



High “Customer” Satisfaction in Corps Permitting Programs

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Presentation at Wetlands 2007, Williamsburg VA

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Presentation Overview

- The Corps' Customer Satisfaction Survey Instrument
- Results (via FOIA)
- Analysis as presented in Environmental Law Reporter article *Survey Says: Army Corps No Scalian Despot* and National Wetlands Newsletter article *Can Happy Subjects Have An Enlightened Despot?*
- On-going research with survey expert and political scientist
- Contact information

Corps “Customer” Satisfaction Surveys



- The Corps collects “Customer Service Surveys (link available on Corps website http://www.usace.army.mil/cw/cecwo/reg/cust_surv.pdf)
- Not all Districts collect, but when they do, an impressive percentage of those submitting give the Corps perfect marks in their overall ranking of the permitting experience.
- Some applicants even so far as to proclaim themselves “satisfied customer[s]” or something similar.

Finding the Survey

The screenshot shows a Mozilla Firefox browser window displaying the Civil Works Directorate website. The address bar shows the URL <http://www.usace.army.mil/cw/cecwo/reg/>. The website header features the text "Civil Works Directorate, U.S. Army Corps of Engineers" and a navigation menu with options like "File", "Edit", "View", "History", "Bookmarks", "Tools", and "Help". Below the header is a banner with the text "Proudly serving the Armed Forces and the Nation now and in the future." and a large "REGULATORY PROGRAM" heading. A sub-header reads "Working to provide strong protection of the Nation's aquatic environment, efficient administration of the Corps' regulatory program, and fair and reasonable decision-making for the regulated public." The main content area is divided into three red navigation tabs: "LATEST NEWS", "Corps Regulations, Administrative, and Policy Materials", and "Court Decisions". Under "LATEST NEWS", there are three top stories: "Regional Supplements to Corps Delineation Manual", "CWA Guidance to Implement the U.S. Supreme Court Decision for the Rapanos and Carabell Cases", and "Section 106 - Historic Properties and Tribal Consultation". To the right of these stories is a search box with a dropdown menu set to "Regulatory". Below the top stories are three columns of links: "REGULATORY PROGRAM" (including Mission Statement, History of the Regulatory Program, Overview, Goals, Public Service Commitment, and Acronyms), "NEWS AND INFORMATION" (including Nationwide Permits Information, Regulatory Guidance Letters, Latest Information on Fill Material, Working with Other Agencies, Regulatory Statistics, and Frequently Asked Questions), and "SEARCH AND REFERENCE" (including Technical and Biological Resources, Cultural Resources, Other Federal Agency Links, Information on West Nile Virus, and Archives). At the bottom, there are three more columns: "DOING BUSINESS WITH US" (including Administrative Appeals Data, Permit Application, Customer Survey, and Wetland Delineator Certification-Status), "WHERE WE ARE" (including Civil Works Boundaries by Zip Code, Contact Your District, District Addresses, District Boundaries, and Permit Information), and "PUBLICATIONS" (including Regulatory Program - Value to the Nation, Recognizing Wetlands, Aquatic Resources News, A Regulatory Newsletter, and Engineer Research and Development Center, Wetlands Regulatory Assistance Program).

Civil Works Directorate, U.S. Army Corps of Engineers - Mozilla Firefox

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http://www.usace.army.mil/cw/cecwo/reg/

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Working to provide strong protection of the Nation's aquatic environment, efficient administration of the Corps' regulatory program, and fair and reasonable decision-making for the regulated public.

LATEST NEWS Corps Regulations, Administrative, and Policy Materials Court Decisions

TOP STORIES

- Regional Supplements to Corps Delineation Manual
- CWA Guidance to Implement the U.S. Supreme Court Decision for the Rapanos and Carabell Cases
- Section 106 - Historic Properties and Tribal Consultation

Search Regulatory

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WHERE WE ARE
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PUBLICATIONS
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Done

Survey Administration

- Administration (whether to and if so method) varies by District
- All three types of Corps permits are processed under a single set of procedural regulations, so results reflect those interacting with the Corps based on multiple statutes
- All permit applicants, in Districts where administered, appear to be provided with the option to complete the form (including general permit applicants)

Survey Instrument

- See Corps, *Customer Service Survey—Regulatory Program*,
http://www.usace.army.mil/cw/cecwo/reg/cust_surv.pdf
- Two pages: first page provides an opportunity to numerically rank the Corps on a variety of matters using a scale of 1-5. Instead of providing a specific breakdown on these numbers, the numbers 1-3 appear under a grouped category of “low satisfaction.” Then the numbers 4 and 5, as well as “not applicable,” appear under a grouped category of “high satisfaction.”
- Second page allows applicants to provide certain details about the nature of their interaction with Corps regulatory personnel, as well as written comments prompted by the question “[d]o you have any comments or suggestions on the Regulatory Program.”

Who is a Customer?

- Not entirely clear
- For the purposes of its Customer Service Surveys, the Corps officially defines customers as those who “submitted a permit application, requested a jurisdictional determination or wetland delineation, or scheduled a pre-application meeting” as well as those who receive its public notice, or commented on a particular project or work in general due to their interest in the Corps’ regulatory program
- Appears that only permit applicants fill out survey (though requests made to non-applicant “customers” since the FOIA submitted)

Compiled Results (numeric)

District	Overall Satisfaction Rankings ^a		District	Overall Satisfaction Rankings ^a	
Alaska	984 survey responses reported. · Rating of 1: 16 (2%) · Rating of 2: 19 (2%) · Rating of 3: 130 (13%)	· Rating of 4: 396 (40%) · Rating of 5: 352 (36%) · Rating of N/A ^b : 71 (7%)	Omaha	2 survey responses reported. · Rating of 1: 0 (0%) · Rating of 2: 0 (0%) · Rating of 3: 0 (0%)	· Rating of 4: 0 (0%) · Rating of 5: 2 (100%) · Rating of N/A: 0 (0%)
Albuquerque	156 survey responses reported. · Rating of 1: 0% · Rating of 2: 0% · Rating of 3: 0%	· Rating of 4: 20 (13%) · Rating of 5: 131 (84%) · Rating of N/A: 5 (3%)	Portland	7 survey responses reported. · Rating of 1: 1 (14%) · Rating of 2: 2 (29%) · Rating of 3: 0 (0%)	· Rating of 4: 0 (0%) · Rating of 5: 4 (57%) · Rating of N/A: 0 (0%)
Baltimore	1 survey response reported. · Rating of 1: 0 (0%) · Rating of 2: 1 (100%) · Rating of 3: 0 (0%)	· Rating of 4: 0 (0%) · Rating of 5: 0 (0%) · Rating of N/A: 0 (0%)	Rock Island	180 survey responses reported. · Rating of 1: 1 (1%) · Rating of 2: 1 (1%) · Rating of 3: 3 (2%)	· Rating of 4: 60 (33%) · Rating of 5: 99 (55%) · Rating of N/A: 16 (9%)
Charleston	96 survey responses reported. · Rating of 1: 5 (5%) · Rating of 2: 9 (9%) · Rating of 3: 9 (9%)	· Rating of 4: 23 (24%) · Rating of 5: 45 (47%) · Rating of N/A: 5 (7%)	Sacramento	447 survey responses reported. · Rating of 1: 9 (2%) · Rating of 2: 11 (2%) · Rating of 3: 28 (6%)	· Rating of 4: 113 (25%) · Rating of 5: 256 (57%) · Rating of N/A: 30 (7%)
Jacksonville	34 survey responses reported. · Rating of 1: 9 (26%) · Rating of 2: 3 (9%) · Rating of 3: 5 (15%)	· Rating of 4: 8 (24%) · Rating of 5: 7 (21%) · Rating of N/A: 2 (6%)	Savannah	370 survey responses reported. · Rating of 1: 8 (2%) · Rating of 2: 17 (4%) · Rating of 3: 25 (7%)	· Rating of 4: 138 (37%) · Rating of 5: 161 (44%) · Rating of N/A: 21 (6%)

Compiled Results (numeric)

Kansas City	<ul style="list-style-type: none"> · Rating of 3: 3 (12%) 25 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 0 (0%) · Rating of 2: 0 (0%) · Rating of 3: 3 (12%) 	<ul style="list-style-type: none"> · Rating of 4: 4 (16%) · Rating of 5: 18 (72%) · Rating of N/A: 0 (0%) 	Seattle	<ul style="list-style-type: none"> · Rating of 3: 23 (77%) 6 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 2 (33%) · Rating of 2: 0 (0%) · Rating of 3: 1 (17%) 	<ul style="list-style-type: none"> · Rating of 4: 0 (0%) · Rating of 5: 3 (50%) · Rating of N/A: 0 (0%)
Little Rock	40 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 0 (0%) · Rating of 2: 0 (0%) · Rating of 3: 2 (5%) 	<ul style="list-style-type: none"> · Rating of 4: 5 (13%) · Rating of 5: 32 (80%) · Rating of N/A: 1 (3%) 	St. Louis	14 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 0 (0%) · Rating of 2: 0 (0%) · Rating of 3: 0 (0%) 	<ul style="list-style-type: none"> · Rating of 4: 2 (14%) · Rating of 5: 10 (71%) · Rating of N/A: 2 (14%)
Memphis	19 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 0 (0%) · Rating of 2: 0 (0%) · Rating of 3: 1 (5%) 	<ul style="list-style-type: none"> · Rating of 4: 3 (16%) · Rating of 5: 14 (74%) · Rating of N/A: 1 (5%) 	Vicksburg	2 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 0 (0%) · Rating of 2: 0 (0%) · Rating of 3: 0 (0%) 	<ul style="list-style-type: none"> · Rating of 4: 1 (50%) · Rating of 5: 1 (50%) · Rating of N/A: 0 (0%)
Mobile	50 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 3 (6%) · Rating of 2: 2 (4%) · Rating of 3: 5 (10%) 	<ul style="list-style-type: none"> · Rating of 4: 12 (24%) · Rating of 5: 24 (48%) · Rating of N/A: 4 (8%) 	Walla Walla	12 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 0 (0%) · Rating of 2: 0 (0%) · Rating of 3: 0 (0%) 	<ul style="list-style-type: none"> · Rating of 4: 3 (25%) · Rating of 5: 9 (75%) · Rating of N/A: 0 (0%)
New Orleans	168 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 4 (2%) · Rating of 2: 3 (2%) · Rating of 3: 11 (7%) 	<ul style="list-style-type: none"> · Rating of 4: 64 (38%) · Rating of 5: 77 (46%) · Rating of N/A: 9 (5%) 	Wilmington	489 survey responses reported. <ul style="list-style-type: none"> · Rating of 1: 4 (1%) · Rating of 2: 5 (1%) · Rating of 3: 17 (3%) 	<ul style="list-style-type: none"> · Rating of 4: 131 (27%) · Rating of 5: 326 (67%) · Rating of N/A: 6 (1%)

“Categories” of comments

- (1) general praise for the Corps’ regulatory program service;
- (2) praise for a particular Corps employee’s service;
- (3) comments, usually complaints, about the length of the permitting process;
- (4) general recommendations and criticisms (often focused on staff workload, or technological improvement suggestions); and
- (5) larger policy-based commentary on the permitting program.

(A few) sample text comments

- “Service was exemplary.”
- “Everyone that I met at the Corps has been very helpful.”
- “Excellent service”
- “You guys do a good job!”
- “Give [the particular Corps’ employee] a raise and more vacation.”
- “Staff seems knowledgeable and courteous just maybe overloaded ...”
- “It's slow, cumbersome and staffed by people who are not motivated to produce a finished product.”

History of the surveys

- Clinton/Gore “Reinvention” Initiative
- 1993 Executive Order
- Still a concept used by a number of other federal agencies
- Re-embraced by Corps with advent of Lean Six Sigma approach



***Rapanos* perpetuates dissatisfaction myth**

- In *Rapanos v. United States*, Justice Scalia wrote for the plurality that “[t]he burden of federal regulation on those who would deposit fill material in locations denominated ‘waters of the United States’ is not trivial. In deciding whether to grant or deny a permit, the U. S. Army Corps of Engineers (Corps) exercises the discretion of an enlightened despot...” His explanation continued by pointing to reported high costs and delays involved in obtaining permits under Section 404 of the Clean Water Act.

Potential conclusions

- (1) Corps grants most permits, so of course permittees are happy
- (2) Primary respondents are permittees, and not other “customers,” so can’t conclude much
- (3) Perhaps only happy permittees respond or only “good” Districts survey; and/or
- (4) Corps is doing a reasonable job in processing permits (assuming valid sample).

Next steps

- Working with survey research expert and political science to unpack the specific data (by respondent type, region, type of permit, etc.)
- Working to do more research on concept of “customer” – which on reflection, doesn’t really fit well as far as I can tell in a governmental setting

Truth is...

- ...most of those who go through the permitting process and respond seem to be pretty darn satisfied!
- More analysis needed!



To comment/find me later...

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