

STATE-SUPPORTED REGIONAL WATER PLANNING AND MANAGEMENT WORK GROUP

Meeting Summary

April 5, 2022 from 11:00am-3:00pm

Zoom Meeting

ACTION ITEMS:

ACTION	BY WHOM?	BY WHEN?
<ul style="list-style-type: none"> Follow-up with any individuals who shared serious concerns regarding the Operating Protocols. 	OC	Before the next meeting.
<ul style="list-style-type: none"> Develop Work Group scope framing refinement to assist the group with focus going forward. 	OC	Before the next meeting.

Meeting Attendees:

Work Group Members: Adam Denlinger, Ana Molina, Anton Chiono, April Snell, Bob Rees, Calla Hagle, Caylin Barter, Chandra Ferrrari, Chrysten Rivard, Courtney Warner Crowell, , Dan Thorndike, Donna Beverage, Heather Bartlett, Holly Mondo, Jason Fenton, Jennifer Wigal (alternate for DEQ), JR Cook, Kate Fitzpatrick, Kathleen George, Kelly Timchak, Kim Fritz-Ogren, Kimberley Priestley, Lili Prahl, Margaret Magruder, Niki Iverson, Oriana Magnera, Peggy Lynch, Rebecca McClain, Robert Brunoe, Tiffany Monroe, Tom Byler, Wally McCoulough.

Facilitation Team: Robin Harkless and Jennah Stillman, Oregon Consensus

MEETING SUMMARY:

Welcome and Introductions

Facilitator Robin Harkless, Oregon Consensus, welcomed the group and acknowledged a new member, Heather Bartlett, who had been appointed to represent the Cow Creek Umpqua Tribe since the last meeting. Robin shared appreciation for the workgroup members who had volunteered to serve on the Coordinating Committee and assist with the content categorization and agenda for this meeting. In continuing the shared learning process and information-gathering based on the group’s direction and questions of interest, she noted that topics for today were focused on various place-based or regional planning efforts throughout the state. The intention for the high-level presentations was to bring collective information forward for the group, to see how different efforts have emerged, evolved, and navigated the state system, and to help determine topic areas to focus this group’s effort.

Operating Protocols

As a reminder, Robin shared that the draft Operating Protocols document had been updated since the last meeting and was sent to the work group for review as an action item. She noted that the major changes included scaling back “Purpose” language and deferring to the known legislative charge, which directs the group to discuss state-supported region and/or basin level water planning. Work Group members had the opportunity to share any consensus responses for “5” serious

concerns that they ‘do not agree with and cannot live with as written,’ and to propose an alternate proposal before the meeting. Robin acknowledged that although no “5’s” were elevated during that time, a couple members had shared “4’s” via email regarding serious questions or concerns and that for one member, this was due to not having spent enough time in the process. Additionally, a couple members had raised issues regarding definitions for ‘regional,’ ‘place-based,’ ‘local’ and ‘grassroots,’ as well as ‘community.’ Robin noted that this was an important topic to revisit and work through in substantive conversation, and acknowledged a memo that had been sent from AOC/LOC with suggestions for definition.

Robin asked the group if the Operating Protocols were good enough for now, with the intention to revisit them later in the process deliberative space to assess any adjustments or changes that may be needed. She shared that if there were still any continued serious concerns to get to a place of procedural step forward, the OC facilitation team would follow-up with those individuals and work with them to determine how to address their concerns. Work Group members then provided their 1-5 responses in the chat. A ‘consensus’ was reached by Work Group members present, with four ‘serious questions and concerns’ regarding continuing uncertainty about the scope/purpose of the group that the OC team will follow-up on.

Robin acknowledged the challenge of starting without a specific task and encouraged members to continue bringing questions and ideas forward to make meaning of their time together.

Oregon Regional Planning Efforts

(View the [presentation slides](#) or [watch the recording](#) for more detailed information.)

Robin teed up the presentations by reminding the group that the framing questions came from Work Group members and that each effort would not be judged or compared to other planning efforts; but were intended to share their lessons learned and help identify a collective story about how ‘place-based’ or ‘regional’ planning efforts have emerged or evolved, how they look on the ground, and how they have navigated the state system; to inform this group’s work. She also acknowledged that the time was limited for presentations and that supplemental background information on each of the planning efforts was documented by OWRD’s Lili Prah, in consultation with the presenters. A link to that living / draft document can be found here: [Regional Planning Efforts FAQ](#).

Place-Based Planning Pilot Evaluation

Rebecca McLain, Principal Researcher, National Policy Consensus Center, shared an overview of the Place-Based Planning Pilot program and evaluation. The main challenges identified in the evaluation regarding the program’s Five Step Framework included, but were not limited to: vague guidelines and steps that weren’t available early on; high-level of distrust with state agencies; tension between local and state expectations; challenges in balancing multiple, diverse water interests in process; consensus-decision making; and capacity. Suggestions for process adjustment and improvement included, but were not limited to: adding a ‘step 0’ for relationship building; advanced data set preparation by the state; clear expectations for what should be in the plan; adding a step around plan

implementation guidance; addressing capacity (for both agency staff and planning groups). Rebecca also noted that improvements had already been made through the pilot learning that have addressed many of the challenges noted above. In conclusion: the program is important, complex and hard to do, and needs a longer time horizon of support.

NOTE: The Lower John Day PBP pilot was not presented today.

Mid-Coast Water Planning Partnership

Adam Denlinger, SDAO, Seal Rock Water District, shared key takeaways from the Mid-Coast PBP perspective which included, but were not limited to: breaking down silos was an important first step, as was developing an inclusive community forum; it took time to develop trust and build relationships; and offered field tours as a mechanism of stakeholder engagement. He noted that it would have helped the process to have better sideboards on expectations and overall mission clarity, given that too much capacity was spent in the weeds on some topics when it could have been focused and prioritized earlier on for more efficiency with capacity. Additionally, he shared that one significant success of the partnership included the development of the Mid-Coast Water Conservation Consortium.

Upper Grande Ronde River Watershed Partnership

Donna Beverage, Union County Commissioner, provided an overview of the key elements involved in the planning effort which included, but were not limited to: staying within budget, largely due to the significant contribution of volunteer time; continuity with one consultant that was the right fit for their process; creating space for individuals and side meetings to work through issues separately and then bring resolutions forward to the main group; and developing an educational outreach video. She spoke about the basin-level planning scale and the sub-basin organizational approach to elevate different realities and needs within the basin. In determining who would be part of the decision-making process, she noted that individuals were required to live or work within the watershed basin in order to vote.

Harney Community-Based Planning Collaborative

Holly Mondo, Project Manager, Harney Community-Based Planning Collaborative, shared key elements of that effort which included, but were not limited to: building trust and relationships with the community in the beginning and acknowledging the differing levels of comfort with coming to the table; the group's structure, which included an internal team of paid project staff, a coordinating committee subset, and a larger collaborative which included working groups that focused on specific topics and targeted steps; and using a 1-5 consensus agreement process tool. She acknowledged that it wasn't clear what state-supported has meant or will mean for this process, but noted that there was a generally good relationship and partnership with the state, despite a lack of trust. Other challenges included, but were not limited to: a lack of clarity for how the state will fund or implement the plan; subsequent impact on community perceptions for how this work will be prioritized moving forward; transitions with project managers and general capacity; rigidity with the linear planning structure;

lack of efficiency in the sequencing of steps and in addressing unforeseen gaps for needs that arose along the way (data, capacity, technical assistance requests, etc). Holly shared a suggestion that in order to demonstrate the value of the plans, OWRD could consider providing a staff person for each region to be responsible for implementing them. She also noted that if the plan is approved by the state, there is hope that it would be elevated to receive funding in order to implement.

Columbia River-Umatilla Solutions Team

JR Cook, NE Oregon Water Association, and Kimberley Priestley, WaterWatch, shared an overview of the CRUST process. They noted that it was initiated to stave off continued legislative battles over Columbia River water and fix long-standing over-appropriation issues of native groundwater aquifers and as such, had a high level of state commitment and support which included, but was not limited to: the Governor's Office direction and co-convening leadership; state agency directors at the table for every meeting; sideboards provided by the Governor's office. Other key elements included, but were not limited to: having the necessary data to inform decisions; targeted geographic range, the development of screening principles which helped focus ideas brought to the table and improve overall efficiency; having a 'consensus bucket' and 'not consensus bucket' to allow for flexibility and progress in conversations; and providing some protections to participate in the process. Challenges include, but are not limited to: lack of memorialization for future steps which broke continuity of understanding through political transitions and required re-education; lack of agency commitment to implement recommendations of CRUST, the need for implementation benchmarks; and lack of clarity with the state's role as a partner or a leader.

Deschutes Basin Water Collaborative

Kate Fitzpatrick, Deschutes River Conservancy, and Bobby Brunoe, Confederated Tribes of the Warm Springs, shared that the DBWC does not have a comprehensive plan, but have made progress through an iterative process of planning and implementation. The key elements that they identified included, but were not limited to: integrating tribal perspectives and policy in consensus building; continuity, resources and capacity provided by a designated entity (DRC) to sustain efforts; establishing a data baseline that involved existing state and federal, along with active gathering from local sources; hosting engagement forums for the broader community to educate and share information about water. They noted that the state's engagement evolved over time from a reactive administrative role to active support of and contribution to the basin study process. They noted, however, that long-time OWRD representation on the DRC board has been valuable and has provided continuity at the local level. They felt that the state was not best equipped to respond to basin policy challenges and questions, and would like to see them moving forward as important partners to engage with in problem solving around policy issues. They indicated that an important element of state support was investing in community capacity and facilitation for sustaining efforts.

Water for Irrigation, Streams and the Economy

Craig Harper, Watershed Administrator for Medford Water Commission, spoke about the WISE effort in southern Oregon, which he noted had received strong support from the state and was still

continuing implementation through evolving efforts in connection with the Rogue Basin Partnership and watershed councils. Key elements included committing to and maintaining an efficient schedule and providing funding for a full-time coordinator. Implementing pilots early on helped demonstrate the effectiveness of the collaboration and brought more funding in. Some of the challenges included, but were not limited to: a lack of tribal participation early in the process, and declining public and stakeholder engagement overtime, which he noted was due to a long project timeline, limited capacity and reluctance to move forward.

Tualatin River Basin Regional Water Supply Partnerships & Flow Management Committee

Niki Iverson, Water Director City of Hillsboro & Chair of LOC Water/Wastewater Policy Committee, shared an overview of the Tualatin River Flow Management Committee. Key elements of this effort included, but were not limited to: local data management; multi-agency and partner collaborative funding structure to support shared staff capacity, monitoring and maintenance; coordination on partnership projects that include shared data and issue identification; ongoing stakeholder engagement and education; robust communication of annual reports and daily listserv with accessible data information for the public; success with voluntary conservation measures; requirement that all users measure and monitor water use in the basin; ongoing alternatives analysis to verify viability or inform adaptive management.

Work Group Discussion and Brainstorming

The group used a virtual brainstorming ‘sticky note’ exercise to share their reflections on themes from the presentations: critical concerns the group should be looking at; principles that they thought might be important for the system/structure; or key topics for the Work Group to explore or address. A summary of the following topics and questions suggested by individuals and in follow-up discussion with the presenters, included, but was not limited to:

Baseline data, needs, and assets

- Understand who the water users are.
- What places do not currently have a water plan?
- Identify what foundational data is needed upfront.
- Agency role in collecting, analyzing and providing timely data and technical assistance (coordinating around this timing and availability).
- Desire for more information about the current data gaps (pure data, studies, scale of information, etc), for statewide-use and/or certain areas, and planning needs.
- State funding is needed to address data gaps (e.g. water supply, use and demand; incorporate TMDLs).
- Consider water quality along with quantity, and projected future to meet the needs of the community and ecology. Address both instream and out of stream needs (bedrock of PBP and from IWRS).
- Funding for facilitation.
- Is there a way to prioritize the level of need for planning and discussion?

- Consider the role of septic or exempt wells, recognizing that smaller/financially limited towns need updated sewer and drinking water systems.
- What are the problems/future problems, and how to talk about those?

Informed and engaged community(ies)

- How do you determine who gets a seat at the table in the process?
- What are ways to determine decision-making authority?
- For planning geographies, consider that stakeholders from outside a given basin may have interests and standing planning (e.g. recreation, fish, wildlife, treaty rights, etc) for the public resource.
- Address the needs and rights of historically marginalized people.
- Need to understand tribal engagement and at what level it is best integrated.
- Suggested presentation from the Water Futures Project to educate and help inform a shared understanding of marginalized communities and their experiences.
- How were County Commissioners engaged in PBP or other planning processes?
- How were local water right holders engaged and how were conflicts addressed? Planning for the future engages around the fact that the resource is largely already allocated to water right holders.
- What are different regions' willingness to participate in different processes?
- Timing matters. Need to build trust and understanding early and ongoing with stakeholder involvement, especially those facing big impacts and big barriers to engagement. Can't take too long and risk losing interest or momentum.
- What are ways to create engagement opportunities for broader feedback from those who aren't at the main table, or who have not been included? What was the motivation for those initially not interested, to come to the table to create a better solution? How to seek out those perspectives?
- It's not just about engaging more stakeholders, but engaging the right balance of stakeholders to achieve community and state outcomes.
- How to move beyond efforts to "pass the responsibility" and try to shift the need for change to other parties?

Flexibility to adapt and respond to unique conditions and characteristics of a place

- Acknowledge the resource disparity between different areas.
- Suggested presentations from planning groups who haven't gone through the maturation process as other regional efforts.
- How can the state accommodate and support existing, established planning efforts and areas that do not yet have one, in the same system?
- How does the planning process work in counties where water rights haven't been adjudicated (e.g. Douglas County)?
- Most of the groups that presented defined their own 'place/region.' Didn't that work?

- Importance of planning scale - each basin is unique. Broad regional approaches may be too large and political boundaries may not match up.
- The state's species protection and water quality regulations are not adequately protecting salmonid species which are facing extinction in some basins.
- How do we embed climate change projections in our planning (2050 horizon)?

Upholding the public value of water

- Acknowledge need for leadership from the state.
- Water is a public resource that belongs to all Oregonians, not simply to those living in a certain community. Any planning needs to recognize this and include voices that represent broader interests in water.
- If not PBP, what is the state's alternate plan or backstop?
- Oregon has many laws and tools in place that could lead to more robust water management, but are not fully utilized. How to fund the state so they can use those tools, or build political support for them?
- Consider the impact of both state and case law (Jackson County groundwater regulation, overturned).
- How does the desire for flexibility in the law and need for regulation play out in planning to meet needs and get the same outcome?
- Suggested presentations from additional state agencies involved with water planning.
- How to dovetail regional work with state water management?
- Continuity across politics and participants, as well as accountability from the state, are key but difficult to maintain.
- The state should provide funding for planning and adequate agency engagement and coordination (all relevant agencies).

Implementability

- Need for implementation guidance.
- What is limiting implementation of the plans (current water law, resources, data, infrastructure, etc)?
- Identify needs of state-support (legislative or otherwise) that create present and future accountability around resourcing and implementing plans (e.g. funding, recognition, prioritization for projects, etc).
- How do we evaluate the effectiveness of plans over time?
- How are plan projects prioritized?
- Acknowledging the differences between areas and their local resources (e.g. Tualatin vs Upper Grand Ronde), how does the state support different areas of need?
- How do we ensure that the timing/priority of projects produces instream and out of stream benefits at similar pace/scale?

- Long term investments of time, money and labor are needed to make progress with plan implementation and infrastructure.
- If the state will help fund implementation, then what is the collective role (of those in the place/plan) to support the work?
- For PBP presenters - What would you change in the legislation for the next round of PBP, and what do you need going forward?
- Don't create new process if we can't ensure that existing processes maintain momentum and course correct when needed.

OWRD Updates

Tom Byler, OWRD, shared a brief update regarding the PBP authority which is scheduled to sunset in July 2023. The agency wants to have the option, while it evaluates the evaluation and determines whether or not to move forward with PBP or some variation. To comply with state timelines, OWRD will submit a placeholder legislative concept by April 15th but it won't have any definition around it and could be potentially informed by elements of this work group's conversations. He encouraged the group to read the full PBP Evaluation report and other resources of interest on OWRD's webpage [here](#).

Next Steps

Some group members raised concerns about the lack of clarity on scope and purpose, and therefore focus of the group. One member raised a concern about the balance of interests at the table, and voiced the differences in people's experience working in regional planning or water policy.

Robin reminded the group that it would be up to the collective to determine their work going forward, and that the hope was the insights learned through the presentations would in part inform their focus. She acknowledged some of the Work Group members' concerns and need for articulating a clearer focus and scope, and a desire to start getting into the substance of conversations with each other. She committed that OC will offer a suggestion and work with the Coordinating Committee and the full group to confirm direction. She reminded everyone that the Coordinating Committee is not a decision-making group, nor tasked to drive the process, but will help work with OC to set-up agendas and content to ensure productivity and alignment with the needs of the whole group. Mary Anne Cooper volunteered to participate on the Coordinating Committee.

The next Work Group meeting is scheduled for May 3rd from 11am-3pm on Zoom. Robin added that based on the input received, there was a general shared interest to meet in-person and the team will work to coordinate an in-person event in June. The meeting then adjourned.