

# Reducing Flood Risk through Regulatory Engagement

## Phase 1 Project Deliverables

December 2019

### **Project Supported By:**

The Institute for Water Resource's Collaboration and Public Participation Center of Expertise and its  
Grand Collaboration Challenge

Corps of Engineers Flood Risk Management Program and its Silver Jackets Cadre

Corps of Engineers Los Angeles District

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## 1. Executive Summary

This project is being undertaken by several U.S. Army Corps of Engineers (“Corps”), Los Angeles District business lines and was developed with encouragement and input from California Silver Jacket members who have interest in enhancing coordination with regulatory/resource agencies for the purpose of gaining efficiencies during the process by which as applicants they apply for permission to undertake certain regulated activities. In exploring the need for this project, agencies as well expressed a positive desire to improve collaboration as a means of ultimately ensuring better projects with respect to the resources they oversee. These objectives intersect with the flood risk management (FRM) community’s goal to reduce flood risk.

This is a two-phased project. Phase 1 consists of four deliverables. Deliverable 1, including initial stakeholder coordination, was completed on 30 September 2019. Deliverable 2, the assessment and drafting of information needs (related to outreach, training, and program data) was completed on 22 November 2019. Deliverables 3 and 4 regarding the implementation of a collaborative approach to addressing the regulatory component of flood risk management are completed with the submission of this report.

This project focused on relationship building as a means to produce collaboration among FRM stakeholders (project applicants) and regulatory/resource agencies. With stakeholder input, the project team developed key issues of local and regional concern and an approach to discuss them in a collaborative, outcome-focused setting. The direct impact of Phase 1 of this project includes improved communications on these issues as they pertain to flood risk. Research was accomplished as a means of providing a background and foundational knowledge that can aid in understanding the identified challenges and moving them towards implementable outcomes that achieve multiple objectives.

## 2. Project Introduction

### Background / Context

Engagement in this project denotes a means to develop the substance and format for collaboration in the area of FRM. Working together and towards a common goal is a natural task for the Corps given its multiple roles in the subject matter.

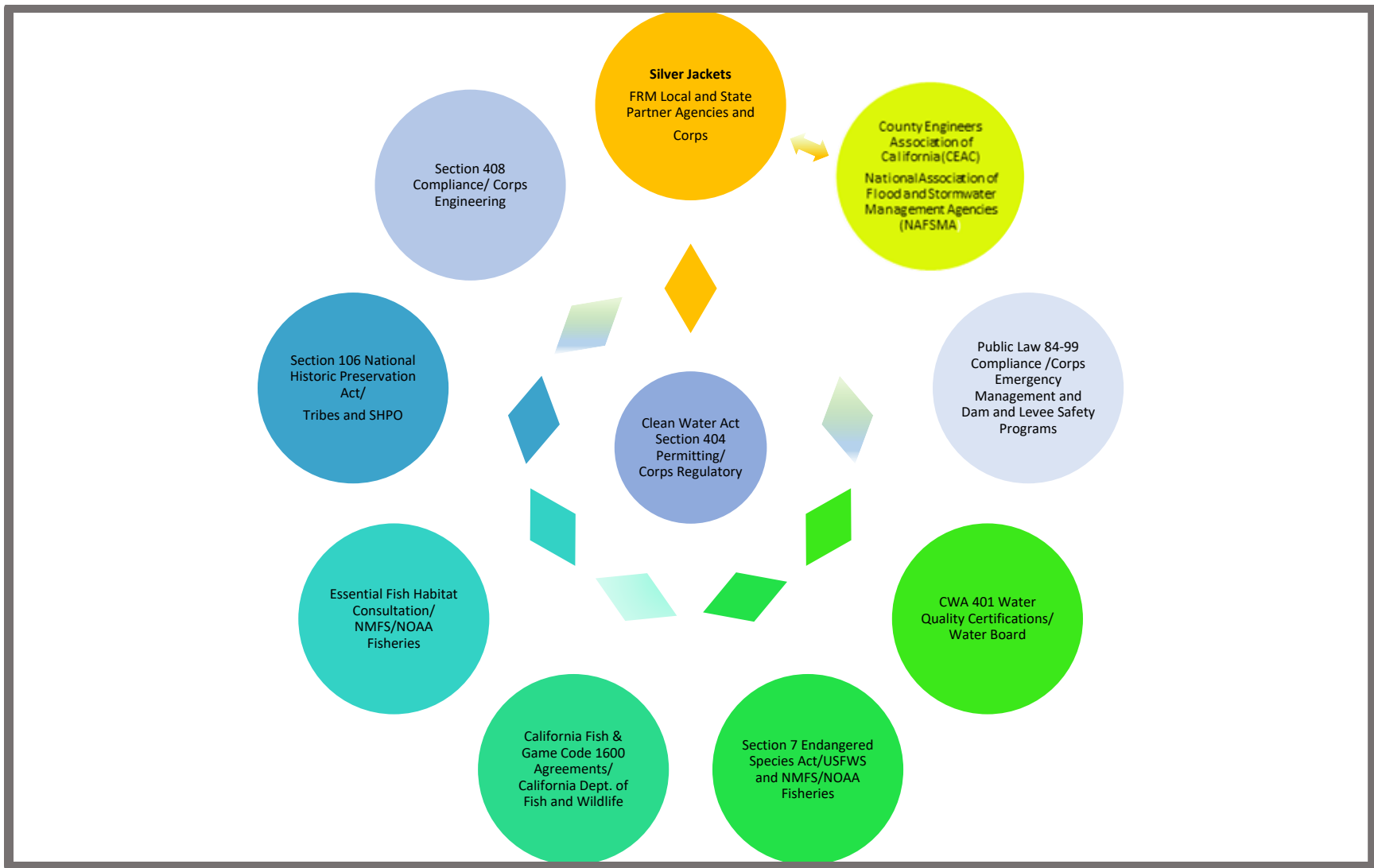


Figure 1. Flood Risk Management and Agency Roles in Permitting

Flood risk managers face unique regulatory challenges throughout the different regions in California. Whether implementing major or minor facility improvement projects or conducting routine maintenance of existing facilities, managers typically negotiate the regulatory permitting process with several distinct state and federal agencies to obtain permissions to implement their projects. Flood risk managers cite multiple challenges that can render the process excessively onerous: regulatory review time uncertainties; conflicting regulatory agency policy requirements; and compounding compensatory mitigation obligations, to name a few. These challenges can create uncertainties regarding coordination and ultimately delay for projects.

According to California Silver Jacket team members, a better coordinated and more responsive application/review process would allow for needed flood risk management projects to be done in a timelier manner. This effort was identified as the group's number one priority for the past several years. It is also supported by the Corps Regulatory Community of Practice (CoP) nationally, and in California, which, through its Clean Water Act Section 404 permitting, plays a role in linking other state and federal legal requirements into its process. This effort would be a proactive and collaborative approach to addressing pervasive and sometimes unique issues pertaining to FRM and permitting in the West.

In 2018, the Corps Los Angeles District Office made headway in identifying common challenges and in exploring solutions. Several key issues related to implementing FRM solutions were identified among agencies and stakeholders, including those related to **resource constraints** and **process challenges**. These topics follow through in one or more forms in the issue areas developed during the course of Phase 1 of the project

After initially exploring the possibility of such a project, the Los Angeles District applied for and received FY19 funding through USACE's Grand Collaboration Challenge (GCC)<sup>1</sup> program to develop information materials that could be utilized in efforts to outreach and collaborate with FRM stakeholders through a structured process. These efforts build upon an initial proposal the Corps' Los Angeles District Project Delivery Team (PDT) submitted in 2018 to obtain FY19 funding for FRM-related outreach and training under the USACE<sup>2</sup> Flood Plain Management Services (FPMS) Program for interagency nonstructural alternatives.

Then again in 2019, to hone our target areas for interagency collaboration, the PDT reached out to the same agencies and additional stakeholders, including our California Silver Jackets partners, FRM applicants, and regulatory/resource agencies. This coordination has enabled us to identify internal and external issues linked to the Corps' permitting authorities as focus areas during future in-person workshops.

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<sup>1</sup> Institute for Water Resources' Collaboration and Public Participation Center of Expertise (CPCX)

<sup>2</sup> U.S. Army Engineer Research and Development Center

The Los Angeles District has ongoing relationships with FRM stakeholders in Southern California, and for example meets regularly with the Seven County Flood Control Directors. The PDT's work reflects the knowledge gained in as a result of ongoing engagement and knowledge of the issues that impact stakeholder/agencies coordination.

### Project Roles and Responsibilities

**Flood Risk Management Project Applicants.** California local and state flood risk managers often have extensive regulatory permits that they must obtain before they can implement flood risk management projects. Currently there are limited distinctions in resource agency permitting processes between a flood risk manager whose project mission would be to protect life and a developer looking to build additional homes in the floodplain. Flood risk managers in California want to develop improved coordination among applicants and agencies to understand whether and how collaborative efforts might enhance the process and ultimately decrease in the risk to life safety.

The California Silver Jackets Team identified regulatory permit challenges as one of the critical topics they wanted to see the team address when the team met for their annual in-person meeting in 2015. Since then, California Silver Jackets leadership have been looking for ways their team can help address this challenge. This project is a product of these ongoing efforts.

**U.S. Army Corps of Engineers.** FRM-related activities routinely intersect with multiple Corps authorities and functional programs. Some of the FRM facilities are Federal Corps' projects and are initiated under the Corps' Civil Works Program. Proponents of FRM projects may participate in the Corps' National Flood Risk Management Program (NFRMP), which integrates and synchronizes USACE flood risk management programs and activities internally and with counterpart activities of the Department of Homeland Security, Federal Emergency Management Agency (FEMA), other federal agencies, state agencies, and regional and local agencies. Through Public Law 84-99, the Corps' (Emergency Management) may assist state and local authorities in flood fight activities and cost share in the repair of flood protection structures. When FRM facilities involve dams or levees, project proponents engage with the Corps' Dam or Levee Safety Programs (Engineering Division), respectively. Further construction or maintenance activities within Federal facilities would likely involve coordination with the Corps' two permitting programs, under the Corps' authorities: Section 404/10 (Regulatory Division) and Section 408 (Engineering Division). Regulated activities within waters of the United States in non-federal FRM facilities would interact with only the Corps' Section 404/10 permitting program.

**Silver Jackets Teams.** Silver Jackets teams bring together multiple state, federal, and sometimes tribal and local agencies to learn from one another as they join together to actively manage flood risk. By applying their shared knowledge, the teams enhance response and recovery efforts when such events do occur. Silver Jackets teams are state-led and Federally-empowered, providing an opportunity for the Corps to provide support on local and state flood

risk management efforts. Silver Jackets Teams discuss pressing flood risk management issues and identify ways that the agencies can come together to address those issues.

While many other Corps programs focus on providing support during one part of the flood risk management life cycle, Silver Jackets Interagency projects are a way for Corps to partner and provide flood risk management support through all four phases of the flood risk management life cycle: 1) preparation / training, 2) response to a flood event, 3) recovery and 4) mitigation. Silver Jackets projects are 12-18 months in duration and build momentum for the team by getting the key partners working together, prompting local actions that reduce flood risk, increase resilience and improve life safety.

**Permitting/Resource Agencies.** These agencies refer to state and Federal agencies with jurisdiction over FRM projects and whose programs intersect with or run in tandem with the Corps permitting programs. In the initial stages of developing this project, the Corps requested the participation of three federal sister agencies: the U.S. Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service (FWS), and National Oceanic and Atmospheric Administration’s National Marine Fisheries Service (NOAA Fisheries). The State and Regional Water Quality Control Boards and California Department of Fish and Wildlife (CDFW) also play a regulatory role.

*Table 1. Primary Federal and State Regulatory Agencies and their Authorities*

<b>Agency</b>	<b>Agency Responsibilities</b>
EPA	As the Administrator of the Clean Water Act, EPA fulfills an oversight role for two relevant permitting programs, the State of California’s 401 Water Quality Certification Program, and the Corps’ Section 404 permitting program. The EPA may offer input on geographic jurisdiction and applicability of exemptions; as well as provide review and comments on individual permit applications for FRM-related projects. Further, EPA would review and comment on any federal Environmental Impact Statements (EIS) prepared by the Corps, including those for proposed FRM-related projects.
FWS	Evaluates impacts on fish and wildlife of all new Federal projects and Federally permitted projects, including projects subject to the requirements of Section 404 (pursuant to the Fish and Wildlife Coordination Act); and can elevate specific cases or policy issues pursuant to Section 404(q). Corps consults with FWS to ensure compliance with section 7 of the Endangered Species Act. Applicants may consult directly with FWS to develop Habitat Conservation Plans pursuant to section 10 of the ESA.
NOAA Fisheries	As Federal agency responsible for stewardship of the nation's ocean resources and their habitat. Evaluates impacts on fish and wildlife of all new Federal projects and Federally permitted projects, including projects subject to the requirements of Section 404 (pursuant to the Magnuson-Stevens Act, Marine Mammal Protection Act and the Endangered Species Act); Corps consults with FWS to ensure compliance with section 7 of the Endangered Species Act. Applicants may consult



Agency	Agency Responsibilities
	directly with FWS to develop Habitat Conservation Plans pursuant to section 10 of the ESA. For permit actions affecting Essential Fish Habitat, Corps consults with NOAA Fisheries.
State and Regional Water Quality Control Boards	Regulates discharges of fill and dredged material through the State's 401 Water Quality Certification and Wetlands Program under the CWA and the state Porter Cologne Water Quality Control Act
CDFW	Under its Lake and Streambed Alteration (LSA) Program reviews projects that would alter any river, stream, or lake and conditions projects to conserve existing fish and wildlife resources. on fish and wildlife of all new projects pursuant to CESA; under California ESA, conserves and protects state-listed species under regulatory permitting programs ESA

Coordination among resource agencies and with applicants is not an atypical part of the process of reviewing a project proposal. For example, the Corps Regulatory Program frequently builds relationships and explores means to enhance the efficiency and effectiveness of our program. This project, however, allows us to specifically address needs of FRM stakeholders in a more systemic way through coordination between permitting agencies and by engaging regional agency management.

**Project Objectives**

As described, this project seeks to develop, in a collaborative manner, potential efficiencies during the process by which FRM applicants apply for permission to undertake certain regulated activities.

The goal of the collaborative process is to: (1) develop a shared understanding of the potential need for efficiencies to enhance the permitting process for FRM projects; (2) promote training on key flood risk related issues for stakeholder use in better interacting with the Regulatory program; and (3) create a framework to sustain engagement among agencies and stakeholders.

This project was originally conceived as one effort but was divided into two phases to open up greater funding opportunities. We received funds for Phase 1 of this effort, which includes the identification of issue areas of importance to agencies and applicants, the development of training/briefing materials, and a plan to share them.

Phase 2 of the project, which is not yet funded, would leverage the information gathered from Phase 1 to conduct face-to-face collaborative meetings. The goal of Phase 2 would be the holding of a workshop, the strategic identification of outcomes (and the actions required to

complete them), and a white paper that could document the collaborative process and how it could be exported to other regions.

**Regulatory-Specific Interests.** The Corps Regulatory Program seeks to build relationships and enhance our processes as a means of achieving our program mission. Regulatory also seeks to develop linkages within the agency in order to better deliver on projects that require input/coordination from multiple functional units. The Corps recognizes that agency representatives should understand and proactively coordinate across the organization when necessary. To that end, the Corps adopted an approach to provide “customers with a ‘one door to the Corps’ philosophy whereby a customer can contact any Corps office and obtain information on total Corps capabilities and/or a specific project/program regardless of geographical location” (Engineer Regulation (ER) 5-1-10). In the USACE 2012 Strategic Report (*Aligning USACE for Success in the 21<sup>st</sup> Century*), the Corps elaborated with its foundational concept to “One Corps”. Under this approach, the imperative is for the Corps to align and operate as “One Corps”, regionally and globally, to deliver quality goods and services and to eliminate redundancies. The One Corps approach to the Civil Works Program seeks to create efficiencies through relying on cross-functional teams across HQ, Division, and Districts and aligning expertise with the work. An expanded effort to implement these concepts was memorialized in the Director’s Policy Memorandum for Civil Works Programs (No. DPM CW 2018-10), a *Strategy for Synchronization of the Regulatory and 408 Program*. Forums that facilitate cross-functional information sharing support our ability to implement the One Corps concept.

**Silver Jacket-Specific Interests.** The objective of the Silver Jackets team in taking on this effort is to explore ways the permitting process can be enhanced for flood risk management projects to implement flood risk projects more easily. The team is looking to bring together key flood risk managers that are struggling with the permitting process and the regulating agencies to articulate the challenges on both sides. By having a shared understanding of the challenges, the Silver Jackets Team will be able to brainstorm ways that the permitting process could work more smoothly for flood risk projects.

**Corps FRM Cadre-Specific Interests.** The NFRMP tracks program measures that support certain risk reduction outcomes. One means of achieving those outcomes is via a “New FRM Effort.”

A	New FRM effort	<p>Initiated a new FRM effort with specific actions taken by multiple parties to further the new effort. Specific actions include but are not limited to work groups or PDT teams formed, written work scopes prepared, and/or written request received.</p> <p><u>Examples:</u></p> <ol style="list-style-type: none"> <li>1. An interagency working group or forum identifies FRM challenges, needed studies or evaluations, data gaps, or mitigation solutions, and agency partners with USACE on a PAS or CAP study.</li> <li>2. State experiences extreme wildfires and SJ team forms a working group to focus on addressing post-fire FRM challenges.</li> </ol>
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Programs funded by the FRM program seek to achieve nonstructural solutions to flood risk management through a deliberate hierarchy and in terms of both internal and external coordination.

I

***Internal Coordination Outcome Categories Definitions***

A	Improve flood risk communication	Improved development and execution of external flood risk communication products and efforts through internal coordination and collaboration.
B	Improve flood risk identification/ assessment capacity	Improved internal capacity and capability to identify, assess and manage flood risk, including proving or supporting internal training.
C	Improve FRM decision-making	Facilitated internal cross-organizational or program collaboration that improved FRM decision-making.
D	Improve internal FRM awareness	Shared knowledge and/or expertise that improves internal awareness of flood risk management challenges and opportunities to promote effective solutions.
E	Reduce duplication and/or promote uniformity in tools and analytical methods	Facilitated sharing and leveraging of data, tools, and information across USACE organizations or CoPs.
F	Other	Please specify

***External Coordination Outcome Definitions***

A	New FRM effort	Initiated a new FRM effort with specific actions taken by multiple parties to further the new effort. Specific actions include but are not limited to work groups or PDT teams formed, written work scopes prepared, and/or written request received.
B	Increase Awareness	Shared knowledge and/or expertise that supports or contributes to informed FRM decisions. Improved mutual understanding and awareness of flood risk issues and challenges to promote appropriate and effective solutions, in an interactive forum. Some interaction with those benefitting from knowledge or expertise is required.
C	Improve flood risk communication	Improved flood risk communication that expanded understanding of the magnitude of risk or broadened the audience receiving the information.
D	New tools or data	Developed, implemented, or supported new tools, assessments, or data to assist with informed FRM decisions.
E	Facilitate interagency assistance	Facilitated access to USACE or other agency opportunities regarding flood risk related programs and assistance. Both offer and response must be completed; results must include follow-up information or opportunities accessed by participants.
F	Other	Specify

**Stakeholder-Specific Interests.** This project is based on the premise that increased collaboration improves shared understanding, which will help to reduce project risks, improve internal and external communication and stakeholder satisfaction. Stakeholder satisfaction would include a maximized efficiency in process that produces outcomes that meet their project needs.

## Project Resources

This project was developed over the course of several months, including meetings with SPL subject matter experts (SMEs) and SPK Silver Jacket leads as well as Silver Jacket stakeholders. Once funded, the project ramped up and execution took approximately five months (August to December 2019). All those who participated in the effort carved out time from their normal day-to-day activities in order to support this project.

Phase 1 of this project included coordination among Regulatory, Engineering, and Silver Jackets staff at both SPL and SPK, the CPCX, and the Los Angeles District Public Involvement Specialist. The above were divided into two PDTs, one including technical experts to deliver the substantive coordination and research involved in the project, and the other an Advisory PDT to review progress and products.

This project is made possible by the USACE FPMS Program and the GCC. The purpose of the GCC is to identify the truly complex, controversial, or contentious projects/actions/activities in the Corps and to provide technical assistance to help those teams prevent or transform conflicts or challenges into a productive path forward.

The technical assistance provided by a GCC award can: 1) help projects that are in need of public participation/collaboration/conflict resolution; 2) improve project outcomes, strengthen relationships, build trust and credibility, or otherwise assist in getting the project/study closer to completion; and 3) promote the value of using collaboration as a way to more effectively accomplish the mission and support a more transparent government.

This effort is the first time USACE Regulatory has partnered with Silver Jackets to participate in the GCC, and is the first time Silver Jackets has attempted to address Regulatory challenges in the permitting of FRM projects.

## 3. Project Deliverables

The four deliverables in Phase 1 build upon one another.

**Deliverable 1—Initial stakeholder coordination (Completed 30SEP2019):** The PDT reached out to stakeholders regarding the status of coordination with regulatory and resource agencies. We developed a list of stakeholders and canvassed them in hopes of understanding the scope of issues that could be addressed as part of a collaborative effort.

**Deliverable 2—Assessment and drafting of information needs (Completed 22NOV2019):** As a result of what was learned in the course of Deliverable 1, Deliverable 2 focused on the development of information materials. It included research of existing materials (internal and external to the Los Angeles District); an assessment of which training, outreach, and program data would support the project objectives; and the creation, modification, and organization (editing, storage) of that information. The issue areas in which information was developed are listed below (“Issues Identified”).

Deliverables 3 and 4—Implementation of a collaborative approach to addressing the regulatory component of flood risk management (Completed 20DEC20): This report constitutes Deliverables 3 and 4, the articulation of a collaborative means to move the issue areas defined below towards tangible outcomes while incorporating the interests of the various parties as described above.

### Stakeholder Inputs

The PDT has engaged with stakeholders and agencies in order to better understand specific challenges and opportunities for improving permitting processes. Pre-project coordination with Silver Jacket stakeholders reflected concerns regarding resource constraints and process challenges. Challenges identified include overlapping/conflicting regulatory authorities; compensatory mitigation issues (e.g. endowments, out of kind, and offsite mitigation); and more.

In September 2019, several organizations were queried electronically on the following 13 questions. The goal was to generate feedback on FRM-related issues and how they might be resolved through a collaborative process among agencies and applicants/stakeholders.

#### Feedback Questions:

1. Is your agency willing to participated and discuss ways to improve the regulatory processes and gain efficiencies?
2. Is your agency willing to consider making changes?
3. What obstacles does your agency anticipate to making changes?
4. What opportunities does your agency envision?
5. What are your agency's biggest challenges with flood risk management?
6. What are the biggest regulatory/permitting challenges with flood risk management?
7. What suggestions do you have for addressing those challenges?
8. What are some ways the Corps can provide assistance with those challenges?
9. What topics related to flood risk management would your agency like to receive training on?
10. Would your agency benefit from an emergency permitting training?
11. As we work on developing an outreach program for flood risk management agencies, is there anything you would like to add or include?
12. Rank issues in order of importance.
13. Are we missing anything?

The PDT received eight written responses from the following organizations: the California Fish and Wildlife, the Environmental Protection Agency, Orange County Public Works, the State Water Resources Quality Control Board, the Santa Clara Valley Water District, Riverside County

Flood Control and Water Conservation District, Ventura County Public Works, and San Bernardino County Flood Control District.

A matrix summary of responses can be found in Addendum A.

**The primary concerns identified include:**

1. The lack of consistent timing when it comes to processing a permit (which can also cause major funding issues for the applicant);
2. The lack of communication with the project manager who is processing the permit,
3. The lack of communication between agencies;
4. The need for expertise throughout the permitting agencies, and need for experienced project managers;
5. The need to incorporate new science into regulation and project design.

As a part of the stakeholder engagement process, the PDT also conducted telephone interviews that could allow a more extensive back and forth on these general topics questions in order to provide greater insight. Interview were conducted with flood risk management stakeholders, Orange County Water District and Santa Ana Watershed Project Authority, two water utility districts with critical facilities that are within existing flood control infrastructure.

Idea Excerpts from stakeholder interviews:

*The Santa Ana Watershed Project Authority (SAWPA) stated they want more direct communication and more face-to-face interaction with the project manager. They are open to attending an inter-agency workshop to agree upon the permit requirements and schedule. The SAWPA's biggest issue is the uncertainty and financial liability around not knowing how long it will take all agencies to grant permits. SAWPA would like training on improved application content/communication protocols, and also would benefit from emergency permit training.*

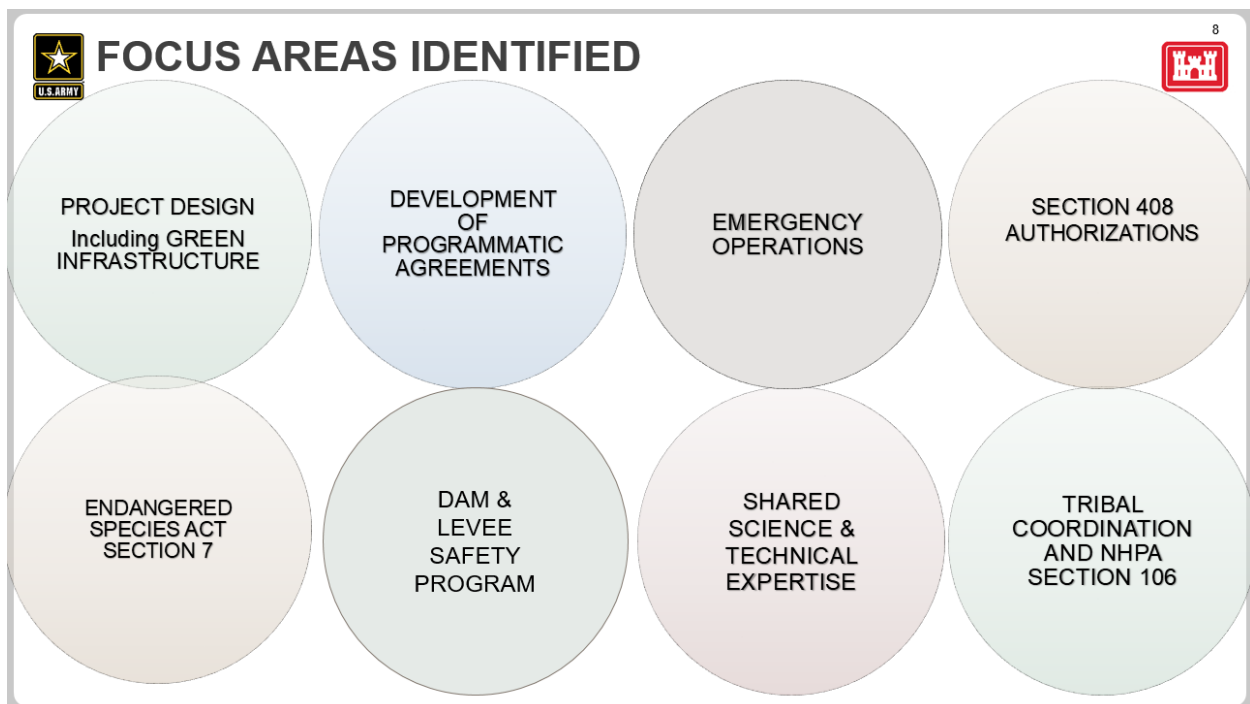
*Orange County Water District was more concerned about long delays in getting permits renewed and regional maintenance permit renewals requirements for ongoing maintenance. They stated that to increase efficiency, renewals of regional general permits that had no changes or additional species, should require less time to renew. They also wanted to identify procedures to simplify permit renewals for regional general maintenance permits, as well as increasing the expiration date from five years to 10.*

## Stakeholder Engagement Strategy

- ✓ 1. Identify stakeholders, including applicants and agencies that are involved in regulatory process
- ✓ 2. Outreach to stakeholders to collect key data regarding existing processes and the potential to enhance coordination and gain efficiencies
- ✓ 3. Set up small group, face-to-face discussion to finalize focus areas

### Issues Identified

The results of the work leading up to Deliverable 1 led to the development of a consolidated list of potential collaboration topics/issue areas. These issue areas laid the groundwork for an outcome-focused collaboration by FRM applicants and agencies.



Succinctly defined, the final list of issue areas can be understood as follows:

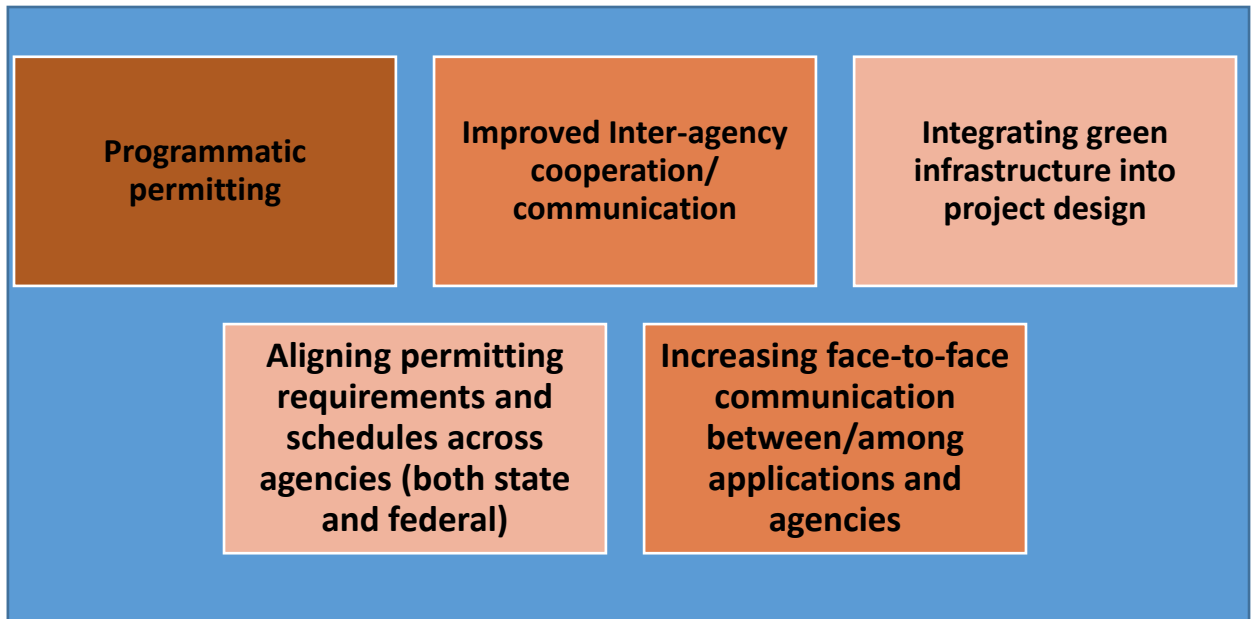
- **Project Design and Green Infrastructure.** Designing FRM projects that meet engineering and regulatory requirements.
- **Programmatic Permitting.** Understanding how intra and interagency programmatic efforts can provide more efficient/effective FRM permitting.
- **Emergencies.** Reviewing FRM projects under emergency and urgent situations.
- **Dam and Levee Safety.** Understanding the challenges and opportunities in the requirements of the Corp's Dam and Levee Safety Program and as related to the Corps other authorities.
- **Section 408 permissions.** The development of policy/guidance and processes to integrate Corps regulatory authorities.
- **Endangered Species Act Consultation.** Compliance with federal ESA requirements in the course of processing FRM project applications.
- **Section 106 consultations.** Compliance with the National Historic Preservation Act, (including tribal consultation): challenges and opportunities as they relate to FRM projects.
- **Shared Science and Technical Expertise.** A review of how existing agency technical work and knowledge can be shared to the advantage of interagency regulatory review.

This list is subject to change based on future input from stakeholders and agencies during a potential Phase 2.

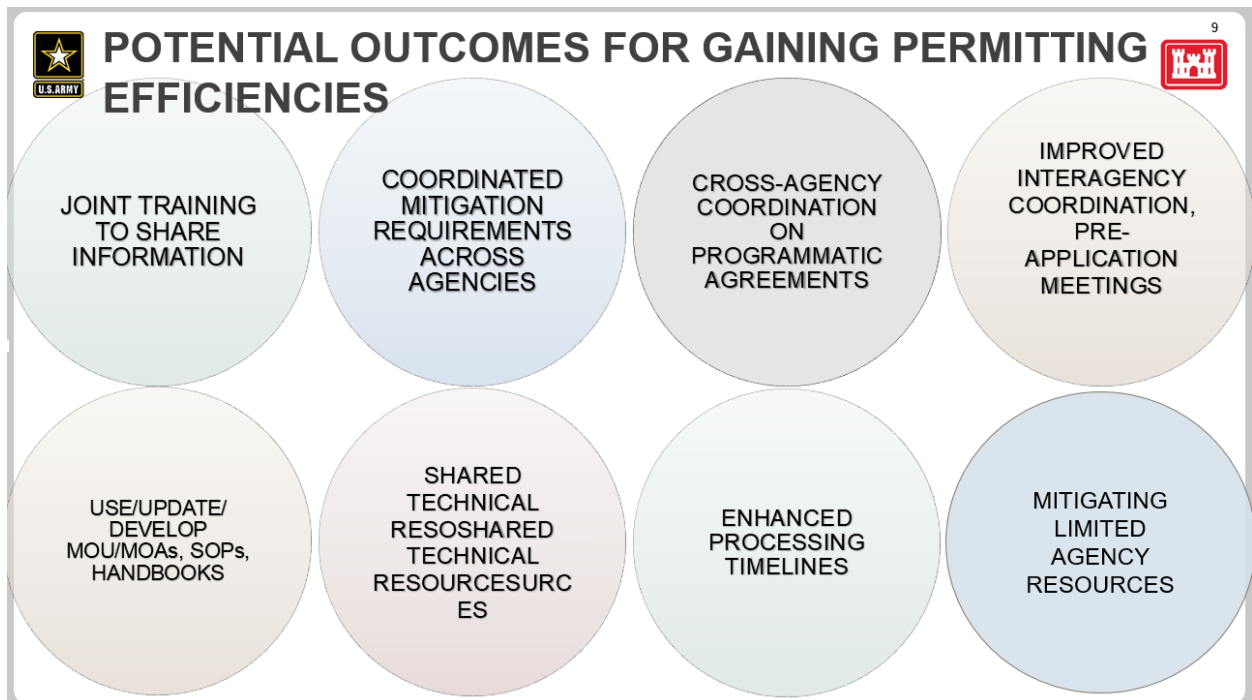
#### [Potential Outcomes for Gaining Process Efficiencies](#)

Though the work leading up to and including Deliverables 1 and 2 did not explicitly require an identification of what outcomes could result from the collaborative process, there are multiple paths that were identified in the course of the effort.





The PDT took these suggestions and placed them into broader categories of potential outcomes that could be explored in a collaborative setting. It is expected that other opportunities would arise during the course of the collaboration as well.



## 4. Means to Collaborate

Moving from Phase 1 to Phase 2, the PDT would seek to maximize the work done for the purpose of implementing a more extensive and face to face collaboration on the key issues that were identified.

The PDT reviewed potential collaboration means, including through existing forums, through limited partnering events (including subsets of regulatory/resource agencies and stakeholders), or through remote collaborative gatherings through video/teleconferencing.

After reviewing the likelihood of success through the above, the PDT settled on a model that would bring stakeholders together for a one-time workshop including local/regional attendees organized around the following goals:

- Create Shared Understanding on Issues that Impact FRM Projects
- Develop Creative Solutions that Address the Issues and Reduce Flood Risk
- Agree Upon a Way Ahead to Implement Solutions to Address Issues

## 5. Proposed Collaboration Workshop

The deliverables created in Phase 1, namely the development of training and information materials that can support a more informed interaction on key regulatory-related issues provide stand-alone value. However, full realization of the desired engagement would occur in Phase 2, and would see agencies and applicants gather to learn, discuss, and plan on how to overcome the challenges that could support better relationships and enhanced processes in the area of FRM.

The work done in the sections that follow describe how an agency and applicant meeting would best provide a forum to provide next level outcomes for the project objectives.

After receiving the information from the stakeholders regarding challenges and opportunities for flood risk management permitting, the PDT determined that a two-day workshop, addressing the regulatory component of flood risk management projects, would best suit the needs of the stakeholders and agencies that deal with these type of projects. The workshop would bring together staff and leadership representatives. Staff carry the knowledge of day-to-day implementing the program, including relevant examples. Leadership also bring program knowledge and are able to commit to agree upon outcomes for their respective organizations.

The draft agenda below is designed to address the above and would be implemented with help of Phase 1 Project Leads, Phase 1 technical SMEs, and CPCX Facilitators. Shared Understanding would be achieved through presentation of materials developed in Phase 1, Deliverable 2 and would be illustrated through case studies. The development of creative solutions would be achieved through the work of small group (agency and applicant) efforts on behalf of and eventually briefed to the plenary session. The final and critical component would be to gain buy-in on a way ahead to implement outcomes. Applicant and agency group members would discuss reasonable means of implementing proposed solutions. The workshop would end with a

definitive plan (who/what/when) on next steps. The goal of the workshop would be to build momentum among attendees and with respect to specific issues. Phase 2 includes specific tasks post-workshop to facilitate these efforts in other areas of Southern California.

The proposed agenda that follows is draft and is subject to future coordination with stakeholders and agencies. The structure is designed to reflect the goals identified above.

**SAMPLE DRAFT**

**Stakeholder/Agency Flood Risk Management Permitting Workshop**

**DRAFT AGENDA – DAY 1**

**LOCATION / TIME**

- |   |           |
|---|-----------|
| 1. Welcome (Speaker(s) TBD)   | 15 MIN    |
| 2. Workshop Objectives (Presented by Lead Project Managers)                                     | 30 MIN    |
| 3. Confidence Building Activity (Led by IWR CPCX Facilitator)                                   | 1 HOUR    |
| 4. Break  | 15 MIN    |
| 5. Morning Presentation / Discussion on Key Issues<br>(Led by SMEs with IWR CPCX Facilitator)   | 1.5 HOURS |
| 6. Lunch  | 1 HOUR    |
| 7. Case Study (Led by Stakeholder, Agency)  | 30 MIN    |
| 8. Afternoon Presentation / Discussion on Key Issues<br>(Led by SMEs with IWR CPCX Facilitator) | 1.5 HOURS |
| 9. Break  | 15 MIN    |
| 10. Case Study (Led by Stakeholder, Agency)   | 30 MIN    |
| 11. Wrap Up / Day 2 Preview   | 15 MIN    |

**Stakeholder/Agency Flood Risk Management Permitting Workshop**

**DRAFT AGENDA – DAY 2**

**LOCATION / TIME**

- |   |           |
|---|-----------|
| 1. Open/Day 1 Recap (Led by IWR CPCX Facilitator)   | 30 MIN    |
| 2. Break Out Groups (Applicant and Agency) – Issue Area Strategic Discussion Focused on Developing Outcomes | 2 HOURS   |
| 3. Back Brief on Break Out Group Work (Plenary)   | 1 HOUR    |
| 4. Lunch  | 1 HOUR    |
| 5. Agency Break Out: Focus on Implementing Outcomes   |           |
| Applicant Break Out: Focus on Implementing Outcomes   | 1 HOUR    |
| 6. Facilitated Discussion on Next Steps (Who/What/When on Ensuring Outcomes)                                | 1.5 HOURS |
| 7. Closing  | 30 MIN    |

## **Participants.**

Participants invited to the workshop could include regulatory and resource agencies such as:

- California Department of Fish and Wildlife
- Environmental Protection Agency
- California State Water Board
- California State Office of Historic Preservation
- Fish and Wildlife Service
- National Oceanic and Atmospheric Administration
- California Governor's Office - Business and Economic Development (GO-Biz)
- Coastal Commission State Executive Office

A number of local agencies have been articulate and cooperative in expressing regulatory-related challenges in implementing flood risk management projects. These agencies, listed below, are ideal workshop participants, and are already familiar with this effort. A few agency representatives have already expressed interest in participating in this workshop:

- California Department of Water Resources (California Silver Jackets Lead Agency)
- Coalition of 7 Southern California County Flood Districts (Los Angeles, Orange, Riverside, San Bernardino, San Diego and Santa Barbara, and Ventura) (California Silver Jackets Charter Signatory)
- Santa Clara Valley Water District
- Little Hoover Commission
- Santa Ana Watershed Project Authority (SAWPA)
- Orange County Water District

Since funding has not yet been secured to organize and plan the workshop, the team did not reach out to engage all of these agencies in Phase 1 of this project. We have developed a detailed list of points of contact at most of the agencies listed above, including contact information. We anticipate limiting the workshop to approximately 50 external participants with approximately half being from regulatory and resource agencies and half from local or state agencies.

**Invitations.** To maximize participation at the workshops, the PDT would send a "Save-the-Date" email to our prospective participants 60 days before the event date. The PDT would keep a list of responses and follow-up with a personal outreach to non-responders within 45 days before the event date. A calendar invite would be sent to attendees at 40-45 days before the event to assure attendance. At 15 days before the event, a final reminder with the agenda and read-ahead materials would be sent to attendees.

**Workshop Preparation.** IWR CPCX Facilitator or Public Involvement Specialist, with input from Project Leads would finalize the agenda and ensure attendance by appropriate staff and leadership. Phase 1 SMEs would update and finalize information briefs. Project leads would gather and provide read-ahead materials to workshop participants. Read-ahead materials would prepare participants with information that would assist in focusing the goals of the workshop and provide background that would allow the group to move more quickly towards productive, outcome-focused dialogue. Read-ahead materials would include a list of acronyms utilized in the development of information produced in Phase 1. Project leaders and administrative staff would ensure workshop logistics (meeting space, travel, etc.) and communicate all relevant information to workshop attendees.

**Staffing.** Project leads on Phase 1 would undertake activities to prepare for the workshop, including confirming attendees, finalizing the agenda, preparing meeting materials/read-aheads, etc. They would also attend the workshop in order to organize and assure that the meeting unfolds as planned. Administrative staff would be tasked pre-workshop to secure meeting logistics, including sending invites, securing meeting and travel requirements, creating travel orders, copying materials, etc. One administrative staff member would attend the workshop to tend to logistics and take notes. SME who developed issue areas in Phase 1 would prepare for and attend the workshop and would present their material and take part in the substantive group discussion. PMs would have post-workshop tasks that would ensure meeting outcomes (see below “Ensuring Meeting Outcomes” and “Exporting the Collaboration Model”). Silver Jacket POCs would serve to provide outreach to stakeholders as required to coordinate the final agenda, arrange case studies, etc.

**Facilitation.** Given the finite time and number/diversity of meeting topics, IWR CPCX or Public Involvement Specialist facilitator would assist in structuring the agenda and helping the group stay focused on developing and agreeing upon a path to implement outcomes. IWR CPCX is distinct enough from the Corps regulatory functions to be a fair intermediary between FRM applicants/stakeholders and regulatory agencies. The District’s Public Involvement Specialist is also a potential facilitator, and can support the development of the workshops.

**Meeting locations.** Space to host the workshop would be driven by acceptable venues per Corps requirements and venue availability. Most applicants and agencies are located in Southern California and we would look for a venue that is close to a transportation hub (airport, rail, bus). The Los Angeles District has made use of multiple acceptable options in the past. These options comply with Corps requirements, are generally convenient for travel, and are cost-effective. Some venues have lodging on site, and those venues would be ideal for this proposed 2 day meeting.

VENUE	LOCATION	MEETING SPACE / LODGING ON BASE
Naval Base North Island	San Diego, California	YES / YES
Naval Base Ventura County	Port Hueneme, California	YES / YES
LA Air Force Base	El Segundo, California	YES / NO
Fort MacArthur	San Pedro, California	YES / NO
Joint Forces Training Base Los Alamitos	Los Alamitos, California	YES / NO
LA River Center	Los Angeles, California	YES / NO

### 6. Phase 2 Implementation Funding

Labor expenditures for Corps and IWR CPCX staff is the primary cost in implementing Phase 2, and its biggest task, the hosting of a 2-day collaboration workshop. Labor is required for work in advance of the workshop (e.g. coordinating attendees, finalizing the agenda, organizing meeting logistics, developing read-ahead materials), during the workshop, and then on follow up tasks (see below “Ensuring Meeting Outcomes” and “Exporting the Collaboration Model”). Note that non-Corps would fund their own labor costs, which would largely include attendance at the workshop, but may also include a minimal amount of pre-workshop preparation and post-workshop effort on implementing outcomes.

The estimate below shows a breakdown of funding for the implementation of phase 2 of this effort. Nearly half of the funding required is for attendance and participation from key staff at the two day workshop. These staff are key to leading discussions that reflect workshop framing and information gathering that was accomplished in Phase 1. There are 13 USACE staff budgeted to attend, including project leaders, SMEs, SPK/SPL Silver Jackets Coordinators, and SPL Public Involvement Specialist. Additional facilitation and support from IWR/CPCX would be assessed and could be included as part of the proposed budget.

Travel funds would also be required for Corps and IWR CPCX staff to attend the workshop.

It is expected that meeting materials will be provided digitally before the conference. Any other supplies (pen, paper, flip charts) for the workshop would be minimal.



Table 2. Funding Needed to Implement Phase 2

Description of Task	Funding Required
Labor for Workshop Preparation <ul style="list-style-type: none"> <li>• Coordinating workshop logistics</li> <li>• Agenda development</li> <li>• Development of facilitation role</li> <li>• Stakeholder/agency participant coordination</li> <li>• SME workshop preparation)</li> <li>• Support staff activities (e.g. travel arrangements, P2)</li> </ul>	\$42,000
Labor for Activities During Workshop <ul style="list-style-type: none"> <li>• 2 day workshop plus travel to/from meeting</li> <li>• 13 Corps staff including project leaders, SMEs, SPK/SPL Silver Jackets Coordinators, and SPL Public Involvement Specialist.</li> </ul>	\$51,000
Labor for Activities Post Workshop <ul style="list-style-type: none"> <li>• Ensuring Meeting Outcomes</li> <li>• Exporting the Collaboration Model</li> <li>• Other Outreach (e.g. presentation to Watershed University on project outcomes)</li> </ul>	\$20,000
Workshop Travel and Expenses (flip charts, markers, etc.)	\$19,000
	\$132,000

## 7. Ensuring Meeting Outcomes

In order to ensure implementation of agreed upon workshop outcomes, the meeting itself will include a segment that addresses this critical requirement. Often, outcomes are lost as workshops end and people return to the tasks of their everyday work. Generally, action items discussed at the workshop would be prioritized, and those items deemed more critically important would be named to a champion who would track implementation by a certain date. This effort should also identify existing, ongoing forums that could be utilized to ensure and maximize success.

Regulatory-related post-workshop tasks would not be funded by Phase 2 (funding would come from the subject appropriation), however, a minimal amount of funding is reserved for Project Managers post-workshop to undertake a variety of efforts that could support collaboration outcomes, including but not limited to:

- Post workshop distribution of action items including details of who is responsible for undertaking what action and by when.
- Post workshop follow up on ways to sustain outcomes (i.e. outreach to other forums and POCs who can enable success).

- Post workshop follow up on progress of action items.

The goal would be to nest workshop action items into existing strategic efforts. This would minimize the startup and sustainment of new lines of effort.

## 8. Exporting the Collaboration Model

A goal of Phase 2 would be to capture the process of collaboration with respect to FRM applicants and regulatory agencies for the purpose of sharing lessons learned and informing future possible efforts in Northern California and elsewhere. There is already interest in holding a similar collaboration event in the Sacramento District's and/or the San Francisco District's respective areas of responsibility. Future workshops could make use of the present preparation and planning efforts and could calibrate as needed based on local/regional issues and opportunities.

Information gathered and lessons learned would be documented in a post-workshop white paper. Once completed, the PDT would find the best way to publish it—likely to both Corps Regulatory and FRM SharePoint sites. Districts are increasingly using individual WIKI pages to share information, which is another option.

The team will continue to look for ways to generate interest in the project and its subject matter as a means of creating dialogue, and ultimately outcomes, beyond the funded tasks. Even in its initial stages, the project has received some attention well outside our area of responsibility:

- The PDT submitted an abstract on the project for the August 2020 International Conference on Flood Management.
- The PDT have had discussions with Ellen Berggren, Deputy National Silver Jackets Program and National Flood Risk Management Program Team at USACE Institute for Water Resources to utilize monthly/annual SJ forums to present on the project's work.
- The PDT could write articles to publicize the project and its outcomes (e.g. National Flood Risk Management Newsletter / The Buzz).
- The PDT has been approached by Watershed University organizers to have our project presented in person at that forum in April of 2020.

The above opportunities offer the means to facilitate cross-functional coordination within our organization and facilitate coordination in our over-lapping mission areas.

## EXHIBITS

- A. Stakeholder Feedback
- B. Reference Presentations that Provide Training/Information Developed in Deliverables 1 and 2 of the Phase 1 of this Project by SMEs to Address Issues Identified by FRM applicants