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# CERP Guidance Memorandum

South Florida Water Management District – Jacksonville District, U.S. Army Corps Of Engineers

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**CGM NUMBER-REVISION:** 029.00

**EFFECTIVE DATE:** November 19, 2003

**CATEGORY:** Outreach

**SUBJECT:** Project-Level Public Outreach

## **DESCRIPTION:**

The goal of public involvement and coordination is to open and maintain channels of communication with the public to give full consideration to public views and information in the planning process. The objectives of public involvement are to 1) provide information on proposed activities to the public; 2) make the public's desires, needs, and concerns known to decision-makers; 3) provide for consultation with the public before decisions are reached; and 4) consider the public's views in reaching decision.

Public input is a crucial part of CERP implementation. Knowing when and how to engage the public and obtain this input effectively is one of the keys to successful public involvement. This guidance document outlines several options for obtaining public input and the requirements associated with each option. The Corps and SFWMD both strive to provide equal, nondiscriminatory access to the public for all aspects of involvement.

## **GUIDANCE:**

It is necessary to have a clear understanding of the purpose of the engagement activity prior to hosting any event where public participation is actively sought. The decision to organize and hold an engagement activity should be made based on the underlying principle of providing timely and adequate opportunities for participation.

The schedule and design of public engagement activities depend on the:

1. Project type and schedule;
2. Information the public is likely to need;
3. Time during the project life cycle at which the information is needed;
4. Role the public desires to play; and
5. Type of input sought by staff.

The public should never be engaged in an activity unless Corps and SFWMD staff have a clear understanding of the purpose and format of the activity. Once the purpose of the engagement activity is determined, the type of meeting and its level of formality are

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determined. An effective strategy tailors a meeting to the target audience, the geographical region, and in some instances such as public hearings, the legal requirements.

This document will provide a description and noticing requirements of various types of meetings and events. Meeting notices will be provided in the most effective manner, even if this includes going beyond the legal requirements.

## **Definitions:**

**Collaboration:** Collaboration occurs when the Corps and SFWMD work jointly with other agencies or entities. Collaboration is distinguished from coordination through the active involvement of the parties in conducting studies and or implementing recommended projects. Collaborative efforts can range from participation on interagency, stakeholder groups or other interested parties.

**Coordination:** Coordination is the formal exchange of information and views, by letter, report, meeting or other prescribed means. Coordination activities are required by and must be in accordance with purposes and procedures established by federal policy (public law, executive order, agency regulation, memorandum of agreement, etc).

**Public:** The public includes any individuals, organizations, or other groups outside the Corps and the South Florida Water Management District. The public can be viewed as anyone who might be affected by or interested in the results of CERP.

**Stakeholders:** Stakeholders are a subunit of the public composed of people who see themselves as directly or indirectly affected by a decision or process. The term “stakeholder” has come into use through the recognition that resolving issues often doesn’t require that the entirety of the “public,” or even a majority of the public, buys into or desires to participate in a decision making process.

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## **Types of Public Events in CERP**

### **Public Hearings:**

A public hearing is a formal event that usually is required by law or is deemed necessary by the USACE District Commander. It also may occur before a SFWMD governing board for rulemaking. A complete record of this event must be kept. Public hearings are conducted far less frequently than other types of engagement activities.

NOTICING: The Public Affairs Office and outreach staff from both agencies should be consulted before any noticing or planning of a public hearing.

### **Public Meetings of Collegial Decision Making Bodies**

According to state statutes, a public meeting is defined as any discussion among two or more members of a body (Governing Board, committee, working group) about a matter upon which action could be taken by the body. Public participation at the meeting is not required by law; however, it does give the public the right to be present at the meeting to witness the decision-making. This type of public event should be used when official actions such as policy change, proposal selection, budget approval, or recommendations to appointing an entity or person occurs. The meetings must occur at publicly accessible facilities. Meeting minutes and an agenda specifying the meeting format are required and should be made available for public inspection upon request.

Because the state has a legal definition for the term “public meeting,” the Corps and the SFWMD agree that the primary venue for informing and engaging the public throughout restoration project implementation should be through public workshops.

| <b>Required Public Meeting Notice</b> | <b>Additional Optional Noticing</b> |
|---------------------------------------|-------------------------------------|
| Web calendar                          | Electronic notice                   |
| Florida Administrative Weekly         | Invitation letters or cards         |
|                                       | Phone calls                         |
|                                       | News Release                        |
|                                       | Newspaper ad                        |
|                                       | Fliers in public facilities         |

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## **Public Workshops**

Public workshops are the most used public participation technique. Workshops are less formal than public meetings and should be organized to encourage public participation by means of an interactive format, allowing questions and/or comments from the public (i.e. open house discussions, question and answer type format). Gathering feedback may be facilitated by the use of response forms that allow those who may not want to speak to be heard. Keeping staff presentations concise will leave more time for questions, comments or discussion.

NOTICING: The Public Affairs Office, outreach staff and project managers from both agencies should be consulted before any noticing or planning of a public workshop

| <b>Required Public Workshop Notice</b> | <b>Additional Optional Noticing</b> |
|--|-------------------------------------|
| Web calendar                           | Electronic notice                   |
| Newspaper ad                           | Invitation letters or cards         |
| News release                           | Phone calls                         |
|  | Fliers in public facilities         |

## **Project Delivery Team Meeting**

Project Delivery Teams (PDT) are interdisciplinary, interagency working meetings, whose goal is to create a product through collaboration between the Corps, SFWMD and other agencies participating in CERP. Members of non-governmental groups and the public are not considered members of the PDT. However, the public may attend the PDT meetings and comment during designated times. The PDT meeting is not the best platform for engaging or encouraging public participation. If there is a large amount of public interest in a project, then a public workshop or stakeholder meeting should be conducted, which will provide a more effective venue for public involvement. Project managers will coordinate with outreach staff from both agencies when setting up PDT meetings. Please refer to CGM 018, PDT Membership, for more information on this topic.

| <b>Required PDT Meeting Notice</b> | <b>Additional Optional Noticing</b> |
|------------------------------------|-------------------------------------|
| Web calendar                       | Phone calls                         |
| Electronic notice                  | Invitations, letters or cards       |
|                                    | Newspaper Advertisement (1)         |

(1) NOTICING: A PDT Meeting Notice may be advertised, if needed, only with the written concurrence of the senior managers in coordination with the outreach staff.

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## **Stakeholder Meeting**

Stakeholders are usually organized groups that have a higher level of interest in certain aspects of Everglades restoration. These stakeholder groups may be engaged in a project because of their specific interests or because of geographic location. Stakeholder groups may include agriculture, water utilities, local governments, tribes, environmental organizations, recreational user groups and many others. Stakeholder groups may have a higher level of understanding of Everglades restoration than local community groups or the general public. Stakeholder meetings should be limited to a small group of people (i.e., preferably no more than 25 people). These meetings usually have a specific task to address or one or many issues to resolve.

Note: Stakeholder meetings are NOT subject to the Sunshine Law. The staff members involved in these meetings have not been delegated any decision-making or policy recommendation authority by the governing board or any other decision-making body or person.

| <b>Required Stakeholder Meeting Notice</b> | <b>Additional Optional Noticing</b> |
|--|-------------------------------------|
| Electronic notice and/or phone calls       | Invitation letters or cards         |

## **Community or Group Meeting:**

Community or group meetings are an excellent way to gather input from community leaders, specific groups or organizations. These meetings provide an opportunity for staff to talk with community members in a more personal and interactive setting than provided through public meetings and to hear their concerns as well. It is hoped that the small group meetings will facilitate development of trust and long-term relationships with the community as well. Community or group meetings are used to communicate with a specific localized group. These groups may not follow CERP projects or studies and their concerns may be limited to a specific project or geographic area.

| <b>Required Group Meeting Notice</b> | <b>Additional Optional Noticing</b> |
|--------------------------------------|-------------------------------------|
| Electronic notice and/or phone calls | Invitation letters or cards         |
|                                      | Community newspaper/newsletter ad   |

## **Community Event**

Community events offer an informal venue for providing project information. The information can be presented through a slide show, video presentation, or exhibits in an informal atmosphere. No formal comment or action is taken at a community event, but

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public feedback and views can be gathered through one-on-one conversations with residents. Participation in community events helps project staff build relationships with the affected community.

| <b>Required Community Event Notice</b> | <b>Additional Noticing</b>     |
|--|--------------------------------|
| None                                   | Electronic notice              |
|  | Phone calls                    |
|  | Newspaper ad                   |
|  | Invitation letters, if desired |

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## SUPPORTING ATTACHED DOCUMENTS:

- 1) Overview Matrix of Public Meeting Types and Noticing efforts

| General Public Events                              | Description and Use  | Required Noticing   | Other Noticing Efforts  | Notes  |
|--|--|---|---|--|
| Public hearings                                    | Often required by law<br>Public Hearing before SFWMD Governing Board for rulemaking  | Florida Administrative Weekly<br>Evergladesplan.org calendar<br>Newspaper ads<br>News release | Electronic notice<br>Phone calls<br>Letters<br>Fliers in public facilities  | See Public Affairs Office and outreach staff before beginning  |
| Public Meeting of Collegial Decision Making Bodies | According to state statutes, any discussion among two or more members of a body (board, committee, working group) about a matter upon which action could be taken by the body. The law does not require that the public be permitted to participate at the meeting; it gives the public the right to be present at the meeting to witness the decision-making. | SFWMD.gov calendar<br>Newspaper ads<br>News release<br>Florida Administrative Weekly (FAW)    | Electronic notice<br>Phone calls<br>Letters<br>Fliers in public facilities  | Due to the state's definition of public meetings, they should not be used when you seek to gather input from the public.               |
| Public Workshop                                    | Event where staff members present information about a project and/or take public comment. Rulemaking and other types of workshops  | Evergladesplan.org calendar<br>Newspaper ads<br>News release                                  | Electronic notice<br>Phone calls<br>Letters<br>Fliers in public facilities<br><b>Note:</b> NEPA scoping meetings require publication in the Federal Register, which usually is done by the project planning or environmental leads. | Most commonly used type of event to gather public input and allow for an open discussion with the public.                              |
| Project Delivery Team Meeting                      | Meeting that brings together an intergovernmental group that is responsible for providing technical information to the project   | Electronic Notice<br>Evergladesplan.org calendar  |   | Public can attend this working meeting, however can provide comments only at certain times. Not the best format to gather public input |

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| Targeted Public Events | Description and Use  | Required Noticing | Other Noticing Efforts   | Notes |
|------------------------|--|-------------------|--|-------|
| Stakeholder Meeting    | Facilitated meeting in which people generally involved in a specific select area (environment, agriculture, water utility, etc.) are invited to share their opinions on a specific topic. Participants usually are selected in advance. Participants often can have a stake in the outcome of the project. | Phone calls       | Letters<br>Electronic notice   |       |
| Group Meeting          | Facilitated meeting in which a small number of people are invited to share their opinions on a specific topic. Participants usually are selected in advance and sometimes know little about the project or issue. Purpose is to gather information on how they think about issues.                         | Phone calls       | Letters<br>Electronic notice   |       |
| Community Event        | Community event where details of the project or issue of public interest are presented in an informal manner, such as slide show or video presentation, exhibits, informal atmosphere -- open to the public. No formal comment or action is taken.   | None              | Newspaper ad<br>Electronic notice<br>Phone calls<br>Letters<br>Fliers in public facilities |       |

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| Types of Notices      | Recommended Days Before Event     | Notes   |
|-----------------------|-----------------------------------|---|
| News releases         | 14 days                           | Public Affairs and outreach staff should have the final draft at least 14 days before the event. SFWMD media staff should have the final draft at least 8 days before the event.                                |
| Newspaper ads         | 7-14 days prior                   | Place in general circulation newspapers that cover the geographical area of the project for standard public meetings (and PDT meetings if written approval received from senior managers).                      |
| E-Mail Notification   | 30 days<br>7 day follow-up notice | Up to the discretion of the outreach and project managers. Send one month ahead as a tickler. Follow-up closer to date with another format.   |
| WEB calendar posting: | 30 days or as soon as possible    | Do not post tentative dates. Finalize the date before posting   |
| FAW                   | 30 days                           | Form of notice must comply with statutory requirements. Notice must be <b>published</b> at least 7 calendar days prior to the date of the meeting. Outreach staff must have the final draft 30 days in advance. |
| Postal                | 21 days                           |   |
| Media kits            | At the event                      |   |
| Phone calls           |                                   |   |

## APPLICATION:

Effective immediately, these guidelines must be followed when scheduling Outreach meetings for projects.

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**APPROVALS:**



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Chief Executive Consultant, Water Resources  
South Florida Water Management District

DATE: 11/19/03



**Dennis R. Duke**  
CERP Program Manager,  
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DATE: 11/19/03

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