

Getting to Yes Quicker for Flood Resiliency

How collaboration and consensus building can accelerate project delivery

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Across New Jersey and the Mid-Atlantic, communities are facing more frequent flooding and more severe storm events. Superstorm Sandy and Hurricane Ida revealed that our infrastructure was designed for a different climate. Despite the urgency, the pace of change remains slow. Projects stall between agencies, permits, and funding cycles. The result is an adaptation gap, one that grows wider every year.

Having worked inside these systems as both an engineer and lawyer/mediator, I've seen how fragmented governance and adversarial processes undermine well-intentioned projects. Resilience isn't just an engineering problem, it's a governance problem. Addressing it requires communication, trust, and structured collaboration across sectors. We can no longer afford to let process gridlock stand between us and protection.

Why Traditional Approaches Fall Short

The traditional model of plan, design, permit, fund, build is linear and slow. Every step invites new conflict and delay. In a world of rising sea level, increasing storm intensity, and shrinking budgets, that sequence is unsustainable. I've seen how procedural silos can turn critical projects into administrative marathons.

The National Institute of Building Sciences estimates that every dollar spent on hazard mitigation saves \$6 in

future disaster losses. Yet our systems still reward caution and competition over speed and cooperation. That's why I advocate embedding collaborative processes—mediation, consensus-building, and structured negotiation—into every stage of project development. These tools don't replace technical design or public oversight; they make both more effective by bringing the right people to the table earlier.



Image: Barbara Walsh / AP

Above: Annapolis climate plan.

The Missing Tool: Collaboration and Consensus-Building

My work as a mediator has taught me that the most persistent barriers to progress are human not technical. Conflicting interests, distrust, and miscommunication can stall even the most urgent projects. Resilient infrastructure depends as much on human collaboration and cooperation, as it does on engineering design. When we bridge divides and align interests, we build stronger, faster, and smarter.

The framework outlined in *Getting to Yes* by Roger Fisher and William Ury remains one of the best guides for this work. It teaches us to focus on interests rather than positions, to invent options for mutual gain, and to rely on objective criteria. Applied to flood adaptation, these methods can transform decision-making.

In addition, a facilitated structured consensus-building process, as described in *Breaking Robert's Rules: The New Way to Run Your Meeting, Build Consensus, and Get Results* by Susskind, L., & Cruikshank, J. (2006)

can help agencies, engineers, and communities identify shared goals and create a vision with broad based support. Mediation techniques can reframe disputes as shared risks rather than win-lose fights. Collaboration is not about endless meetings or compromise for its own sake, it's about structured, interest-based decision-making that accelerates results while building lasting trust.

Case Study: Rebuild by Design in Hoboken—Consensus Building

Led by bold State and City government champions, Hoboken has found a long-term solution to the flooding caused by Superstorm Sandy. Hoboken's Rebuild by Design—Hudson River effort ("Resist, Delay, Store, Discharge") is a good example of a successful consensus building process. This project was a response to the devastation caused by Superstorm Sandy along the Hudson River. Proposed by New Jersey state and local groups, the project resulted in

a comprehensive urban storm water management strategy to address impacts from coastal storm surge flooding and rain flooding that were experienced during the storm.

Hoboken's effort has moved from planning into visible construction and delivered flood-risk reductions. On the ground, the most tangible accomplishments are tied to the "Resist" coastal defense components—the perimeter protections meant to stop Hudson River surge from entering low-lying areas. These include advancing (and in some areas constructing) floodwalls/berms and movable floodgates and integrating them with public spaces and transportation-adjacent areas.

In parallel, Hoboken's "Delay/Store/Discharge" approach has been advanced through resiliency parks and green infrastructure that temporarily store stormwater during intense rain events, improving drainage capacity while adding neighborhood amenities. (See <https://www.hobokennj.gov/resources/rebuild-by-design>)



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Case Study: Waterfront Resilience Annapolis, Md.— Collaboration and Innovation

Annapolis, Maryland, offers a small but equally powerful lesson in collaboration. The city's historic downtown, with its waterfront character and economic vitality, was facing repeated tidal flooding. The challenge was how to build modern flood defenses without losing the essence of the community.

After failing for 20 years to reach consensus around building resilience as well as new parking, the new Mayor went about making the city a facilitator, with a process focused on inclusive engagement. Over 100 business owners, preservation advocates, engineers, community members and city leaders were brought into structured dialogue. Together, over a yearlong effort, they identified shared goals around safety, heritage, and long-term sustainability.

A particularly innovative aspect of the Annapolis approach was the integration of a Public-Private



Hoboken flood park plan.

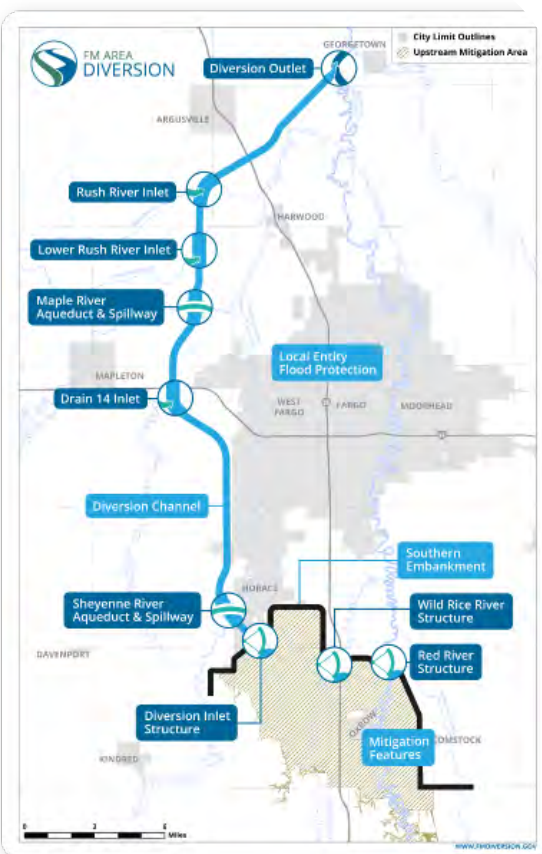
Partnership (P3) around a new parking garage project. The city leveraged this public asset to generate funding and momentum for broader resilience investments. By aligning infrastructure, finance, and community needs, the partnership turned a traditional parking structure into a cornerstone for adaptation and downtown revitalization. Annapolis shows how even modest-scale projects can succeed when collaboration and creative financing work hand in hand. (see City of Annapolis Resilience Plan: <https://www.annapolis.gov/ArchiveCenter/ViewFile/Item/3550>.)

Case Study: Fargo-Moorhead, South Dakota: Collaborative Governance at Scale

At a regional level, the Fargo-Moorhead Flood Diversion Project in North Dakota and Minnesota exemplifies how collaboration and governance innovation can accelerate large-scale resilience. For decades, the Red River Valley faced devastating floods. After the catastrophic 2009 flood, local and state leaders realized that piecemeal measures were no longer enough. What emerged was a \$3 billion program, the first large-scale flood diversion project in the United States to use a long-term

public-private structure. The project's success depended on persistent negotiation and mediation between two states and among cities, counties, farmers, and federal agencies.

Initially, the plan faced intense opposition from upstream communities and environmental advocates. Through structured facilitation and a commitment to transparency, those conflicts were transformed into cooperation. A key factor was the creation of the Diversion Authority, a joint powers entity representing states, cities, and counties in a model of collaborative governance for public-sector ownership. This framework coordinated the U.S. Army Corps of Engineers, private contractors, and local governments under a unified structure that balanced control, accountability, and flexibility. Under the implementation contract, the private partner finances, designs, builds, and maintains 30 miles of diversion infrastructure for 30 years, while public partners retain ownership. This collaborative governance approach not only accelerated delivery but ensured performance-based maintenance and shared accountability for decades. (see Fargo-Moorhead Flood Diversion Project: <https://fmdiversion.gov>)



South Dakota MFDA-map.

Storm Water Utilities: A New Tool for Accelerating Resiliency Projects

Funding is key for any collaborative solutions. We have a relatively new tool in New Jersey that could be used where appropriate to assist in financing, creating greater collaboration in governance and providing long term implementation of sustainable flood resilience projects. New Jersey's stormwater utility law, the Clean Stormwater and Flood Reduction Act (P.L. 2019, c.42; N.J.S.A. 40A:26B-1 et seq.), allows municipalities, counties, and certain authorities to create a stormwater utility and charge reasonable stormwater fees to owners/occupants of property that generates runoff.

Revenues must be used for stormwater management purposes and thus can help support consensus-building around the planning, capital improvements, operations/maintenance, compliance activities, and related programs. The main implementing "regs" are

largely guidance and program administration from New Jersey Department of Environmental Protection for how to structure fees/credits and eligible uses, alongside the state's broader Stormwater Management rules (N.J.A.C. 7:8) that set statewide standards, including green infrastructure requirements for certain development. (see https://dep.nj.gov/njpdcs-stormwater/swu_stormwaterutility/)

A Call to Action: Getting to Yes on Resilience

New Jersey faces immense challenges from flooding, sea-level rise, and aging infrastructure. But our greatest obstacles are not physical, they are institutional. We must change how we plan, fund, and decide together. Getting to yes on resilience means redefining success: not only in amount of flood protection built or dollars spent, but in how effectively and quickly we collaborate. And come to agreement to get there. It means

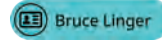
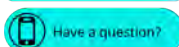
using mediation, facilitation, and innovative partnerships to deliver results faster and fairer. As an engineer, lawyer, and mediator, I believe we can transform conflicts and impediments into progress and solutions. Together, we can design, finance, and deliver the resilient infrastructure our communities deserve, before the next storm tests our resolve. 💡

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