

Skagit County Flood Risk Management Design for Building Consensus

A Joint Skagit County – USACE Effort

I. Introduction

This Design for Building Consensus for has been prepared based on review of an earlier draft plan for public outreach and scoping results, recent interviews, meetings with interested parties, and consultations with the Skagit County Public Works Project Officers and the USACE Seattle District.

II. Draft Objectives of the Consensus-building Process

Just as with any engineering project, it is important to establish objectives to help guide the design of the consensus-building processes. It is obviously not possible to predict outcomes with engineering accuracy when dealing with agreements among individuals and communities. Nonetheless, it is helpful to identify the best case outcomes, i.e., the objectives that you would like to achieve. “Best case” objectives are not the same as the minimum outcomes that would be considered success for a consensus-building process. Instead the “best case” outcomes represent the ideal. A successful result will have most, but not necessarily all, of the attributes outlined below.

“Best Case” Objectives/Outcomes

1. A technically sound Flood Management Plan, adopted pursuant to state law, that :

- ◆ Has the approval/support of:
 - ✓ *Skagit County Commissioners*
 - ✓ *Key federal and State Elected Officials*
 - ✓ *Cities in the Watershed Involved in Implementation*
 - ✓ *Tribes*
 - ✓ *Key Agencies (NMFS, FWS, WDFW, USACE, etc.)*
 - ✓ *Key Stakeholders and “publics”*
 - ✓ *Individuals on the “New” Flood Plan Work Group*

- ◆ Is capable of implementation given funding opportunities, political realities, and legal/policy constraints under ESA and other laws

- ◆ Legally sufficient

2. A well-reasoned USACE Report/EIS to support a Flood Management Plan (selected after due consideration of all information by decisionmakers) through WRDA appropriations and/or other means.

II. Approach and Process Design

A. Summary of Information Garnered in the Scoping Phase Relevant to Design

Cost Avoidance and Poor Understanding of the Risk and Consequences of Flooding

Our scoping interviews have revealed that there is a poor understanding in the community about the risks associated with and the consequences of a 100-year flood event. Few are alive who have experienced a 100-year flood and therefore this experience is not a part of the living memory of virtually all in the community. This conclusion was offered by those interviewed even when we did not ask.

Nearly all of those interviewed also volunteered that there is a great sensitivity in the community about the possible cost of flood management. A key concern we heard is "who is going to pay?" Those interviewed believe that most members of the county were operating out of self-interest. As a result, those interviewed volunteered that it might be difficult to get a majority of the county to vote for or support flood management plans that would involve bond initiatives.

Building on the two observations above, it is clear that a key impediment to building consensus and achieving a flood management plan is the lack of understanding of the realities surrounding a 100-year flood. Few people would be willing to vote for funding options that could affect them or even be proponents for risk plans that would involve some compromises without an understanding of the "benefits" to them, their neighborhoods, the region, and the businesses that employ them (and would be inundated in a 100-year flood event). Thus, a key element in the design must be the development of approaches to communicate risk effectively to key target audiences. With a "real world" understanding of 100-year flood -- who and what would be inundated -- we can begin to build a common appreciation in the community, among agencies, and with politicians and stakeholders of the need for a flood management plan. In short, we need to put a face on the 100-year event and convey the consequences of it in powerful, personal terms to key individuals, agencies, and stakeholder groups.

Importance of ESA and Environmental Considerations

A number of those interviewed highlighted the importance of ESA and environmental consideration in the flood management planning process. Some noted that NMFS could easily stop a flood management project that did not meet with NMFS concurrence because of potential impacts to salmon. We agree. ESA considerations are constraints that must be considered and addressed in the consensus-building process. The approval of key players in the ESA and salmon issue, such as NMFS and the Tribes is extremely important. Therefore, they need to be key participants in the consensus-building process. Moreover, ESA and initiatives associated with salmon recovery may offer win-win opportunities for flood management and salmon. Therefore, it is important to include individuals in the consensus-building process that are knowledgeable about the issues and have creative ideas for win-win opportunities.

Key Players

It will take a broad based coalition among stakeholder groups within the valley and Tribes, and the personal involvement, at times, of influential officials at the local, state, and federal levels to achieve a flood plan that is capable of implementation with adequate funding and consistent with legal constraints. Based on our research, scoping interviews, and experience, the key players and groups include:

- Elected officials – County commissioners, tribal council members, the Congressional delegation, and State legislative representatives
- Cities
- Senior level federal and state agency officials involved in ESA, flood management, & transportation
- Agency representatives who will attend meetings on behalf of senior officials and representatives of the Tribes
- Dike districts & drainage districts
- Environmental Groups
- Stakeholder Groups, e.g., different farming interests, development interests, etc.

Mindful of the breadth of the coalition required, the design must include approaches to effectively include these key players. Strategies must be tailored to the target category.

Outreach Strategies

Some interviewees shared that they found the smaller meetings held by the county to be more effective than larger public meetings. They suggested that Public Works hold meetings with smaller groups at different locations in the valley rather than holding only large public meetings in a single central location. Accordingly, we recommend that such meetings be included as a part of the community outreach effort.

Role of the Flood Control Committee

Many of those interviewed noted the importance of the Flood Control Committee (FCC). They observed that the FCC has developed significant expertise and understanding of flood management issues during its period of operation. Those interviewed and our review of FCC notes also indicate that the FCC has taken a broad approach to their planning activities and provided useful advice and oversight for a variety of activities in the County that could affect flooding in the Valley. These issues have included the implications of the County's GMA planning/zoning activities on flood planning and risk minimization. Some observed that this broad focus, however valuable, has meant that the FCC has not been able to move forward as quickly on the development of a flood plan as some might like.

We recognize that the knowledge base in the FCC is significant and should be drawn upon during the consensus-building process. In addition, we recommend that the FCC remain a group that is broadly focused on activities undertaken in the County

As the USACE Feasibility Study and the development of the Skagit County Comprehensive Flood Management Plan progress, it will be important to have a group available to the USACE and the County to provide feedback, insights, and ideas. Such a group must be relatively narrowly focused. It is also

extremely important to have a body that can continue to provide input on and act as a watch dog for a broad range of issues that can affect flood management. As a result, our recommendation is that the county to achieve both goals through continuing the FCC with “the broader focus” and create a new “Flood Risk Management Working Group”(Working Group).

Recommended Participants for a Consensus-building Group

Those interviewed provided suggestions for who should be included in the flood management consensus-building effort. A recurring theme was that those living and working in the Skagit River Valley are diverse. Involvement of a diverse set of individuals who are representative of different stakeholder groups was recommended by a number of those interviewed. In addition, agencies were seen as key participants to the consensus-building process. This leads to challenges in design. All things being equal, consensus is more easily reached in a smaller rather than a larger group. However, in a public policy matter it is important that the focal group of the consensus-building effort be representative of the diversity of the community and agencies. With such diversity any consensus reached is much more powerful. Efficiencies achieved from manageable sizes must be balanced against the need for diverse representation. As a result, we recommend that the Working Group be no larger than 25. Our recommendations regarding the participants to this Working Group will be presented below and are informed by the recommendations made to us during the scoping process as well as conversations with the Project Manager.

B. Design

Designing an effective consensus-building process is an art based on experience and general principles rather than an exact science. Moreover, it is an iterative process that is modified to take into account developments in the community and among the parties. A design document for building consensus is a flexible document. It is a map with a preferred route to reach consensus that may be modified to take into account the passability and speed of other particular routes. As a result, the design will be revisited during the consensus building process, evaluated for its efficacy, and will modified as needed.

Many interviewed have advised us that as outside facilitators we have “an impossible task.” We agree that success is not assured. However, we believe that with the collective commitment and energy of those who took time out of their busy schedules to speak with us, it is a realistic possibility. With these thoughts, we recommend that the following elements be included in the consensus-building design.

A Skagit County-USACE Team Approach

It is apparent that there should close coordination between Skagit County and the Seattle District on this project. Both Seattle District and County personnel will play an essential role in communicating relevant technical information that will assist the consensus building process. As a result, there needs to be a team approach to crafting messages that are effective in the community. In addition, information gained in the working group below, will be very valuable to help provide better direction to the Seattle District for “Stage II” activities under the FS/EIS. Finally, both federal and state law requires public participation. A well craft community outreach and consensus building design is one that can accommodate both federal and state requirements. Thus, we recommend that there periodic meetings among the Seattle District, Skagit County, and the outside consultants to ensure that the consensus building process is effective and meets the needs of both the Seattle District and Skagit County.

Creation/Composition/Function of the “Risk Management Working Group”

Creation and Composition

The Working Group should consist of less than 20 people and represent the diverse interests in the community and the tribes, and include key agency players. The participants should also represent a mix of technical skills needed for risk management planning and collectively have an understanding of related issues useful to the creation of possible “win-win solutions.” Finally, it would be helpful to have individuals who are willing to spend the time and who possess the patience and people skills needed to craft creative solutions from differences - real and perceived.

Because of the exceptional base of knowledge of the FCC and the need for close coordination between the Working Group and the FCC, we recommend that five members of the FCC be selected for the Working Group. Those selected from the FCC should contain the following mix to ensure a diverse representation of the different interests in the community:

- three representatives of dike districts, one from each side of the river and from Fir Island
- one representative from each of the cities most heavily impacted in a 100-year flood, Mt. Vernon and Burlington
- a representative from the Nookachamps/Sterling area

Along with the representatives from the Flood Control Committee we suggest that the Working Group contain representatives from:

- National Marine Fisheries Service (NMFS)
- Tribal Cooperative
- Washington Department of Ecology (WDOE)
- Washington Department of Fish and Wildlife (WDFW)
- US Fish and Wildlife Service (FWS)
- Environmental/Conservation Group
- U.S. Corps of Engineers, Seattle District (2)
- Skagit County Public Works (2)
- Washington Department of Transportation (periodic attendee)
- FEMA (periodic attendee)

The remaining seats on the Working Group should be filled by individuals with a keen interest in flood risk management and who are representative of key stakeholder groups or the public-at-large. We can provide specific recommendations for the remaining seats in the near future.

Function

Based on our scoping interviews, it is clear that it would be helpful to have a working group that is fairly narrowly focused on reaching a consensus surrounding issues relevant to the preparation of a flood management plan and providing specific input to the Seattle District in their FS/EIS. This group can serve as educators for the community at large on risks, technical issues, alternatives, and choices.

Continuation of the Flood Control Committee

Given the important role the FCC has and can play in providing advice on a range of issues that have an impact on flood management and risk management, we recommend that the FCC continue its existence focusing on issues that could affect the flood management planning. We anticipate that the FCC would provide input to the Working Group on developing issues during the consensus-building process. It will be the responsibility of the members of the FCC participating in the Working Group to ensure good two-way communication between the Working Group and the FCC.

Community Outreach

The community outreach effort should be tailored to the “publics” within the community. We recommend a combination of techniques. First, the County should conduct small meetings across the county with key stakeholder groups (for example, dairy farmers, bulb growers, seed growers and environmental groups) at key junctures during the consensus-building process. We recommend that three sets of meetings be scheduled to coincide with the phases. Second, information should be provided on the web page. Third, we recommend that effective multi-media techniques be used during the different stages of the process which we will outline in detail below. Fourth, we suggest that the county hold three public meetings at each of the phases of the consensus-building process.

Liaison With Elected Officials, Tribal Leaders, and Senior Agency Officials

A flood plan capable of implementation will require the support of elected leaders and also senior agency officials. As a result, it is important that Skagit County Public Works consult with these officials early in the process to gather their insights, and reactions to the consensus-building design. In addition, officials should also be kept abreast of developments during the process. With respect to agency officials, Skagit County should communicate the importance of the effort to them and the need for their appointment of a representative of their agency who has the time and direction to attend all the Working Group meetings. It is also important that the agency representative assigned to the Working Group has the authority to speak for the agency; in practice, it may be difficult to obtain agreement for agency heads to provide this authority. However, such authority is important so that any consensus reached will embody and agency position rather than merely only the opinion of the agency representative attending the Working Group meetings. It is also important to solicit the support of the senior agency official in providing the technical support of the agency as it is undoubtedly the case that agencies will have data bases of information and analytic tools that could assist the Working Group in crafting creative approaches to risk management for consideration by Skagit County and the USACE.

Phases of the Process and Draft Timeline

We have divided the consensus-building process into phases. There is some overlap in the phases; these are not strict divisions as much as they are a conceptual model to assist in developing a schedule and sequence of activities for the various groups whose support will be key in reaching a consensus capable of implementation. We have tailored the activities, their sequence, and timeline to achieve effective communication with and input from each group whose understanding and support is key to a flood management plan capable of implementation.

Phases

Phase I – Introductions and Shared Expectations. In this phase it is important for Skagit County Public Works, Seattle District, and the Facilitators to meet with interested parties, key stakeholder groups, and key officials. The objective is to say hello and to build a shared understanding of the road ahead. It is important to receive input as well as share the County's view of objectives and expectations for the consensus-building process. Moreover, it is very important that Senior Agency Officials understand the significance of the project.

Phase II – Shared Understanding of Risk. As noted above, there is a lack of understanding of the level of risk from a 100-year flood event. There is little knowledge of who, what, and where will be affected. A common understanding of these issues by all groups is essential to achieve success in the consensus-building process and such an understanding is the objective for this phase in the consensus-building process.

Phase III - Analysis and Consideration of Alternatives and Understanding of Alternatives Among Various Groups/Publics and Key Officials. Once a common base of information about and a common understanding of risk has been developed, the Working Group can move to analysis and consideration of risk management alternatives. We anticipate that the FCC will provide input throughout this process. After alternatives have been considered, analyzed, and discussed by the Working Group, the various groups will be briefed and consulted.

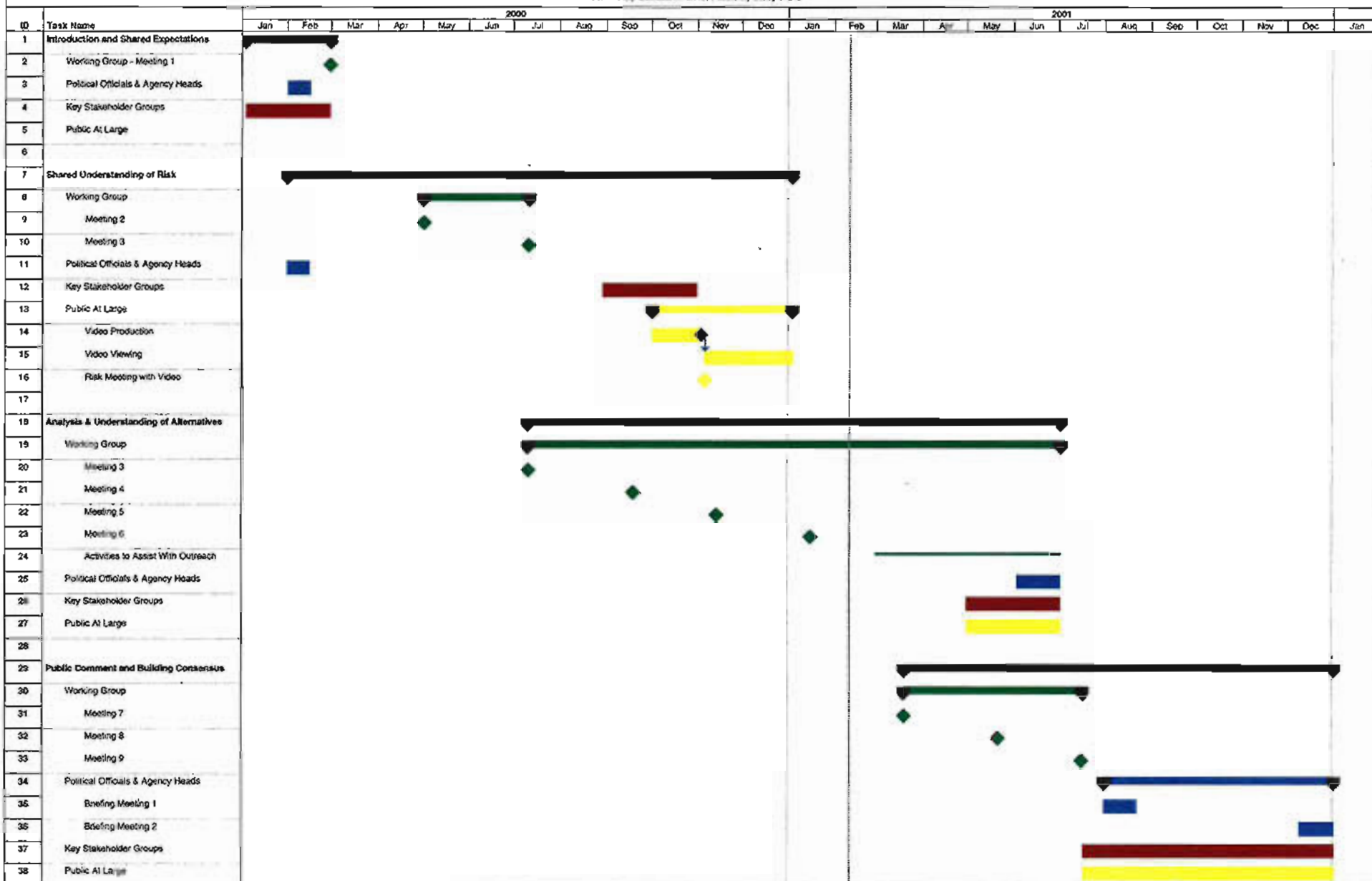
Phase IV - Public Comment and Building Consensus Regarding Options. Following consultations with the "publics" and key officials, the Working Group will try to reach common ground on what it believes are key points related to risk management. Points of agreement and, to the extent differences remain, differences and the bases from them will be provided to the USACE and Skagit County. Key officials and groups will be briefed and consulted by the Skagit County at this juncture. The Work Group information and feedback from groups and key officials will be used by USACE in the development of a Draft FS/EIS and by Skagit County in the development of a Draft Comprehensive Flood Management Plan. Once drafts of both documents have been prepared, public notice will be provided and comment received according federal and state requirements, i.e., notice and comment. Draft documents will be revised as needed. Consultations will occur with the Working Group, the "publics" and key officials as needed.

If successful, the endpoint of the above consensus-building process will be a Flood Plan and a FS/EIS meeting the criteria outlined on page 1.

Draft Timeline

An aggressive, but realistic timeline for the process outlined is approximately 2 years. In close consultation with Skagit County Public Works Department, we have developed a draft timeline and tentatively selected a February 1, 2002 as a target end date. We have outlined the draft timeline on the sheet attached with activities involving the different groups specified.

Community Outreach Plan for Feasibility Study & EIS



Project 1_09_GroupTimeline
 Date: Sun 02/11/01

Phase		Key Stakeholder Groups		Working Group	
Political Officials & Senior Agency Officials		Public At Large			

