody is going to just give you an open checkbook.

- One of the challenges of estimating public involvement costs is deciding which costs are simply planning study costs, and which are public involvement. For example:

  - When technical staff attend public meetings, does that time come out of the normal study budget, or out of the public involvement budget?
  - When technical staff prepare responses to questions answered by the public, is their time charged to the normal study budget, or the public involvement budget?
  - Is time spent translating Corps reports from “technicalese” to everyday English part of normal technical work, or charged to public involvement?

- While there are costs that clearly belong to the public involvement side – e.g. hiring a meeting facilitator, publishing a newsletter, renting a meeting room – the largest single cost will always be Corps staff time, so how that is allocated is something you need to know before you start preparing your public involvement budget

- What we’ve done to try to help is prepare a cost estimating sheet that lays out the most likely costs. It looks something like this:

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
Public meetings and workshops	Publicity may include mailings, paid advertising, briefings, newsletters, etc.			
	Meeting room rental – meeting room must fit meeting format, e.g. if you are going to have break-out groups, do you need break-out rooms, small groups at banquet tables, etc.			
	Staff time to develop meeting agenda /format			
	Professional facilitator – includes involvement in both designing and conducting meetings			
	If small groups, flip chart pad, easels, flow pens, tape			
	Displays or exhibits that will be used during meetings			
	Printed materials for distribution at meetings			
	Audio visual equipment may include overhead projector, screen, digital projector, microphone(s)			

- Note that the very first cell in column two mentions newsletters, briefings, and other publicity techniques. Individual breakout sheets are provided for each of these techniques, so they would be costed-out individually.
- The complete sheets are shown on the following pages.
- There isn't a "right" answer. The critical issue is that you can develop a defensible figure.

ESTIMATED COSTS FOR VARIOUS PUBLIC INVOLVMENT TECHNIQUES				
PUBLIC INFORMATION TECHNIQUES				
TECHNIQUE	**COST FACTORS**	**COST RANGE**	**#**	**ESTIMATED COST $**
Briefings	Staff time to prepare people giving the briefing (e.g. write talking points or script, conduct dryruns)			
	Staff time to prepare graphics used in briefings			
	Staff time to arrange/schedule briefings			
	Staff time to conduct briefings			
	Transportation to/from briefings			
Exhibits/displays	Staff time to determine contents of display and prepare final text			
	Layout and graphics on the display			
	Outside production costs to blow-up materials, produce professional-looking display			
	Exhibit or display space rental			
	Maintenance of display			
	Transportation of display to/from display area			
	Staffing of exhibit or display			

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
Feature story	Staff time to develop “hook” to interest media			
	Staff time to contact media and arrange for interviews			
	Staff time to coordinate interviews for reporters			
Information repositories	Staff time to set up repository			
	Space rental for repository			
	Staff time to answer questions, help public look up materials			
	Staff time to maintain repository			
	Duplication costs of materials			
Mailings containing technical reports/ environmental reports	Printing/duplication costs			
	Staff time to develop and maintain mailing lists			
	Shipping/mailing costs			

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
News conferences	Staff time to prepare script or talking points			
	Staff time to prepare the person giving the briefings (e.g. dryruns)			
	Staff time to contact media			
	Staff time to follow up with phone calls to key media			
	Rental of room (if government facility not used) and audio-visual equipment			
Newsletters	Staff time to write and re-write text of newsletter (there are usually several iterations)			
	Staff time to review and comment on newsletter text			
	Layout and graphics – related production costs			
	Printing costs			
	Staff time to develop and maintain mailing list			
	Mailing costs			

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
Newspaper Inserts	Staff time to write and re-write text of newspaper insert			
	Layout and graphics, and related production costs			
	Printing costs			
	Fee paid to newspaper to distribute insert			
News releases	Staff time to prepare news release			
	Staff time to prepare/maintain press contact list			
	Mailing costs			
	Staff time to make follow-up phone calls to key media			
Paid Advertisements	Staff time to prepare copy and develop concept			
	Graphics and layout			
	Advertising fee paid to publication			
Press kits	Staff time to prepare materials for kits			
	Graphics/layout to prepare covers/kit materials			
	Staff time to prepare/maintain press contact list			
	Mailing costs/or staff time to hand deliver			

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
Public service announcements	Staff time to write announcement			
	Production costs associated with audio or video tapes (if used)			
	Staff time to prepare/maintain press contact list			
	Mailing costs			
	Staff time to follow up with phone calls			
Speaker's Bureau	Staff time to select and maintain speaker's list			
	Training for speakers			
	Development of presentation modules for speakers			
	Staff time to publicize speakers bureau			
	Staff time to schedule speakers bureau			
	Staff time to make presentations			
	Transportation costs associated with making presentations			
Web site	ISP hosting fee			
	Web site design and posting			
	Staff time to update material for web site			
	Webmaster time to update web site			

INFORMATION GATHERING TECHNIQUES				
TECHNIQUE	**COST FACTORS**	**COST RANGE**	**#**	**ESTIMATED COST $**
Focus groups (formal)	Focus group design consultant			
	Staff time to work with consultant to develop questions			
	Focus group facilitator			
	Focus room rental			
	Staff time to analyze results of focus groups			
Focus groups (informal)	See workshops, meetings			
Polls, surveys, questionnaires	[Rarely used. Requires high-level approvals taking at least 6 months. If you do use them, hire a professional company to design and conduct.]			
Interviews	Staff time to develop questions and identify interview targets			
	Staff time to setup interviews			
	Transportation costs to conduct interviews			
	Staff time to conduct interviews (including travel time between them)			
	Staff time to write-up interviews			
	Staff time to analyze interviews and prepare a summary			

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
Sounding boards, citizen task forces	[Note: Be certain you are not out of compliance with FACA]			
	Staff time to identify membership, identify purpose of group			
	Staff time to prepare and distribute notification of meetings			
	Staff time to prepare agendas, develop presentations, arrange for speakers			
	Staff time to take notes and develop meeting minutes			
	Staff time to address questions from group members			
	Staff time to conduct studies or analyses to address questions raised by citizens			

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
Open houses	Staff time to develop displays			
	Production/graphics costs to prepare displays			
	Staff time to set-up and maintain mailing list			
	Staff time to prepare and distribute meeting announcements			
	Staffing at each station during open house, plus logistics support staff			
	Transportation of exhibits to open house			
	Staff transportation			
	Staff time to summarize discussions held during the open house			
Participatory television (broadcast of a public meeting)	Staff time to set up and coordinate event			
	Hiring of professional taping firm or rental of taping equipment			
	Production costs of television station			

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
Participatory television (call-in show)	Staff time to set up and coordinate event			
	Studio rental			
	Call-in phone set-up			
	Volunteers or staff to answer phones			
	Staff time to prepare presentations			
	Staff time to brief presenters and technical experts who will answer questions or discuss issues			
	Professional moderator			
	Staff time or volunteers to sort questions and give to moderator			
	Staff time to publicize event			
Public hearings	Publicity may include mailings, paid advertising, briefings, newsletters, etc.			
	Court reporter			
	Meeting room rental			
	Staff time to coordinate Federal Register notice			
	Staff time to prepare agency presentations			
	Professional meeting leader			

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
Public meetings and workshops	Publicity may include mailings, paid advertising, briefings, newsletters, etc.			
	Meeting room rental – meeting room must fit meeting format, e.g. if you are going to have break-out groups, do you need break-out rooms, small groups at banquet tables, etc.			
	Staff time to develop meeting agenda /format			
	Professional facilitator – includes involvement in both designing and conducting meetings			
	If small groups, flip chart pad, easels, flow pens, tape			
	Displays or exhibits that will be used during meetings			
	Printed materials for distribution at meetings			
	Audio visual equipment may include overhead projector, screen, digital projector, microphone(s)			
	Staff time to prepare presentations			

	Small group facilitators, if used			
	Staff time to take notes and prepare meeting summary			
	Transportation/travel costs for staff to participate in meetings			
	Transportation costs for exhibits			
	Meeting room rentals			
	Staff time to analyze meeting notes and prepare overall summary			
Retreats	Staff time to schedule and coordinate with facility			
	Meeting room rental			
	Transportation/travel costs of all participants			
	Staff time to develop agenda/format			
	Professional facilitator – involved in both designing and conducting retreat			
	Staff time to participate in retreat			
	Support materials: flip charts, pad. Pens, overhead or digital projectors, screens, reference materials			

TECHNIQUE	COST FACTORS	COST RANGE	#	ESTIMATED COST $
Interagency Working Group	Staff time to develop charter and determine membership			
	Staff time to publicize meetings and coordinate meeting space			
	Staff time to take notes and prepare minutes of meetings			
	Staff time to participate in meetings			
	Staff time to conduct studies and respond to questions raised in group) [this cost may be allocated somewhere other than in the public involvement budget]			
	Travel/transportation costs to attend meetings			
Partnering	Staff time to define who the partners are, get senior management buy-off			
	Facility rental for initial partnering workshop			
	Partnering workshop facilitator			
	Staff time to participate in partnering workshop			
	Travel/transportation costs for participants			

	Staff time to develop implementation plan			
	Staff time to participate in periodic “maintenance” sessions			
	Travel/transportation costs to participate in “maintenance” sessions			
	Professional facilitator for maintenance sessions			

QUESTIONS AND ANSWERS WITH THE INSTRUCTORS

NOTES FROM QUESTION AND ANSWER PERIOD

GUIDE TO MATERIALS ON CD

Subject	Course Reader	Other Materials
Corps Policy	Lt. Gen Flowers, “White Paper 2001,” pg. 3	
Principles of Effective Public Participation	Creighton, “What Makes a Decision ‘Count’”? pg. 5. Delli Priscoli, “Public Involvement; Conflict Management; and Dispute Resolution in Water Resources and Environmental Decision Making,” pg. 14. Creighton, “The Use of Values: Public Participation in the Planning Process,” pg. 51	IWR Reader Vol.1, Sections 1-3. IWR Reader Vol. 2, Sections 1-2.
Planning 101	Orth and Yoe, Planning Primer, pg. 36	
Types of Disputes	Moore, “Types of Disputes,” pg. 68	
Facilitation Skills	Creighton, “Listening to the Public,” pg. 70 Creighton, “Communicating Feelings While Leading Meetings,” pg. 77. Creighton, “Facilitation,” pg. 79.	
Designing and Conducting Public Meetings	Creighton, “Designing and Conducting Public Meetings,” pg. 86.	IWR Reader Vol. 1, Section 5 IWR Reader Vol 2, Section 4, also Chapter 23

Working in Teams	Creighton, “Working Effectively in Teams,” pg. 99.	Partnering Guide for Corps Civil Works Mission
How Disputes Escalate	Creighton, “How Disputes Escalate,” pg. 120.	
Conducting a Process Appraisal	Creighton, “A Thought Process for Designing a Participatory Process,” pg. 154.	
Public Involvement Techniques	Creighton, “Public Participation Techniques,” pg. 133.	IWR Reader, Vol 1, Sections 4-5
Dispute Resolution Techniques	Delli Priscoli, “From Hot-tub to War: Alternative Dispute Resolution (ADR) in the U.S. Corps of Engineers,” pg. 130	IWR Reader, Vol 2, Section 6 Overview of Alternative Dispute Resolution: A Handbook for Corps Managers, IWR Pamphlet 96-ADR-P-5.
Working with Advisory Groups and Task Forces	Creighton, “Working with Advisory Groups and Task Forces,” pg. 182	
Public Involvement Program Evaluation		IWR Reader, Vol. 1, Section 8
Negotiation	Moore, “Negotiation,” pg. 195.	
Bibliography	Bibliography, pg. 210	