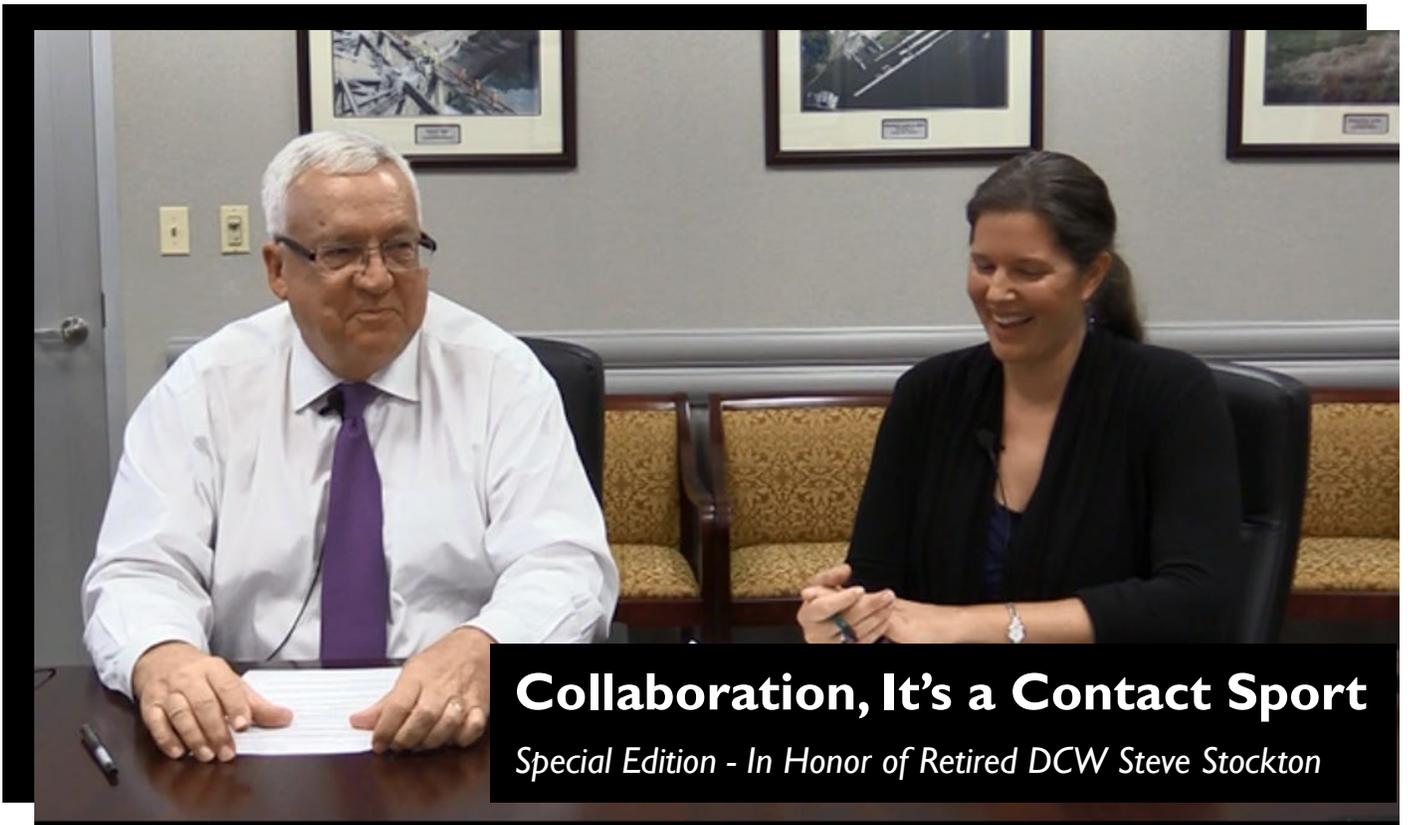


July-September 2016

Collaboration Corner



In This Issue:

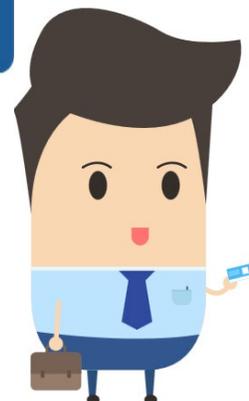
In honor of the retirement of Mr. Steve Stockton, former Director of Civil Works and Collaboration and Public Participation (CPP) Community of Practice Champion, the CPP CoP took this opportunity to reflect on his collaboration legacy and examine how collaboration has changed within the Corps throughout the past 40 years.

This newsletter is produced by the USACE Collaboration and Public Participation Center (CPCX), and their “Collective of the Instant Flurries” located at the Institute for Water Resources. For questions, comments, or to submit articles, contact Maria Lantz at maria.t.lantz@usace.army.mil.

Contents

- 3 [The Impact of Hurricanes Katrina and Rita on the Corps’ Approach to Risk Communication and Public Involvement](#)
- 4 [Recent and Upcoming Guidance Updates Focus More on Communication and Collaboration](#)
- 7 [Reflections on Corps Collaboration: An Interview with Steve Stockton](#)
- 10 [Recent Webinars](#)
- 12 [Evolution of Public Participation and Alternative Dispute Resolution in USACE - State of the Art to State of the Practice](#)
- 16 [Ask Hal: Is there any literature on the subject of how the Corps’ capacity to collaborate has changed over time?](#)

Submit your questions on Collaboration and Public Participation to be answered in the next issue of Collaboration Corner [Here](#)



Cover Image: Then-Director of Civil Works Steve Stockton and Maria Lantz of the Collaboration and Public Participation Center of Expertise during the interview on July 5, 2016.

Announcements

OCT
5-6

USIECR's Training:
501-Collaboration Leadership for
Environmental Professionals
(Arlington,VA). More info [HERE](#)

OCT
18

CPP CoP Webinar:
"Mediation --- How to Handle
Difficult Conflict Situations With
Grace and Achieve Results?"

International Facilitation Week

OCT
17-23

Webinars
Facilitation Tips
Conflict Resolution Day
CPCX's 8th Birthday
And Much More!

STAY TUNED.

OCT-NOV
31-4

IAP2 Training:
Foundations in Public Participation
– Planning and Techniques (An-
chorage,AK). More info [HERE](#)

NOV-DEC
28-2

NCTC Training:
Collaboration and Conflict Trans-
formation in Multi-Party Processes
(Shepherdstown,WV). More info
[HERE](#)

DETAIL TO CPCX

Detail to Collaboration and Public Participation CX (CPCX)

Location: Institute for Water Resources,
Alexandria VA

Duration: 4-6 months during FY17 or
FY18; Exact dates flexible

*Passionate about improving collaboration and public
participation in the Corps?*

Interested in making a difference at a national level?

If so, apply for a detail to the Collaboration and
Public Participation CX! Contribute to ongoing
CPCX projects related to collaboration, public
involvement, stakeholder engagement, or conflict
management; and bring your own ideas for
projects!

For details see the recent announcement sent to
the CPP CoP DLL. **Apply by October 31st.** Submit
a 1-page description of qualifications and interests
along with your resume to Hal Cardwell, CPCX
Director, and Maria Lantz, CPCX Collaboration
Specialist.

SEPT
This could
be your
event!

Connect...

We would like to hear about your stories, events,
or announcements that would be of interest to
our collaboration community.

Copy the [CoP Calendar](#) to your Outlook to stay connected!



The Impact of Hurricanes Katrina and Rita on the Corps' Approach to Risk Communication and Public Involvement

By Heather Morgan (AfC Program Manager 2014-2016) and Dr. Hal Cardwell (Lead for AfC Actions 9 and 10), USACE

Hurricanes Katrina and Rita in August and September of 2005 were disastrous to a huge area of the U.S. Gulf Coast. Katrina's storm surge overwhelmed many of the levees and floodwalls for greater New Orleans designed and constructed by the U.S. Army Corps of Engineers, collectively known as the Lake Pontchartrain & Vicinity Hurricane Protection Project (LP&VHPP). In the immediate aftermath of the tragedy, the Corps commissioned a review of the engineering performance of the levees and floodwalls in place (Interagency Performance Evaluation Task Force (IPET)). Concurrently, a team reviewed the chronological record of decision-making for the LP&VHPP, including the legislative, policy, economic, financial, and organizational factors that influenced decisions made over the 50-year project history (Hurricane Protection Decision Chronology (HPDC)). Together the IPET and HPDC reports identified significant weaknesses and issues associated with the planning and management of Civil Works infrastructure, particularly flood damage reduction systems. The Chief's "12 Actions for Change for Improving the Nation's Infrastructure" was the program created to address these weaknesses.



Public involvement associated with the Tulsa and West Tulsa levees – a church hosts a meeting to discuss risks as part of the AfC Public Involvement and Flood Risk Management Pilot Program.

Actions for Change (AfC) made significant recommendations on improving technical aspects of planning and operations of infrastructure and two of the actions (9 and 10) identified a need for improved risk communication and public involvement as risk reduction strategies. These two actions stressed the need to openly share information on residual risks with project sponsors and the public and better involve the Corps' stakeholders in efforts to reduce overall risks to their communities. The consequences of implementing these actions have gone beyond the plethora of recently revised guidance mentioned in the next article of this newsletter.

ACTIONS FOR CHANGE	1	Employ Integrated, Comprehensive and Systems Based Approach
	2	Employ Risk-based Concepts in Planning, Design, Construction, Operations and Major Maintenance
	3	Continuously Reassess and Update Policy for Program Development, Planning Guidance, Design and Construction
	4	Dynamic Independent Review
	5	Employ Adaptive Planning and Engineering Systems
	6	Focus on Sustainability
	7	Review and Inspect Completed Works
	8	Assess and Modify Organizational Behavior
	9	Effectively Communicate Risk
	10	Establish Public Involvement Risk Reduction Strategies
	11	Manage and Enhance Technical Expertise and Professionalism
	12	Invest in Research

Impact of Hurricanes *(continued)*

Much of the work of the AfC program has highly influenced the direction of the National Flood Risk Management Program, the Dam and Levee Safety CoPs, and has also led to the establishment of the Collaboration and Public Participation CoP in 2010, where staff from across our agency can exchange information and best practices on risk communication, public participation and other collaborative tools. The current trainings and doctrine in risk communication evolved out of a significant AfC risk communication training program that was delivered to every Corps Division and dozens of Districts. AfC also established public involvement specialists at various districts to improve the practice of public involvement throughout the Corps, created a risk communication toolkit and webinar series, and most recently published a Primer on Identifying and Engaging Socially Vulnerable Communities. The current effort to create an agency-wide public participation policy is another result of AfC.

Clearly the Corps has made significant efforts since Katrina to improve our ability to communicate risk and involve the public in decisions that impact their risk. Going forward additional efforts will focus on more

innovative ways to communicate risk with the public using visualization and geospatial tools, and with business-line specific tools and techniques. More work will be done to disseminate this information and associated skills to all corners of the agency; transforming the culture of such a large agency takes time.



Visualizing the impact of a hurricane on Georgia coast infrastructure

Recent and Upcoming Guidance Updates Focus More on Communication & Collaboration

By Maria Lantz, Collaboration Specialist, Institute for Water Resources, USACE

One reflection of change over time in the Corps is how our various guidance documents incorporate communication and public participation. The agency as a whole is recognizing how improved communication and collaboration with stakeholders can help us better achieve our mission. Leadership is encouraging a greater focus on associated skills and providing the guidance to help staff incorporate these processes into their program and project execution.

As a result of this encouragement, the agency is experiencing a wave of policy updates across CoPs that are including sections that more clearly explain how to communicate and work with our stakeholders. **Examples of what has been recently completed**

Dam Safety ER 110-2-1156, Safety of Dams – Policies and Procedures, released 2014

The Dam Safety CoP significantly revised Chapter 10, Dam Safety Risk Communication, during this update. This chapter provides guidance for integrating risk communication throughout the Dam Safety Program activities. Chapter 10 includes explanations of the importance of communicating project benefits and flood risk during each step of the dam safety portfolio risk management process, more consistent inclusion of recommended actions for the public, procedures for releasing information, and the coordination and identification of shared responsibilities among USACE programs and external entities with responsibilities for communicating flood risk and dam safety.

Guidance Updates *(continued)*

Enterprise Standard 28000, released 2016

Public Affairs recently updated their guidance on communication plans. This new template streamlines the previous version, includes a simpler template, and includes a worksheet for determining an appropriate level of stakeholder engagement. ES 28000 should be implemented for all major programs and projects that will be highly visible or controversial to the public. The communication plan defines the issue the District, Lab or Division needs to be prepared to address, presents key messages and identifies tactics to use in sharing these messages.

Levee Safety Policy Guidance Letter – Placing Levee Systems in a Risk Context, Emphasis on Communication and Sponsor Engagement, released 2015

This document provides much more specific information on how Corps staff should engage with levee sponsors, tribes, states, and local governments as well as FEMA and other participants in an array of activities (inspections, assessments, alterations, communication, and flood risk management activities) to ensure that levee safety activity findings are communicated to all those who may be affected by the flood risk in the leveed area. This PGL also provides templates for developing District-wide communication and engagement strategies and system-specific communication plans.

Planning Guidance Notebook, forthcoming

The Planning CoP is currently updating the PGN, including Appendix B, “Public Involvement, Collaboration, and Coordination.” Appendix B will focus more on the goals of stakeholder involvement and explain the benefits of working with stakeholders beyond the legal requirements. Such benefits include improving the quality of decision-making and increasing the legitimacy and sustainability of the decision reached. Topics covered include stakeholder assessments, identifying an appropriate level of engagement, and communication methods for exchanging information.

Civil Emergency Management Program Policy, ER 500-1-1, forthcoming

This Engineering Regulation outlines the Corps policies to undertake emergency response and recovery activities including disaster preparedness, emergency operations, flood and post-flood response, and rehabilitation of flood risk management projects damaged or destroyed by floods. The eligibility criteria for rehabilitation assistance under this program are currently being revised from a strict condition-based assessment of the flood risk management project (levees) to a set of eligibility criteria that will focus on broader flood risk management and communication activities performed by the public sponsor. These activities will include such things as the development of emergency preparedness plans, risk communication and stakeholder outreach regarding the risks posed by the flood risk management project, and the need for prioritized operations and maintenance based on the risk associated with each project in order to address the highest risks first.

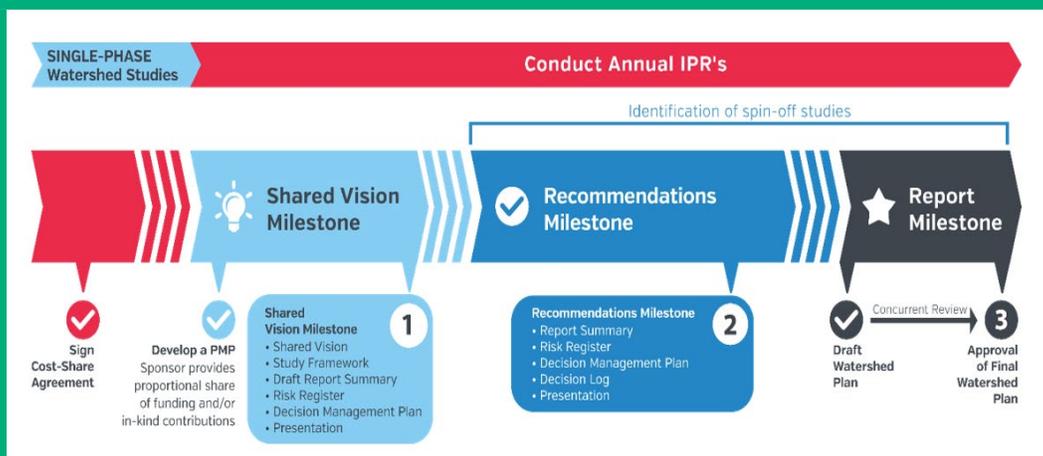
Levee Safety Program Policy and Procedures, EC 1110-2-6072, forthcoming

Similar to the Dam Safety ER, this document will explain programmatic policies in the context of the risk framework: risk assessment, risk management, and risk communication, and will expand on the directives provided in the Levee Safety Policy Guidance Letter listed in the left column.

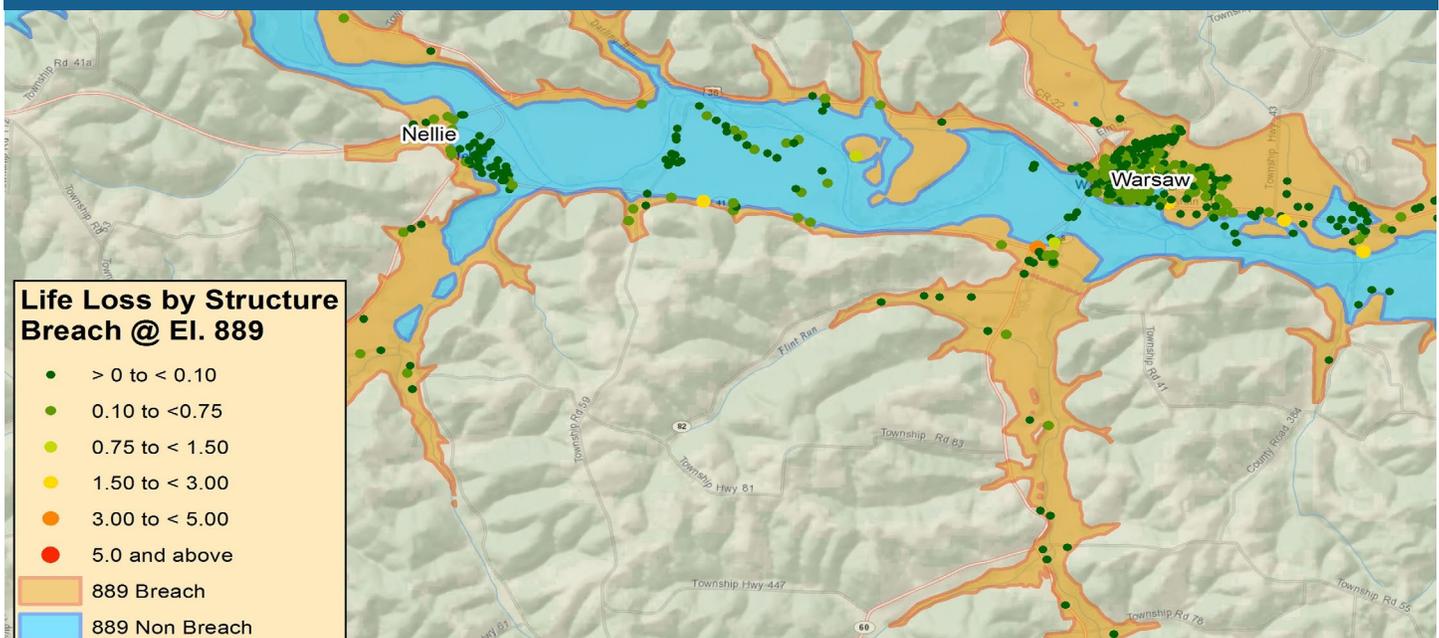
Guidance Updates (continued)

SMART Watershed Planning Bulletin, forthcoming

This bulletin describes how to undertake watershed planning in the new SMART Planning paradigm. One of the highlights of the new guidance is the Shared Vision Milestone, where USACE and its sponsor(s), partners and stakeholders define the future vision, or desired end state, for the watershed (see figure below). Public involvement and stakeholder engagement are the crux to properly scoping a watershed study, adequately defining the problems, and fostering the partnership that will be needed to effectively implement solutions at all levels of government. It is through this collaboration we will achieve the underlying purpose of watershed planning: going from “project solving” to “problem solving.” That is, going beyond project planning for specific USACE projects towards more comprehensive and strategic evaluations and analyses that include diverse political, geographic, physical, institutional, technical, and stakeholder considerations to solve complex water resources problems more effectively.



Mohawk Dam Immediate Downstream Inundation Scenario The Dam Safety CoP uses visualization methods to communicate risk.



Reflections on Corps Collaboration: An Interview with Steve Stockton



*Interview with Director of Civil Works Steve Stockton,
Conducted by Maria Lantz on July 5, 2016.*

Mr. Steve Stockton, former Director of Civil Works and Collaboration and Public Participation (CPP) Community of Practice Champion, reflected on his collaboration legacy and provided advice for the CPP COP during an interview with CPCX's Maria Lantz on July 5, 2016. Here is an excerpt from that interview:

MS. LANTZ: Steve, why collaborate?

MR. STOCKTON: The reason is fairly simple. You don't have a choice. We are in a federalist form of government. We have 24 different federal agencies that manage some aspect of water quantity, water quality, and the power is not vested in any one individual or organization.

Now, compare that to China, where they have a minister of water resources that just decides. There is no National Environmental Policy Act. There is no EIS. There is no public participation to a large extent. We have to work with others to achieve common goals and objectives, and I think collaboration is key.

We [USACE] just don't have the luxury of having all the authorities and resources that we need in order to do things ourselves. You can't just make decisions in isolation and expect people to accept them.

“We deal with a lot of contentious issues, and with all of those contentious issues, you have got to go out there. It's a contact sport.”

And that's why I think it's important to collaborate from the beginning, not at the end of the process, but you really have to have grassroots support by stakeholders and other feds to have a successful outcome of your project. It's one of the smart planning principles.

MS. LANTZ: What was the greatest collaboration challenge that you faced and what were the keys to its resolution?

MR. STOCKTON: The greatest collaboration challenge -- there are so many big ones out there because the Corps is always in the middle of controversy. The reason we are in the middle of controversy is because we have to balance competing demands for water resources.

Look at the Alabama-Coosa-Tallapoosa and Apalachicola-Chattahoochee-Flint, the ACT-ACF river system conflict. It's been going on for 22 years, and I know the Collaboration and Public Participation Center of Expertise has actually worked with the folks down there. It's going to take that kind of effort.

Reflections on Corps Collaboration: An Interview with Steve Stockton (continued)

I don't look at any of the collaborations that I have been involved in as one-time efforts. It's an ongoing process.

“Collaboration can't be bolted on or something that's done separately.”

It has to be imbedded in how we think, in our work processes, and how we deal with other people when you are out there. It's kind of like peaks and valleys. You have some highs, you have lows, but it's really all about beginning to communicate, identifying the issues and where you have mutual objectives, and then working through the various perspectives to achieve those objectives.

MS. LANTZ: One of my colleagues talked highly about our partnership with the Natural Resources Conservation Service and that was something you played a key role in. From that perspective, do you have examples of partnerships that have been successful at moving the agency forward?

MR. STOCKTON: I think we do a very good job of reaching out to other federal agencies. I think NRCS is a good example of how we get together a few times throughout the year and create strategic goals and objectives.

I am most proud of our relationship with the Bureau of Reclamation. Back in the 1960's, 70's, 80's, there was a lot of tension between the Bureau of Reclamation and the Corps because even though our missions are different, we both build dams. I worked at that relationship, and we meet with the leadership here in Washington quarterly, and we have really developed strong and supportive relationships. We did a joint federal project at Folsom Dam to build it together and it's been just a superb partnership. We are doing it a lot quicker with a lot less money than had we done it separately.

“If there's one bright spot of a declining budget climate, it's that it forces federal agencies to work closer together because there's no one agency that has all the resources and all the authorities necessary to do it all themselves.”

MS. LANTZ: What significant changes have you seen in how our agency collaborates internally and externally?

MR. STOCKTON: Collaboration, it's still a challenge, and I'm not sure we have fully arrived yet. There's a lot of competition between districts, and sometimes that competition would result in uncoordinated actions. We tried to put systems in place at headquarters with our regional integration teams where the focus is how do you cut across all the silos of all the functional organizations, whether it's counsel or real estate or planning or engineering or construction programs.

The reason we put vertical coordination into SMART planning -- three years, \$3 million, and three levels of vertical coordination -- was to emphasize the need for making incremental decisions along the way, documenting those decisions with somebody that has the authority to make those decisions, and to do that throughout the process, so when you get to the end of the process, you don't have any show stoppers that require a lot of rework to go back and to redo the study. And so we are trying to emphasize: Collaborate early and often throughout the process so when you get to the end, you have done it right the first time and hopefully have a successful study or project.

MS. LANTZ: You mentioned ways you've seen the Corps change with its internal collaboration, specifically (USACE 2012) and some of the reorganization--what about with how we communicate externally?

MR. STOCKTON: I think we have gotten a lot better at it. I think about the hurricane storm damage risk reduction system and what we are able to do in the first five years of that program to achieve a hundred year level of flood protection. They would attend literally tens of public meetings, participate in workshops and press engagements every week, and it was truly amazing. You need to have that level of interaction between the decision-makers and the people impacted by those decisions and develop the relationships. They weren't always pretty and nice, but I think as you talk through the issues, you have a shared understanding of the different perspectives and you are able to come up with implementable solutions.

Continued onto next page.

Reflections on Corps Collaboration: An Interview with Steve Stockton (continued)

MS. LANTZ: Now we want to talk about where you think the agency is going to go moving forward. Where do you think we need to go in the future with respect to collaboration?

MR. STOCKTON: I think we need to embrace the term “integrator.” We don’t have a ministry of water resources in the United States, but I think we are the only agency that looks at trying to balance all of those competing demands between the resource agencies, the EPA, and everybody that has a stake. I see us as being the agency people can come to with a water resources issue, and we should be able to direct them to the right place for resolution. If people come to us and we solve their problems, whether we do the work or not, they will keep coming back to us over and over again.

MS. LANTZ: In your role, you prioritized collaboration as the Champion of the Collaboration and Public Participation Community of Practice. What should this CoP do for the Corps, and how can it be most effective moving forward?

MR. STOCKTON: I think the quote I’ve used before is collaboration is the special sauce that makes everything we do possible.

“Everybody needs to be a collaborator and incorporate it into the work that they do and to listen to others, incorporate their ideas, try to identify what those mutual objectives are, and then try to achieve those objectives.”

“So I think the biggest challenge is culture change.”

I think you need to have a whole portfolio of approaches to change the culture to really make the whole organization collaborate more because, as I said, Without collaboration, we are in a very fragmented society between federal, state, NGOs, tribes, local stakeholders, and other countries. I mean it’s just got to be part of our DNA.

MS. LANTZ: Even though we have expanded our stakeholder engagement, we still struggle to reach out to the average citizen. We avoid it, at great expense to projects, and there are a number of reasons, primarily budget. How should we continue to stress the importance of collaborating with the average citizen, given our budget situation?

MR. STOCKTON: A lot of people say: ‘Well, we can’t do that because it’s very hard to put a budget line item for walking around money or collaboration money.’ It’s got to be built into a project. You can’t bolt on collaboration or public engagement as an afterthought.

“Collaboration has got to be integral to your whole project. You have to budget for it appropriately, given the scope and scale of the project. It’s just something we have to do.”



Meeting with stakeholders & USBR Officials at Bonneville Lock & Dam



Tour of Folsom Dam Project



Mr. Stockton’s Retirement Ceremony

An Interview (continued)

MS. LANTZ: Ten or fifteen years ago we connected with agencies at all levels by attending conferences during the year to learn how the Corps can help. Due to extreme cutbacks on conferences we have been missing them for the past five years. How can this path be changed so we don't miss out on collaboration opportunities?

MR. STOCKTON: I have never disapproved a conference request because I agree with that comment 100 percent. The most valuable thing we can do in collaboration is, again, be there with our interagency partners or stakeholders and talk to them and understand what their issues and concerns are.

“A lot of the relationship improvements we need require us to stop being penny wise and pound foolish.”

MS. LANTZ: So your successor is going to have a tough job leading our agency under the current conditions of aging infrastructure, changing climate, and political impasse. What is one piece of advice about collaboration for your successor?

MR. STOCKTON: I think in regards to relationships we need to be externally focused, whether it's other agencies, stakeholders, or internationally, so we can learn what other folks are doing.

“95 percent of the relationships is being there.”

If you just give people some of your time, they appreciate that very much. If we become too inwardly focused and don't focus on those we serve and those that give us the support we need to do what we do, I think it will hurt us. So I would say keep that external focus. Keep engaging. It's a close fight.

“There's no silver bullet out there, but you just have to keep engaging with all of those folks, both critics as well as supporters, to make sure they understand what we are doing, and why, and what the value is.”

RECENT CPP COP WEBINARS

July 2016

Mr. Steve Stockton's Collaboration Legacy & Advice for USACE Future

Our recently retired CPP CoP Champion and Director of Civil Works Mr. Steve Stockton focused on providing phrases and approaches that can bereflect on collaboration in USACE during his 40-year tenure with the Corps.

For the video and full transcript of this interview visit:

https://cops.usace.army.mil/sites/CPPI/Shared%20Documents/Past%20Webinars/Stockton_Collaboration_Legacy_Video_07.05.2016.aspx

August 2016

Gnarliest Collaboration Challenge Launch: Bureau of Land Management (BLM) Case Study

Frank Sturges from the Bureau of Land Management's Collaborative Action and Dispute Resolution (BLM-CADR) Program shared insights from BLM's own Collaborative Incentives Program, a case study from which the Gnarliest Collaboration Challenge is based! Accompanying Frank's presentation, the Corps' own Kevin Bluhm preser on the Gnarliest Collaboration Challenge and answered questions participants had while filling out the GCC application.

September 2016

'The Rule of Holes' and Other Survival Tips for the Risk Communication Jungle

Almost by definition, communication about risk often occurs in a high stress or emotional context. In such an environment, missteps are easy to make but difficult to overcome. In this webinar, Mr. Dwayne Ford discussed several of the more common risk communication pitfalls, along with strategies to identify and avoid them.

For recordings of these webinars visit:

<http://corpslakes.usace.army.mil/employees/facilitator/ex-change.cfm?Option=ArchiveSchedule&CoP=facilitator>

Career Highlights & Fond Memories of Mr. Steve Stockton



1972



1975



“Steve has an incredible ability to build and lead effective teams and to instill a deep sense of Esprit de Corps and camaraderie throughout every organization he’s worked in. While Steve will retire from the Corps, we trust he will not retire from his role as the ultimate “Grillmeister”!!!”

Mr. Steve Browning
SPD Director of Programs
2001-2006



1996



1998



At SPD we were blessed with having two SES’s by the name of Steve; Steve Browning & Steve Stockton. When talking about them, we often mixed them up. We needed a way to separate these two Steves, so appropriately one was referred to as the “Good Steve” and the other was the “Bad Steve.”

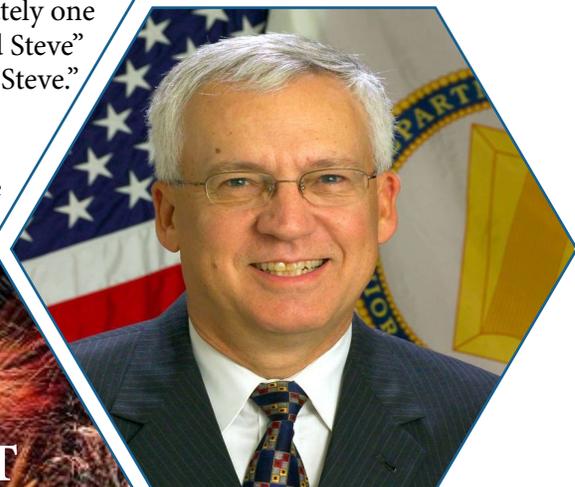


Ms. Mary Gillespie
SPD Chief of Real Estate

2004



2005



RETIREMENT



2016



Evolution of public participation and alternative dispute resolution in USACE – State of the Art to State of the Practice

By Dr. Jerry DelliPriscoli, Senior Advisor, IWR, USACE

When I started in the Corps in the early '70s at the Institute for Water Resources, I inherited oversight of USACE public involvement (PI) and social assessment research and training programs. These put me in contact with all the Social Scientists in the districts who were working on public involvement. At that time the biggest issue was what does a Social Scientist do in an engineering organization? Some people called me the IWR “socialist” and they thought I was crazy. There was spotty support and general confusion for these concepts back then. But I was also getting similar questions from many outside USACE and especially within the academic community. So my “sound bite” answer at the time was:

“Well, I’m helping to reclaim the civil in civil engineering.”

And that defrayed the criticism and I even began to garner support from those who saw this need to connect more with the people for whom we are working. After all, civil engineering is the application of physical and scientific principles for solving the problems of society.

In the 18th century, the term civil engineering was coined to distinguish all things civilian from those military. I found it was quite easy to work with engineers actually. If you point out that what we are doing in a specific case might be hurting people, you have the attention, because it is the engineer’s job to help people through the design and construction of public works. So I was able to carve out a role for myself as a Social Scientist, and IWR continues to play this role.

During my 41 years with the Corps, I am most proud of my work developing the Corps’ public involvement and alternative dispute resolution programs and helping the U.S. Secretary of State in the Middle East water dialogues. I am grateful for the IWR USACE support to aspects of these activities and for this organization’s enormous wisdom and help in understanding the management and engineering issues underlying so much of the USACE programs and projects.

Continued onto next page.



Moderation of Water and Faith at Stockholm Water Week 2016 –including the Vatican, World Council of Churches, Buddhist Hindu and Jewish leaders

Evolution of public participation and alternative dispute resolution in USACE (continued)

Public Involvement Program: Contributing to the early public involvement efforts in the Corps was a real privilege and a big responsibility. There was resistance; however IWR and its professionals such as Randy Hanchey and Bob Harrison, and other field offices had already begun to lay a solid foundation for PI in USACE. In the end the USACE was very willing to do it and what resulted was probably the largest public involvement program in the '70s in the federal government. We developed and delivered public involvement training to all Corps divisions in the '70s and also developed [a suite of training resources](#) for USACE staff. We even represented the program in the White House with the U.S. President and his consumer affairs director.



Jerry DelliPriscoli with J. Randy Hanchey, Director of the Institute for Water Resources, 1981-1989

The big debate at the time was, “Why should we do this? We have congressmen and senators who are accountable for public involvement.” There was a broader political science debate at that time about the changing nature of the administrative state and how accountability and power shifts over time between legislation and administration, thus creating needs for new mechanisms to enhance the formal means for accountability and transparency. That was the theoretical framework in which we conducted our training program. I also helped field offices with several real challenges, such as the [relocation of North](#)

[Bonneville](#) to make room for the second powerhouse associated with Bonneville Dam on the Columbia River. These experiences built a solid foundation for the PI programs.

Alternative Dispute Resolution

Program: Our alternative dispute resolution (ADR) program emerged in the '80s. This was a wonderful collaboration between IWR and USACE Chief Legal Counsel and also the Chief of Construction and Engineering with the assistance of superb consultant experts from what then was the growing field of ADR. At the time, the Corps was the second largest employer of lawyers in the Federal Government and the Chief of Counsel really wanted his lawyers to find ways to stay out of litigation and find reasonable solutions to major and costly disputes. We designed a program that mirrored the earlier public involvement program. The ADR program we instituted achieved a 50% annual reduction in construction claims (non-adjusted \$500M/yr). Our ADR program was extremely successful and won the first Hammer Award, which was given by then-Vice President Gore to “recognize teams of federal employees and their partners whose work resulted in a government that works better and costs less.”

DID YOU KNOW?

The ADR Program won the first Hammer Award, given by the then-Vice President Gore.

First, we did a series of two-day workshops in the Divisions that were attended by USACE and DOJ lawyers, commanders and SESers. It was crucial to involve the highest leadership because they are involved with big conflicts that end up in court. Second, we partnered with the Association of General Contractors who was very interested in our work. We cost-shared a joint training program with them and the American

Evolution of public participation and alternative dispute resolution in USACE (continued)

Association of Contractors and the senior leaders of the courts in their regions. We brought together the folks who were always fighting about various topics, not to solve those topics, but to talk about ADR and a new way of doing things. This was hugely successful and led to what we now call Partnering, which has become a standard Engineering and Construction (E&C) practice. At the time this was revolutionary and had an enormous impact on the whole contracting community, and the United States. Third, we wrote a case study series that is still used by law schools and others around the country. The cases were written by a third-party neutral external to the Corps. That was how we first engaged the private-sector dispute resolution community which was just starting to grow.

“In fact, this Corps program played a big role in the broader ADR movement across the country.”

We applied the ADR program to other parts of the Corps too, though it was primarily E&C. For example, we did some general permits in Regulatory. One day a District Commander in Florida came to visit me and asked for my help with the permit-by-permit fighting that was happening in his district with the same people over and over again. So we approached this in an ADR fashion. We applied this approach to various general permits but the first one we did was Sanibel Island. With the help of excellent consultants and USACE directors, we designed a process to invite everybody in to write a general permit together, using the single-text negotiation approach. We said, “If you can write this general permit and agree to it, we at the Corps will accept it.” Well, of course the legal reaction first was we should not be giving up our authority, and my response was, “No, this is just an agreement-writing process, not legally binding.” Nobody at the time would ever have dreamed such an approach to general permits could possibly happen, but this approach worked very well here and in other cases.

Middle East Peace Talks: Another significant accomplishment was the opportunity to take what I learned from testing these social science tools in the Corps and applying them to the Middle East peace talks between Jordan, Israel, and Palestine. Making progress on these talks was really difficult, but it proved possible to bring the parties together around water issues. Under the Strategic Direction branch of USACE and the Chief, IVR had written a study named the “Water in the Sand” report which caught the attention of the U.S. State Department. The State Department then asked me to write a synopsis that could be used for the water talks and then they asked me, based on our collaboration expertise, to help design aspects of the talks, even down to the most basic, but important aspect, of where people would sit. This experience initiated a stronger relationship between USACE and the State Department, and the other USG Federal water agencies we pulled in to help discuss the issues. In fact, it led to the 234 Program (Section 234, Water Resources Development Act Of 1999 - Interagency and International Support Authority). With support of IVR, I worked on those water talks for four and a half years and the resulting two agreements are the only agreements that lasted in the whole system of the peace talks between these countries. Strong relationships between USACE international affairs and the State Department emerged. This relationship expanded into many other areas round the world and to new concerns such as USG water security.

Continued onto next page.



Jerry DelliPriscoli with the Minister of Water of China in Beijing

Evolution of public participation and alternative dispute resolution in USACE (continued)

Changes needed in USACE: One of the best things that has happened over the past 41 years is that the language of collaboration and participation has become mainstream. In the beginning people thought they needed public involvement or ADR experts. Now people have, in many cases, become their own experts, like what happened with our agencies' lawyers. We still have experts to help with particularly tough problems, but many of our staff have internalized these concepts and values themselves.

“We need to continue to promote this cultural shift.”

We also need to focus on relationships with leadership here in Washington, both at the ASA(CW)'s office and with leadership in the other agencies. We need to have a stronger presence on Capitol Hill and build the credibility of our agency through our Chiefs and senior leaders' expertise and knowledge of the water issues facing our country.

Both these efforts would help advance a clearer direction for water resources in the U.S. Government. Focusing on co-designing the future of our nations' water resources management with the other water resource agencies and jointly managing the adaptations to impacts of climate variability on these resources is incredibly important. We need to continue using ADR to solve our problems, especially high level disputes. Managing our resources is really tough, especially with various personalities, resource constraints, and agency mandates. Personalities can really make or break negotiations and we need people who are willing to look at things from different perspectives and see options. We have so many different kinds of mandates and so much complexity that, while often frustrating, is also an opportunity to do a lot more. Finally, we need to have a greater focus on water security and water diplomacy, especially maintaining our ties with water ministries in areas around the world that are a priority for U.S. national security.



Meeting with water and disaster international experts

Dear Hal,

Is there any literature on the subject of how the Corps' capacity to collaborate has changed over time?

Ask Hal



Recently I finished a book (from 1979) that evaluated the effectiveness of USACE implementing organizational change by making a commitment to environmental protection and citizen participation. There's a lot to learn about in this book, and it really made me proud to work for the Corps. The authors contend and demonstrate that of all the major US government bureaucracies that were targeted by the environmental movement in the late 1960's/early 1970's, the Corps was the agency that seemed to really embrace the institutional change demanded by the times. To gauge the degree of change in the Corps, the authors establish four criteria of organization change that seem just as appropriate today: 1) changes in organizational objectives; 2) changes in internal structure; 3) changes in output or performance, and 4) changes in the decision-making process.

I think it's reasonable to use some of these same criteria to evaluate our effectiveness at developing a more collaborative Corps today. On doctrine, it seems clear that senior leaders frequently state the need for collaboration, public participation and transparency.

Our Civil Works Strategic plan certainly embraces it. It will be interesting to see how the new CG's revisions to the Campaign Plan reflect his priorities. This criteria reinforces the value of our CoP's recent work on an Agency-wide public participation policy. Supportive agency policy statements are also reported upon annually to OMB and CEQ via the ECCR report.

On the second criteria – organizational structure, the establishment of the CPP CoP, the CPCX, the MSC liaisons and the PI specialists program reflect a commitment to changing the way we do business. And I think, as an agency, we are hiring more people with collaboration skills who appreciate public participation and transparency in government. Yet these have not been sweeping organization changes.

On the third criteria of change in output or performance, the authors note that it was hard to measure in 1979. I'm not sure if it's any easier now. Does the Corps implement more collaborative solutions, increasing the legitimacy and sustainability of the decision reached? Is the agency doing a better job of truly involving people and changing its actions to reflect that input? Perhaps the Collaborative Capacity Assessment that we did in 2014 and 2009 (and the individual surveys on facilitated process that we encourage you all to apply) will give us some clue.

On the final criteria – how has our decision process changed – this is a difficult one to measure too. Will the reports we get from you all through the ECCR data calls shed light on this? Are we using collaborative processes more often and more effectively within our decision process? I tend to think so. So many collaborative forums have been established with strong commitment from USACE staff and leadership. As you will discover in the “policy vignettes,” many of the emerging Corps policies demonstrate this agency commitment to improved communication and illustrate how increased collaboration with stakeholders can help us better achieve our mission.

So, yes organizations can change, even old bureaucracies like USACE. And indeed our military and engineering nature may even help as we are accustomed to accept direction and embrace new challenges.



Mazmanian, D. and J. Nienaber. 1979. *Can Organizations Change? Environmental Protection, Citizen Participation, and the Corps of Engineers.* Washington, D.C.: Brookings Institute.