

Symposium Proceedings  
Report

# Accelerating Project Delivery through Intergovernmental Collaboration

**P | C | I**

*POLICY CONSENSUS INITIATIVE*

*Spring 2011*

*Washington, DC*

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## CONTENTS

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Contents .....	2
Summary .....	4
Background and History .....	4
<i>About PCI</i> .....	4
<i>Symposium Background</i> .....	4
<i>Symposium Sponsors and Staff</i> .....	6
Welcome and Introductions .....	6
Success Stories: Update from the Interagency Partnership for Sustainable Communities .....	6
<i>Summary</i> .....	6
<i>Barriers</i> .....	7
<i>Lessons Learned</i> .....	7
<i>Opportunities</i> .....	8
Success Stories: Accelerating Project Delivery in Times of Crisis .....	8
<i>Summary</i> .....	8
<i>Barriers</i> .....	9
<i>Lessons Learned</i> .....	9
<i>Opportunities</i> .....	10
Administrative Flexibility, Lower Costs, and Better Results for State, Local, and Tribal Governments .....	11
<i>Summary</i> .....	11
<i>Barriers and Lessons Learned</i> .....	11
<i>Opportunities</i> .....	11
Success Stories: Collaborative Implementation of Community and Economic Development Projects .....	12
<i>Summary</i> .....	12
<i>Barriers</i> .....	13

*Lessons Learned*..... 13

*Opportunities* ..... 14

Findings ..... 14

Next Steps ..... 15

Appendices..... 15

    Appendix A. Symposium Agenda ..... 16

    Appendix B. Livability Principles ..... 18

    Appendix C. Presidential Memo on Administrative Flexibility, Lower Costs, and Better Results for State, Local, and Tribal Governments ..... 19

    Appendix D. EPA Community Engagement Initiative Actions..... 22

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## SUMMARY

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In 2011, the Policy Consensus Initiative, in partnership with the Federal Highway Administration (FHWA), convened a symposium in Washington, D.C. to examine how intergovernmental collaboration is currently used and can be used to accelerate project delivery in states and communities across the country. The Policy Consensus Initiative Board of Directors (PCI), which is made up of state and local leaders as well as experts from the field of collaborative governance, brought together a group of federal agency managers from across departments and programs. The symposium aimed to address or identify:

- Federal initiatives relevant to the topic, including the Interagency Partnership for Sustainable Communities and the Economic Development Administration's Regional Innovation Clusters
- Lessons learned
- Barriers to intergovernmental collaboration and acceleration
- Opportunities to apply models of intergovernmental collaboration to accelerate project delivery
- Appropriate next steps for PCI and federal agencies

The day-long symposium provided a forum for national experts to share the stories of federal initiatives, projects, and programs and to engage other participants and PCI board members in discussions leading to findings and recommendations for next steps.

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## BACKGROUND AND HISTORY

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### *About PCI*

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PCI is the only national, non-profit organization supporting states and local governments in building leadership capacity to achieve collaborative governance.

PCI's board of directors is made up of leaders in the field of collaborative governance from across the country. Two former governors – one Democrat and one Republican – chair the board, which includes state legislators and local government officials (geographically and politically balanced), non-profit leaders, regional government associations, private sector representatives, university based centers, and state dispute resolution programs.

### *Symposium Background*

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The PCI board gathers twice a year to discuss the art and science of collaborative governance with meetings designed to provide opportunities for leaders across sectors and governments to discuss collaborative governance methods, to share stories of success and lessons learned, and to initiate pilot projects where appropriate.

At the board's Fall 2009 meeting, PCI began to identify actions that federal, state and local government could take together to create a more collaborative approach to problem solving. Members of the Federal Interagency Partnership for Sustainable Communities introduced the new partnership to the board and the livability principles that are guiding the work of the Department of Housing and Urban Development (HUD), the Department of Transportation (DOT) and the Environmental Protection Agency (EPA) to achieve more sustainable communities. In addition, PCI began developing and testing Regional Environment and Natural Resources Forums in partnership with the US Institute for Environmental Conflict Resolution, starting with a pilot Forum in the Pacific Northwest. The Forums are intended to bring federal, state, local and tribal governments together to proactively address regional environment and natural resource issues.

In Spring 2010, the board used the lens of regional collaboration in Minneapolis / St. Paul to examine how states and cities are utilizing federal initiatives like the Interagency Partnership for Sustainable Communities to further their work at the regional level. Representatives from multiple sectors – including the philanthropic, non-profit, public and university sectors – grounded the board's work on supporting leaders as conveners in the context of livability and governance work in Minnesota.

In Fall 2010, PCI's research and development center, the National Policy Consensus Center (NPCC) in the Mark O. Hatfield School of Government at Portland State University, held a forum to share research findings, to discuss implications, to identify lessons learned, and to develop best practices for integrating land use and transportation in metropolitan regions. In addition, the Fall 2010 board meeting focused on the work that NPCC has done to develop a spectrum of collaborative governance activities (civic engagement, policy development and dispute resolution, intergovernmental collaboration, collaborative implementation, and collaborative systems), with a focus on how those different strategies have been applied in the Pacific Northwest.

PCI has become increasingly aware that significant barriers exist in achieving efficient and effective intergovernmental collaboration. Although there is an increasing interest throughout all levels of government in carefully analyzing issues, making decisions and implementing them more collaboratively, many public agencies have limited experience and expertise in this area. In some cases institutional system change is required in order to be successful.

In analyzing the barriers and opportunities for intergovernmental collaboration, FHWA and PCI designed the Spring 2011 Symposium to create an opportunity for federal agency leaders to reflect on the barriers, lessons learned, and successes that they've seen with federal projects

and priorities in states and communities. As leaders from the state and local levels, PCI board members also shared their own experiences in accelerating and improving project delivery through intergovernmental collaboration. The goal for the symposium was to identify some action items that PCI—and perhaps federal partners—could undertake.

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### *Symposium Sponsors and Staff*

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The symposium was funded by the Federal Highway Administration (FHWA) and organized by PCI Interim Director Wendy Willis, PCI Program and Communications Coordinator Sarah Giles, and PCI Program Representative Roslyn Owen with guidance from the PCI board Co-chairs, Governor Jim Geringer and Governor Ruth Ann Minner. PCI board member and Salt Lake City Mayor Ralph Becker also developed and participated in one of the panels for the symposium. Shari Schaftlein and Ruth Rentch of FHWA’s Office of Project Development and Environmental Review provided project oversight for the symposium. PCI board member Ex-Officio and University Network for Collaborative Governance Steering Committee Chair John Stephens facilitated the symposium.

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## WELCOME AND INTRODUCTIONS

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Governor Jim Geringer, Former Governor of Wyoming and PCI board Co-chair, gave a brief overview of PCI’s mission and introduced the Board to the first panel and other guests. He thanked the Federal Highway Administration for sponsoring the day’s symposium.

Governor Geringer described the theme of the meeting, which was “Accelerating Project Delivery through Intergovernmental Collaboration.” He explained that the symposium was designed to be an opportunity to engage with federal agency leaders about their experiences in states and communities.

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## SUCCESS STORIES: UPDATE FROM THE INTERAGENCY PARTNERSHIP FOR SUSTAINABLE COMMUNITIES

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### *Summary*

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The first panel included representatives from the three principal agencies comprising the Interagency Partnership for Sustainable Communities (the partnership): Beth Osborne of DOT; Mariia Zimmerman from HUD; and Lynne Richards of the EPA. The federal partnership was formed in 2009 to align federal investments, administrative requirements, regulations and policies to promote more sustainable outcomes and make sound economic investments in states and communities. The three panelists updated the board on the partnership’s activities, including a series of grants administered through HUD, which are intended to support regional planning to integrate affordable housing with neighboring retail and business development and

DOT's application of their Transportation Investment Generating Economic Recovery (TIGER) II program to award grants for localized planning activities that ultimately lead to projects that integrate transportation, housing and urban development. The six livability principles (Appendix C), as co-created by the EPA Administrator, HUD Secretary and DOT Secretary, guide the Partnership.

The panelists and board members discussed how the principles are ranked or prioritized in carrying out programs and projects. In working with specific communities, the partnership provides a framework to engage the community, and the community itself can then identify its priorities among the six livability principles, based on how that community defines sustainability for themselves. The partnership views the livability principles as goals and characteristics of a successful community. How they are interpreted and implemented depends upon the individual community. Ms. Zimmerman noted that one tool they are using to institutionalize the partnership's work is by giving a "preferred sustainability status" to their grantee communities, as well as those that received the qualifying score in the Sustainable Communities Planning Grant Program but weren't awarded funding. In 2011, many of HUD's discretionary grant programs will have priority points for regions that are grantees or have received the "preferred sustainability" status, making them more competitive for other grants that are consistent with the partnership's goals that they are trying to achieve beyond the Sustainable Communities Planning Grant Program.

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### *Barriers*

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Many of the challenges the partnership faced in carrying out their coordinated activities were technical ones, including:

- the agencies' systems were unable to easily communicate with one another;
- the online system for accessing and applying for federal grants ([www.grants.gov](http://www.grants.gov)) hindered agencies in doing joint grant-making opportunities;
- the federal government lacked a system to share or pool money across agencies; and
- grantees who receive funding were required to report to multiple agencies.

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### *Lessons Learned*

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As Lynne Richards pithily put it, "**The era of single objective spending is over.**" The partnership is based on the principle that at a time when resources are scarce and the public is wary of government, federal, state and local governments can no longer afford to spend money to achieve just one outcome. Ms. Richards used the example of a sanitation

district in Northern Kentucky. The district can either invest one million dollars in a single outcome – a tank to handle storm water – or invest in green infrastructure approaches and multiple outcomes, such as managing storm water, calming traffic, and creating a safer pedestrian environment for a more distinct, improved community.

The biggest lesson learned in launching these joint grant programs was that the agencies cannot pre-determine the barriers. In fact, they discovered that the barriers they encountered were often not the ones they had anticipated. The first round of the joint grant programs provided a laboratory to identify and track barriers and challenges, allowing the partnership to adapt for future rounds.

Beth Osborne from DOT also emphasized that the competitive grant programs are very effective in spurring and rewarding innovation, but the vast majority of federal awards are still made through formula-based programs.

The members of the partnership noted the important role of Governors in convening the various agencies to embed and institutionalize the livability principles in the state and enable those Sustainable Communities Grantees to carry out their work. Because the partnership's grant programs require the communities to apply through a consortium, there is a good deal of consensus building that needs to happen prior to the grant submission. Having the Governor act as a convener for the process is tremendously valuable in ensuring that all the interest groups and stakeholders are robustly represented.

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### *Opportunities*

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The priority areas for the partnership in 2011 include:

- job creation and the economic development opportunities of integrating housing and transportation investments with improved environmental outcomes
- highlighting the successes of current grantees, with an emphasis on networked peer-to-peer learning and support among the grantee communities

## SUCCESS STORIES: ACCELERATING PROJECT DELIVERY IN TIMES OF CRISIS

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### *Summary*

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The second panel brought together Greg Nadeau, currently the Deputy Administrator for FHWA and former Maine Department of Transportation director, Salt Lake City Mayor Ralph Becker, and Nick Rathod, the White House Associate Director for Intergovernmental Affairs, to address how intergovernmental collaboration around crises can then impact how day-to-

day operations are accomplished. The three panelists each focused on a different type of crisis, from a dramatic event with constant changes on the ground, to an urgent need, and finally to a slowly evolving process.

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### *Barriers*

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All three agreed that the initial challenges to collaboration for each crisis were communication and information-sharing among the different levels of government. Crisis situations provide the challenge of building trust quickly when preexisting relationships often do not exist.

In the case of the recent Deepwater Horizon oil spill in the Gulf, obstacles for intergovernmental collaboration included communications confusion, the lack of a mechanism for how federal agencies would interact with the states, and a layer of political complications. On the communications side, states, parishes, and local governments were receiving information from multiple locations within the federal government (from agencies such as the EPA, Interior, and the Army Corps of Engineers) all at the same time. Because the Stafford Act didn't apply in this unique situation, there was also the question of how the federal government would relate to the state and local governments. The Stafford Act normally serves as a mechanism for guiding the federal government in how to respond to a crisis and identifies which agencies are invoked during the crisis. The lack of such a mechanism meant that the federal government had to build their intergovernmental approach to the crisis while it was occurring.

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### *Lessons Learned*

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During the response to the deep-water spill in the Gulf, the White House learned that it needed to assign a high-level advisor and to have regular, coordinated communications efforts with follow-up responses to questions that arose.

The President's designation of a high level member of his staff, coupled with the establishment of the daily conference calls, created a space for articulating concerns and demonstration of responses, leading to relationship and trust building among different levels of government. Within the confines of those calls, by the end of the crisis, both sides had developed trust and a working relationship. The White House learned that the inherent convening authority of the President also can aid in creating the space for relationship building to occur.

Mr. Nadeau emphasized that the truly important work is the preparation well before the emergency. In quoting Abraham Lincoln, "Give me six hours to chop down a tree and I will spend the first four sharpening the axe," Mr. Nadeau used the metaphor of sharpening the axe to emphasize the importance of building relationships before a crisis occurs. In the transportation industry, as in other sectors, trust has to be established, partnerships

created, and agreements developed over time so that things can move smoothly and effectively when the unexpected happens.

He shared the story of a deteriorating Maine bridge (the Waldo-Hancock Bridge) that was critical to the economic health of the region. Working together, the state and its partners moved very quickly to address short-term needs while designing a bridge that would serve future generations. Because of the historic nature of the bridge and its neighboring Fort Knox, the state had to bring together a number of public agencies as well as private and non-profit sector groups, particularly historic preservation organizations. The team managed to complete the bridge in 40 months (from concept to opening), meeting historical design desires, creating a tourist attraction, and ensuring mechanical soundness. Mr. Nadeau attributed the accelerated nature of the project to the partnership, which was exemplified by two competing construction companies teaming up to co-create a design and build their separate parts of the bridge to meet together in the middle of the river.

Mayor Becker also reiterated the importance of clear communications and the role of the Mayor in convening the necessary stakeholders, even in the context of a much longer, broader crisis such as the economic downturn that began in 2008. He has learned that, as Mayor, the chief executive officer always becomes the immediate focal point, and that endures as long as the crisis is perceived to be a crisis. He also reiterated that communications and pre-planning within levels of government are essential. As the economic crisis unfolded in Salt Lake City, it was critical that the community had the partners in place to put federal recovery money to use in a timely and efficient manner. This response to the crisis required speed, meaning that states and local communities had to concentrate on those projects that had already been designed and were waiting for funding.

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### *Opportunities*

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There is tremendous opportunity for the federal government to create avenues and mechanisms for governors and mayors and other local leaders to regularly come to the table before a full-blown crisis occurs. The President and other executives have a powerful opportunity to build and maintain relationships that will serve to improve government responses to crises.

The board suggested applying FHWA's slogan of "Every Day Counts" in institutionalizing the lessons learned about accelerating projects through crises. "Every Day Counts" includes several initiatives, such as:

- encouraging advance programmatic agreements among state and federal agencies

- a toolkit (Shortening Project Delivering Toolkit) that includes ideas for using flexibilities in the law and not duplicating efforts in the planning and environmental review process
- rapid deployment of technology

## ADMINISTRATIVE FLEXIBILITY, LOWER COSTS, AND BETTER RESULTS FOR STATE, LOCAL, AND TRIBAL GOVERNMENTS

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### *Summary*

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Recognizing that project delivery is often inhibited by multiple waivers, reviews, and requirements, one method for accelerating project delivery is to provide more flexibility for state and local governments. Kathy Stack, Deputy Associate Director for Education, Income Maintenance, and Labor at the U.S. Office of Management and Budget (OMB), joined the board during lunch to describe OMB's efforts to implement a recent memo (Appendix D) from President Obama to work with state, local, and tribal governments to identify administrative, regulatory, and legislative barriers in federally funded programs that may prevent states, localities, and tribes from efficiently using tax dollars.

OMB is leading this effort to coordinate with state, local and regional entities in identifying those burdens, requesting flexibility, and establishing evaluation criteria, particularly in areas that require cross-agency collaboration.

### *Barriers and Lessons Learned*

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Ms. Stack began by posing the question, "How do you do innovation when your resources are shrinking?" OMB is trying to lead a structured conversation to determine where increased federal flexibility may have the most impact. One area that OMB anticipates will be of concern is cost allocation rules with OMB circulars, which govern how states can allocate federal grant costs back to federal programs. Many state Chief Information Officers, for instance, have reported that federal agency interpretations of cost allocation guidelines lead to states building siloed systems rather than shared systems.

### *Opportunities*

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As OMB works with federal agencies and states in determining where to provide increased flexibility, there are a number of steps to move in that direction:

- make sure agencies are more proactive in letting their grantees know what they can do, even without waivers;

- establish certain standard requirements that should be attainable for most states in a few years;
- couple pilots to provide waivers on a very select basis with rigorous evaluations so OMB understands what works; and
- frame risk in terms of the risk of criticism rather than the risk of failure, as most leaders are more concerned with the former, particularly in participating in a project with flexible funding and an experimental approach.

Ms. Stack also held up the Partnership Fund for Program Integrity Innovation as an example of a model process for increasing federal flexibility. OMB created the fund as a different process for federal agencies to award grants. The new model creates a collaborative forum that introduces a particular problem and collectively comes up with the best solution. The competition is then conducted to see who will execute that solution.

## SUCCESS STORIES: COLLABORATIVE IMPLEMENTATION OF COMMUNITY AND ECONOMIC DEVELOPMENT PROJECTS

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### *Summary*

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The final panel of the afternoon focused on the role of collaboration in accelerating job creation and community development. Associate Chief of the US Forest Service Mary Wagner cited several examples of the Forest Service's involvement in state and local collaborative projects in the Pacific Northwest, where she had served as Chief Regional Forester before joining headquarters. NPCC programs provided the staff facilitation and design assistance in these projects, which helped create the capacity for collaborative forest restoration in small, rural communities.

The Assistant Secretary of Commerce for Economic Development, John Fernandez, highlighted the Economic Development Administration's (EDA) regional strategy, which the agency views as a platform for the civic and business sectors at the local level to drive bottom-up innovation by leveraging public and private investment within the community. He noted that new global economic competition requires regional action with much stronger collaboration among regional partners.

The third panelist, Mathy Stanislaus, the Assistant Administrator for EPA's Office of Solid Waste and Emergency Response, described his office's Community Engagement Initiative, a strategy to enable public-private sector partnerships for brownfields development.

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## *Barriers*

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Many of the communities most in need of federal assistance have the least capacity to apply for and administer federal grants. Mr. Stanislaus' office has discovered that local leaders would prefer to receive targeted technical assistance rather than large grants carrying a high administrative burden and stringent expectations about outcomes. EPA is working to improve community capacity in several ways, including collaboration with a funders' network of philanthropic organizations to provide resources that EPA cannot provide. These philanthropic SWAT-teams provide technical assistance to communities on targeted economic infrastructure planning analysis, for instance.

Mr. Stanislaus also noted the influence of national groups in local decision-making. He described the difficulty of identifying and tapping into local stakeholder networks' voice versus the relative ease of hearing the voices of large, national organizations that have better media access and more capacity.

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## *Lessons Learned*

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Ms. Wagner emphasized that there is significant collaborative capacity in local communities, citing Oregon's Federal Forest Advisory Committee, which the Governor had commissioned to advance restoration in national forests, and the Committee's discovery of several existing collaboratives with citizens engaged in large scale forest restoration, some of which have existed for as long as 25 years. Wagner shared a quote from Grant County (Oregon) Judge Mark Webb, a participant in an effort to create a shared vision for landscapes on the Malheur National Forest: "Collaboration is really the only way to work through the legal and legislative frameworks that are currently in place. And it's the best way for rural communities like mine to have a meaningful say and role in public land management and decision making." She credited his local leadership in taking the work that the Forest Service has invested in farther than the federal leadership could have imagined.

The panelists also stated that creating ongoing collaborative systems means that those regions can shrink the time that it takes to come to agreements, leading to accelerated project implementation around economic development. EDA has learned that a regional cluster strategy is one of the most effective ways of spurring and supporting local innovation. Through that strategy, the federal government becomes a partner with local, civic and business sectors to leverage public and private investment within a community. That platform also creates a vehicle for vertical and horizontal interagency engagement to amplify all investments, accelerate decision cycles and improve return on investment.

Mr. Fernandez cited a few federal agency collaborative initiatives and working groups that EDA is leading, including Growth Zones teams, which brings EDA, HUD, USDA, Commerce and Treasury together in 20 pilot sites.

They have also learned that the federal government can be a catalyst for cross-border support and cover for local and state leaders who want to make multijurisdictional investments. EDA is hoping that this work is developing a federal model for how to also vertically integrate.

Mr. Stanislaus' office has discovered the establishing a truly level table, where communities gather in a formal, authentic way to influence decision making, requires a decision-making framework broken into sixteen distinct action items (Appendix E). In dealing with environmental justice issues, he stressed the importance of providing tools for local governments, communities and businesses to be at the table, focusing on building trust and dealing with the existing mistrust.

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### *Opportunities*

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Possible approaches to support intergovernmental collaboration for economic development include:

- expand programs along the lines of the White House's Strong Cities, Strong Communities Initiative, where federal technical assistance teams are developed to assist communities that have suffered long-term economic distress;
- embed members of intergovernmental teams into the communities to work alongside local leaders in addressing those issues; and
- weigh community need more heavily in federal grant applications in order to give distressed communities the ability to be more competitive.

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## FINDINGS

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The PCI board identified three main themes that arose throughout the day's presentations and discussions:

1. There is a need for networked peer-to-peer learning and support among states and local communities;
2. one of the major barriers across types of collaborations is a lack of capacity for knowing how to collaborate in communities; and
3. leaders – particularly executives – can play an essential convening role in promoting both trust-building and collaboration among governments. This “sharpening the axe” is critical for collaboration to be successful.

## NEXT STEPS

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A strategy for project acceleration through intergovernmental collaboration that emerged from the panels was to simply begin testing out the new approaches and systems that allow for flexibility and innovation. Pairing a few pilots with rigorous evaluation along the way can allow federal agencies, states, and local governments to scale-up successful models and to share findings with peer communities.

The board suggested that PCI had the opportunity to engage with all levels of government to demonstrate that collaboration is “spherical” rather than “flat.” The board recommended the following steps:

1. Provide peer-to-peer support or community-to-community support by strategically using PCI’s wide network of collaborative leaders and the University Network for Collaborative Governance.
2. Establish an award, similar to Harvard’s Innovations in Government Award, to recognize communities who have been successful at accelerating project delivery through intergovernmental collaboration.
3. Connect the work being done at the regional or field levels of federal agencies with PCI’s Regional Environmental Forum in the Pacific Northwest.
4. Develop a system by which to provide technical assistance on collaboration and consensus decision-making to communities that lack existing capacity.
5. Continue to build convening and collaborative capacity among leaders at all levels of government.

## APPENDICES

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APPENDIX A. SYMPOSIUM AGENDA

APPENDIX B. LIVABILITY PRINCIPLES

APPENDIX C. PRESIDENTIAL MEMO ON ADMINISTRATIVE FLEXIBILITY, LOWER COSTS, AND BETTER RESULTS FOR STATE, LOCAL, AND TRIBAL GOVERNMENTS

APPENDIX D. EPA COMMUNITY ENGAGEMENT INITIATIVE ACTIONS

**April 1, 2011  
Washington, DC  
Decatur House**

**Accelerating Project Delivery through Intergovernmental Collaboration**

*PCI believes that projects will be delivered more quickly and more effectively when federal, state, local and tribal governments regularly work across agency and jurisdictional lines. This symposium will result in a report that lists the barriers, lessons learned and the opportunities in accelerating and improving project delivery through intergovernmental collaboration. It will also develop recommendations for federal, state, local and tribal governments in developing strategies, systems and methods to overcome barriers to accelerated decision-making and implementation.*

**Guests:**

**Beth Osborne, DOT**  
**Shelley Poticha, HUD**  
**Lynn Richards, EPA**  
**Greg Nadeau, FHWA**  
**Nick Rathod, WH Office of Intergovernmental Affairs**  
**Kathy Stack, OMB**  
**John Fernandez, EDA**  
**Mathy Stanislaus, EPA**  
**Mary Wagner, US Forest Service**  
**Greg Wolf, Oregon Governor's Office**

**9:00 AM Opening – Co-Chairs Governor Jim Geringer and Governor Ruth Ann Minner**  
Introduction of Guests and Introduction to Meeting

**9:15 AM Panel 1 and Discussion:**

**Success Stories: Update from the Interagency Partnership for Sustainable Communities**  
*Beth Osborne, DOT; Shelley Poticha, HUD; Lynn Richards, EPA*

**10:45 AM Break**

**11:00 AM Panel 2 and Discussion:**

**Success Stories: Accelerating Project Delivery in Times of Crisis**  
*Salt Lake City Mayor Ralph Becker; Greg Nadeau, FHWA; Nick Rathod, WH Office of Intergovernmental Affairs*

**12:30 PM LUNCH – Administrative Flexibility, Lower Costs, and Better Results for State, Local, and Tribal Governments**

*Kathy Stack, OMB*

**1:30 PM Panel 3 and Discussion:**

**Success Stories: Collaborative Implementation of Community and Economic Development**  
*John Fernandez, EDA; Mathy Stanislaus, EPA; Mary Wagner, US Forest Service*

**3:00 PM Break**

**3:15 PM Discussion: What Can We Do to Accelerate Project Delivery?**

*Moderated by John Stephens, PCI Board*

**4:00 PM Adjourn**

## APPENDIX B. LIVABILITY PRINCIPLES

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### **Partnership for Sustainable Communities: An Interagency Partnership of HUD, DOT, & EPA**

On June 16, 2009, the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Transportation (DOT), and the U.S. Environmental Protection Agency (EPA) joined together to help communities nationwide improve access to affordable housing, increase transportation options, and lower transportation costs while protecting the environment.

The Partnership for Sustainable Communities works to coordinate federal housing, transportation, water, and other infrastructure investments to make neighborhoods more prosperous, allow people to live closer to jobs, save households time and money, and reduce pollution. Partnership agencies incorporate six principles of livability into federal funding programs, policies, and future legislative proposals.

#### **Livability Principles**

Provide more transportation choices. Develop safe, reliable, and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.

Promote equitable, affordable housing. Expand location- and energy-efficient housing choices for people of all ages, incomes, races, and ethnicities to increase mobility and lower the combined cost of housing and transportation.

Enhance economic competitiveness. Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services and other basic needs by workers, as well as expanded business access to markets.

Support existing communities. Target federal funding toward existing communities—through strategies like transit-oriented, mixed-use development and land recycling—to increase community revitalization and the efficiency of public works investments and safeguard rural landscapes.

Coordinate and leverage federal policies and investment. Align federal policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy.

Value communities and neighborhoods. Enhance the unique characteristics of all communities by investing in healthy, safe, and walkable neighborhoods—rural, urban, or suburban.

More information and updates on each agency's efforts:

<http://www.hud.gov/sustainability>

<http://www.dot.gov/livability>

<http://www.epa.gov/smartgrowth>

## APPENDIX C. PRESIDENTIAL MEMO ON ADMINISTRATIVE FLEXIBILITY, LOWER COSTS, AND BETTER RESULTS FOR STATE, LOCAL, AND TRIBAL GOVERNMENTS

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### MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Administrative Flexibility, Lower Costs, and Better Results for State, Local, and Tribal Governments

Over the last 2 years, my Administration has worked with State, local, and tribal governments through the Recovery Act and other means to create jobs, build infrastructure, and protect critical programs and services in the face of declining revenues. But through smarter government we can do even more to improve outcomes and lower costs for the American taxpayer.

Federal program requirements over the past several decades have sometimes been onerous, and they have not always contributed to better outcomes. With input from our State, local, and tribal partners, we can, consistent with law, reduce unnecessary regulatory and administrative burdens and redirect resources to services that are essential to achieving better outcomes at lower cost. This is especially urgent at a time when State, local, and tribal governments face large budget shortfalls and American taxpayers deserve to know that their funds are being spent wisely.

On January 18, 2011, I signed Executive Order 13563, which, among other things, calls for careful analysis of regulations by executive departments and agencies (agencies), including consideration of costs and benefits. Executive Order 13563 also requires retrospective analysis of existing significant rules and greater coordination across agencies to simplify and harmonize redundant, inconsistent, or overlapping requirements, thus reducing costs.

Executive Order 13563 applies to regulations involving and affecting State, local, and tribal governments. In particular, my Administration has heard from these governments that the array of rules and requirements imposed by various Federal programs and agencies may at times undermine their efforts to modernize and integrate program delivery. While appropriate data collection requirements are important to program accountability, some of these requirements are unduly burdensome, may not properly align compliance requirements with outcomes, are not synchronized across programs, and fail to give governments and taxpayers meaningful information about what works and what needs to be improved or be stopped. I believe that working together, State, local, and tribal governments and Federal agencies can distinguish between rules and requirements that support important goals -- such as promoting public health and welfare; protecting the rights of individuals, organizations, and private businesses; and assuring that programs produce intended outcomes -- from rules and requirements that are excessively burdensome or may not serve their intended purpose.

Through this memorandum, I am instructing agencies to work closely with State, local, and tribal governments to identify administrative, regulatory, and legislative barriers in Federally funded programs that currently prevent States, localities, and tribes, from efficiently using tax dollars to achieve the best results for their constituents.

Section 1. Coordination and Collaboration. To facilitate coordination across Federal agencies and State, local, and tribal governments, I direct the Director of the Office of Management and Budget (OMB) to lead a process, in consultation with State, local, and tribal governments, and agencies, to: (1) provide input to multiple agencies on State-specific, regional, or multistate strategies for eliminating

unnecessary administrative, regulatory, and legislative burdens; (2) enable State, local, and tribal governments to request increased flexibility, as appropriate, from multiple agencies simultaneously and receive expeditious and judicious consideration of those requests; (3) establish consistent criteria, where appropriate, for evaluating the potential benefits, costs, and programmatic effects of relaxing, simplifying, or eliminating administrative, regulatory, and legislative requirements; and (4) facilitate consensus among State, local, and tribal governments and agencies on matters that require coordinated action.

The Director of the OMB shall also take the following actions:

- Review and where appropriate revise guidance concerning cost principles, burden minimizations, and audits for State, local, and tribal governments in order to eliminate, to the extent permitted by law, unnecessary, unduly burdensome, duplicative, or low-priority recordkeeping requirements and effectively tie such requirements to achievement of outcomes.
- Collaborate with State, local, and tribal governments to standardize, streamline, and reduce reporting and planning requirements in accordance with the Paperwork Reduction Act. The OMB should play a lead role, with appropriate agencies, in helping to develop efficient, low-cost mechanisms for collecting and reporting data that can support multiple programs and agencies.
- Facilitate cost-efficient modernization of State, local, and tribal information systems, drawing upon the collaboration of the Chief Information Officer in the OMB and the Chief Technology Officer in the Office of Science and Technology Policy.
- Provide written guidance to agencies on implementation of this memorandum within 60 days of the date of this memorandum.

Sec. 2. Streamlining Agency Requirements. Within 180 days of the date of this memorandum, agencies shall take the following actions to identify regulatory and administrative requirements that can be streamlined, reduced, or eliminated, and to specify where and how increased flexibility could be provided to produce the same or better program outcomes at lower cost.

- Work with State, local, and tribal governments to identify the best opportunities to realize efficiency, promote program integrity, and improve program outcomes, including opportunities, consistent with law, that reduce or streamline duplicative paperwork, reporting, and regulatory burdens and those that more effectively use Federal resources across multiple programs or States. Agencies should invite State, local, and tribal governments to identify not only administrative impediments, but also significant statutory barriers, to efficiency and effectiveness in program implementation.
- Establish preliminary plans to (1) consolidate or streamline processes that State, local, and tribal governments must use to obtain increased flexibility to promote the same or better outcomes at lower cost; (2) establish transparent criteria or principles for granting such increased flexibility, including those that are generally available and those that may be granted conditionally; and (3) ensure continued achievement of program results while allowing for such increased flexibility.
- Identify areas where cross-agency collaboration would further reduce administrative and regulatory barriers and improve outcomes. This should include identifying requirements for State planning documents that are prerequisites for awards from individual Federal programs that could be consolidated into one plan serving a number of agencies and programs.
- Report the results of these actions to the Director of the OMB.

Sec. 3. General Provisions. (a) This memorandum shall be implemented consistent with applicable law and subject to the availability of any necessary appropriations.

(b) Nothing in this memorandum shall be construed to impair or otherwise affect the functions of the Director of the OMB relating to budgetary, administrative, or legislative proposals.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA

## APPENDIX D. EPA COMMUNITY ENGAGEMENT INITIATIVE ACTIONS

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EPA established 16 Actions under the Community Engagement Initiative. Each action links to a page that contains all materials and an Action update fact sheet that summarizes the progress and schedule. The actions EPA established for the CEI are:

### **ACTION**

**Number  
(linked to  
webpage)**

**ACTION TITLE and additional links**

#### **Decision-Making Processes and Guidance**

[Action 1](#)

EPA posted [work plans](#) proposing specific decision-making processes to evaluate and revise.

#### **Underground Storage Tank (UST) Programs**

[Action 2](#)

OUST developed a [new Community Engagement website](#), including highlight of success stories.

[Action 3](#)

**Best Community Engagement Practices for RCRA**

[Action 4](#)

**OSWER Regulation and Guidance Development**

[Action 5](#)

**Community Engagement Policies and Activities related to Enforcement**

#### **CERCLA Enforcement Involving Federal Facilities**

[Action 6](#)

EPA has finalized the selection of two pilots: TVA-Kingston, TN (Region 4) and Ft. Ord, CA (Region 9)

#### **EPA Technical Assistance Processes**

[Action 7](#)

The Technical Assistance Workgroup developed a [Draft Recommendations Report](#) for review.

[Action 8](#)

**Community Action for a Renewed Environment (CARE) Program**

[Action 9](#)

**Brownfields Area-Wide Planning Pilot Program**

[Action 10](#)

**Public Health Information on OSWER Projects**

[Action 11](#)

**Risk Communication Processes and Comprehensive Education Program**

[Action 12](#)

**Sampling and Testing Results**

**ACTION  
Number  
(linked to  
webpage)**

**ACTION TITLE and additional links**

**Delivery of Information**

[Action 13](#)

The Delivery of Information Workgroups developed [Draft Recommendations Reports](#) for review.

**Community Engagement Training Program**

[Action 14](#)

The Training Workgroup developed a [Draft Recommendations Report](#) for review.

**Measures of Effectiveness and Annual Report**

[Action 15](#)

**Environmental Workforce Development and Job Training Program**

[Action 16](#)

Visit the updated [website](#) to learn more about the Environmental Workforce Development and Job Training Program.