

SVP WORKSHOP SUMMARY

This is a summary of the discussion at the SVP workshop held on August 1, 2007 at the Old Town Hilton in Alexandria, Virginia. A copy of the agenda is attached. The stated participants **investigated how Shared Vision Planning (SVP) could be used within the Regulatory 404 process through case study presentations and discussion.**

Presentations from the workshop are posted on the SVP website at

<http://www.svp.iwr.usace.army.mil/svppage.htm>

Portions of the workshop were videotaped and will be distributed to the group.

Bob Brumbaugh gave opening remarks and reviewed the growing importance of water supply projects in the Corps, regulatory-wise, mentioning the Water Supply Provocation Session IWR held at HQ in March. For this reason, he stressed IWR's desire to bring water supply as an regulatory issue of national concern to Corps senior leaders, who may not be aware of the increasing complexity of water supply projects in general and water supply permitting in particular. He also said that he believed this was the first gathering of Corps regulators experienced with water supply permit applications and thus served an impromptu Corps team to both share information/issues of concern and to start scoping next steps towards dealing with the complex issues.

During introductions attendees noted what they hoped to get from the meeting. Among these were:

- HQ recognition of water supply as a looming issue of national importance
- Assistance on how to manage 404 and water supply permit applications
- Ways to avoid lengthy permit reviews and improve dispute resolution
- Improve current review process utilizing SVP within the 404 context
- Clarify policies and increase flexibility and consistency
- Assist in moving applications through the permit process
- Assistance in performing cumulative impact assessments
- How to use SVP or parts of SVP to get to the end of water supply permit application reviews
- SVP as assisting in alternative analysis
- Sharing information about SVP and permit reviews

Much of the discussion focused on whether SVP could actually assist in a 404 permit review. Could the process be used in expediting permit reviews? Could it be used to make analysis of purpose and need and practicability more defensible? The majority of the Regulators present, (McKay, Peter, Hatcher, Crosby, Morrison, Konchuba) were not certain. Additionally, Werick, Cardwell, Brumbaugh and Shabman stated that, in fact, SVP is not appropriate for every project. This determination must be made on a case by case basis with input from the applicant and the regulatory community.

However, during the presentations (see attached agenda) and subsequent discussion, it became clear that SVP as a collaborative process can aid in permit reviews by opening the review to a greater number of vested stakeholders. The process would thereby assist in identifying and assessing importance of all issues early in the process. The major issue Regulators pointed out was that a more open process is often more labor and time intensive, both of which are of short supply in the Regulatory program. For example, if there are individuals who want to undermine the project and either stall or stop it from moving forward, they appear to have an increased opportunity to do so if an SVP process is implemented. Additionally, issues not of major importance in the Regulatory arena may be given greater weight by stakeholders. Therefore it is important that the

regulatory project manager be involved and assertive through this process and well versed in what to expect from SVP. This can be difficult considering time and availability of the Regulator.

Interestingly, SVP was noted as assisting in resolving conflicts for the same reason: stakeholders agree upfront on issues of importance and on a model and inputs to that model for assessing those issues. In this way, the model used for assessing impacts has been developed by the stakeholders themselves and is in fact transparent in both development and operation. This was perceived as an important favorable point in the regulatory review. From an applicant's perspective it may improve the ability to work more rapidly through the process.

At the end of the day the general consensus was that SVP would have the greatest value to the Regulatory community if incorporated into the pre-application process to determine its applicability to a particular project or if used for portions of the 404 / NEPA review. It many instances it can:

- Improve predictability with respect to issue identification and reaction to impacts from the Corps and from the Federal Agencies.
- Improve issue resolution
- Reduce controversy during the process and at the presentation of the permit decision,
- Increase the reliability of answers to resource questions
- Reduce the chances for supplemental Draft EIS by identifying and addressing issues upfront
- Improve early issue identification
- Support or rebuke findings of significance or findings of no significance, i.e. need for an EIS
- Develop a project constituency
- Improve Trust
- Improve Information sharing

Reasons why SVP may not be appropriate to Regulatory project were:

- Potential to lengthen the review process
- Requires shift in regulatory practices
- Upfront investment of resources (time and money) for both the applicant and regulatory

In closing, participants noted the need to continue dialogue on use of SVP in the regulatory arena. The group decided that observing SVP in action on another project would be of great value to expanding its use through the Regulatory program. The most likely project would be the Cache la Poudre where it is being implemented on some portions of the regulatory review.

As ways to inform the regulatory community about SVP participants mentioned:

- Developing a brochure or informational packet that regulators can provide to applicants early in the process,
- Develop case studies for the field regarding how and when to use SVP
- A workshop with role playing to familiarize and educate regulators, applicants and agencies on SVP
- Chart where SVP could best overlap with the 404 regulatory process
- Support the field when the new WRDA comes out with timely guidance on how SVP could address the new WRDA requirements.

- Attendees

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