

STRAW DRAFT (FOR REFERENCE)

Document Description

On behalf of the HB 5006 workgroup, the Oregon Water Resources Department (OWRD) used the shared learning, discussions, and research of the HB 5006 workgroup (including the PBP pilot evaluation) to draft the following straw framework and potential recommendations for state-supported regional water planning and management.

This straw draft is offered as a reflection of the workgroup's efforts to date and as a starting place for workgroup members to refine and add additional proposed ideas. Initial responses ~~to the draft should be submitted via the accompanying worksheet and~~ will be shared with the workgroup and used to guide deliberations at the September 6th workgroup meeting and beyond.

DRAFT Version: 8/24/2022

Why State-Supported Regional Water Planning and Management is Important

Placeholder for articulating the purpose of state-supported regional water planning and management. This could include current conditions of water resources and associated drivers, the value of collaborative partnerships between the state and community groups, regional uniqueness, and lasting solutions.

Framework

The drafting team has developed the following framework based on the shared learning, discussions, and research of the workgroup, the Place Based Integrated Water Resources Planning (PBP) pilot program and independent evaluation (McLain et al, 2022), the state's Integrated Water Resources Strategy (2017), and the Governor's 100 Year Water Vision (2020). The first iteration of this framework was discussed at the August 2nd workgroup meeting, which has led to the revised version of the (I) Guiding Principles and the (II) Pathway outlined below. Based on workgroup feedback, (III) Terms and Definitions has been added to help further define the framework.

I. Guiding Principles

The following guiding principles reflect those identified in the PBP pilot and discussions at the August 2nd workgroup meeting. Where the principles deviate from those in the PBP pilot, a note in the comments section has been made to explain the source.

- A. Locally initiated and led collaborative process
- B. Voluntary, non-regulatory approach
- C. Includes a balanced representation of water interests
- D. Conducted in partnership with the state
- E. **Integrated,** addressing instream and out-of-stream needs, including water quantity, quality and ecosystem needs
- F. Utilizes an open and transparent process that fosters public participation

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Commented [PLK*W1]: Added the word "integrated" to reflect workgroup discussions and because it was an assumption of the system in the document discussed at the August 2 workgroup meeting.

STRAW DRAFT (FOR REFERENCE)

- G. Facilitates implementation of local solutions
- H. Builds on and integrates existing studies and plans
- I. Does not jeopardize existing water rights
- J. Recognizes the public interest in water
- K. Consistent with the principles in the Integrated Water Resources Strategy and 100 Year Water Vision, and with state laws and policy.
- L. Developed and implemented at a watershed(s) or basin scale
- M. Involves strong public and community engagement
- N. Informed by the best available data and science
- O. Considers potential natural hazards and future changes in climate and population

Commented [PLK*W2]: This was included in the principles because HB 5006 directed the workgroup to "...consider regional water management opportunities that build on the 100 Year Water Vision..."

Commented [PLK*W3]: These were added based on workgroup discussion. They are also part of Essential Elements list that was developed from the IWRS, 100 Year Water Vision, SB 266, Place Based Planning Participatory Evaluation, and OWRD Draft Planning Guidelines.

II. Pathway

The drafting team has revised the conceptual model of a regional integrated water resources planning and implementation pathway below (Figure 1) based on workgroup feedback. The pathway is offered as a map of where entry points and benchmarks would occur within the system and is referenced throughout the recommendations. It also acknowledges that there are other types of planning that might be more appropriate depending on local conditions, which has been discussed by the workgroup (June 7 meeting) and is a Key Lesson Learned in the PBP Evaluation (#2, p.11).

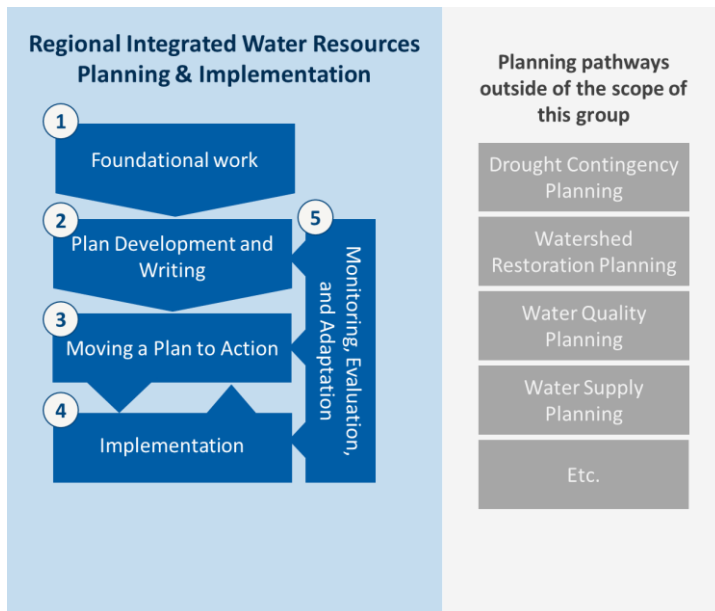


Figure 1: Conceptual Model for Water Planning. The blue box outlines the pathway and steps this workgroup chose to focus on, while recognizing that other pathways also exist, some of which are represented in the gray box.

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STRAW DRAFT (FOR REFERENCE)

III. Terms & Definitions

The definitions below are offered as a starting point for the workgroup and are based on previous work in water planning. Sources for each of the definitions are indicated.

Balanced Representation of Water Interests: *Source: [PBP 2015 DRAFT Guidelines](#)*

“The group will need to decide its own structure for involving diverse interests and should describe this approach within its plan. Most importantly, the structure needs to ensure that the planning body represents a balance of interests from different sectors. Diverse representation is a key tenet of integrated water resources management. Each basin will be unique in terms of the actual distribution of interests and stakeholders. Having diverse interests engaged and invested from the beginning will help ensure a process that meets both instream and out-of-stream water needs. Remember that these needs encompass water quantity, water quality, and ecosystem needs, considering both surface water and groundwater resources. In determining the composition of a planning group, it is important to ensure that all persons potentially affected by a place-based plan have a voice in the decision-making process. This includes environmental justice communities, particularly members of minority or low-income communities, tribal communities, and those traditionally under-represented in public processes. Generally, interests in any given place may include:

- Local governments (cities and counties)
- Tribal governments
- Municipal water and wastewater utilities
- Major industries or employers
- Agriculture
- Forestry
- Self-supplied water users
- Conservation/environmental groups
- Power companies
- Small business
- Private landowners
- Special districts (e.g., irrigation, public utilities, flood control, parks/recreation, drainage, ports, etc.).
- State and federal agencies (natural resources, land management, business development)”

Community: *Source: [Draft Community Engagement Guide from Task Group](#)*

Local community members; entities from outside a region that have an interest or obligation relative to water in the region; people impacted by water planning in the region; and governments (federal, state, local, tribal).

Community Led: *Source: [Draft Community Engagement Guide from Task Group](#)*

Stakeholders who represent both local and dispersed statewide communities impacted by a process are engaged at the onset, asked to define values and outcomes for a process, and empowered to take ownerships to shape the process and its ultimate outcomes.

Convener: *Source: [This is the definition used in the 2015 Request for Letters of Interest in the PBP pilot. The role of a convener was further defined through the attached **Appendix A**.](#)*

“An individual, a group of individuals, an organization or a team of organizations that bring(s) together a diverse group of people to undertake place-based planning.”

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STRAW DRAFT (FOR REFERENCE)

Facilitator: Source: [Oregon Consensus Website](#)

“A facilitator works with a group to explore facts and viewpoints about an issue. Facilitators do not take sides or make any decisions for the group. They help participants work together effectively and guide meetings to ensure balanced involvement by all participants. They support efforts to gather background information about the issues. They also help track decisions and create effective final reports or plans.”

Implementation: Source: *summary from August 2 workgroup chat*

The deployment of actions and strategies identified in the planning process.

Place-Based: Source: [PBP Website](#)

“Orients knowledge, decisions, and actions around the specific context of a place in a way that recognizes and strengthens the connection between people and place and empowers people to work together to achieve a shared vision of that place.”

Planning: Source: *Adapted from the PBP Website*

“A process used to align people, information, ideas, and resources, in order to 1) identify and understand an issue, need, or opportunity that requires action, 2) envision desired future outcomes, and 3) develop and evaluate strategies and actions to achieve the desired outcomes.”

Partnership with the State/State Support: Source: *Adapted from the PBP Pilot*

The state works in partnership with groups engaging in regional integrated water resources planning and implementation, providing support and guidance throughout the process. Below are brief examples of roles the state may play in the system. Further definition can be found in the program recommendation section of this report.

- *Legislature:* The state legislature passes bills and appropriates funding to support regional integrated water resources planning and implementation.
- *Oregon Water Resources Department:* OWRD can play a variety of roles, including, planning partner, provider of planning, technical, and financial assistance, and statewide program coordinator.
- *Oregon Water Resources Commission:* The WRC formally recognizes completed plans that meet required benchmarks.
- *Interagency Team:* Staff from core state agencies provide technical and program assistance throughout the process and serve as a review committee for deliverables produced by regional groups. In addition to OWRD, the core state agencies include Oregon Department of Environmental Quality, Oregon Department of Fish and Wildlife, Oregon Watershed Enhancement Board, and Oregon Department of Agriculture.

Watershed or Basin Scale/Regional: Source: [PBP 2015 DRAFT Guidelines](#)

“Planning groups have the flexibility of establishing their own geographic planning scale, so long as it meets certain criteria. The Water Resources Department’s existing administrative drainage basins are a good starting point for identifying the planning scale. These administrative boundaries are

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STRAW DRAFT (FOR REFERENCE)

further divided into smaller geographic areas within the Department’s basin programs (refer to OAR Chapter 690, Divisions 500-520). Planning groups can chose to focus on smaller geographic areas, such as a sub-basin, or a group of sub-basins, within these boundaries. For example, planning groups could focus on the upper, middle, or lower section of a basin. To the extent possible, planning groups should utilize watershed-based boundaries, accounting for both groundwater and surface water, and situations where the source of water for certain uses (e.g., drinking water or irrigation) originates in an adjacent basin or sub-basin.”

Recommendations

The drafting team has used the collective learning and discussions of the HB 5006 workgroup and lessons learned from the place-based planning pilot program and other regional planning groups to offer the following draft recommendations, grouped by theme. Where possible, specific meetings or sources are referenced in the comments. Also included is a preliminary brainstormed list of recommendations around community engagement from the Public & Community Engagement Task Group.

I. Data and Technical Assistance

Recommendation A: PLACEHOLDER RECOMMENDATION around current state efforts and commitments for collecting, processing, interpreting, and distributing water data for effective water planning in Oregon. The workgroup has discussed the need for an inventory of available water data and data gaps and prioritizing water data needs.

Commented [PLK*W4]: The workgroup will be learning more about current data efforts at the September 6 meeting, including the Water Data Portal and water budgets (HB 2018).

Recommendation B: The state should support capacity for an interagency team that provides technical assistance to meet planning group needs. This interagency team would help to inventory and analyze data during the foundational and planning steps and help with any plan updates.

Commented [PLK*W5]: •Meetings: March 8, April 5, May 3, June 7
•PBP Evaluation Key Lessons Learned

Support for an interagency team could include a) support from mid and upper-level leadership in the core state agencies, b) greater vertical integration within agencies, and/or c) alignment of work plan priorities across the agencies.

Occurs in Steps 1, 2 & 5

Commented [PLK*W6]: •PBP Evaluation Fact Sheet “Place-Based Integrated Water Resources Planning: Pilot Program and Recommendations” ([Downey et al, 2022](#))

Recommendation C: State agencies should provide support and technical training to planning groups that is tailored to fill gaps in local capacity or knowledge/skillsets.

Occurs in Steps 2 & 5

Commented [PLK*W7]: •Meetings: June 7
•PBP Evaluation Key Lessons Learned

Recommendation X: Placeholder for additional recommendations proposed by the workgroup

II. Community Engagement

Below is a brainstormed list of recommendations from the Public & Community Engagement Task Group.

Recommendation A: Create a fund for this work. Provide resources for outreach, communication, education, engagement and capacity building throughout the process. ADD: State agency coordination and integration (refer to IWRS language)

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STRAW DRAFT (FOR REFERENCE)

Recommendation B: Establish a clear set of standards for engagement tied to accessing state funding for regional planning. Include a reporting/accountability mechanism. At minimum, a website and/or listserv should be part of a state-supported effort, as well as providing regular reports to identified groups and forums.

Recommendation C: Offer a best practices guide to regional planning groups to assist them in developing the engagement around their effort.

Recommendation D: Provide staff support to regional groups for trust building and closing gaps on information, monitoring, legal guidance.

Recommendation E: Provide engagement and communication-focused training (or guidelines) for state agency staff who will be charged with interaction with any regional planning group that is formed or active.

Recommendation F: Develop an educational focused document or handout, sectionalized by agency or issue so regional planning groups can provide a tailored document for their issues to be addressed in the planning area. Additional modules could be provided as new issues arise during the process.

Recommendation G: Communicate clearly the boundaries and scope of community input for a planning exercise to remain within the state's authority and public benefit responsibilities.

Recommendation H: Acknowledge different tribes' capacities and provide support for meaningful engagement with regional water planning efforts.

III. Pathway and Process

Recommendation A: The state should provide staff support, funding, and training for communities looking to initiate the planning process. This could include things like community building, helping identify leadership, creating a planning website, developing a planning readiness guide, pre-application conferences, training webinars, and other activities that build community capacity and awareness around planning readiness.

Occurs before Step 1

Recommendation B: The state should provide resources to build foundational trust among interested parties, planning groups, and state agencies prior to plan development and writing.

Occurs in Step 1

Recommendation C: The state should provide support and training options to local groups to help them prepare for and execute planning. At a minimum, this includes help with facilitation, governance agreements, community engagement, consensus decision making, project management, water science, ecology and biology, climate science, water law, and technical plan writing.

Occurs in Step 1 & 2

Recommendation D: The state should build on the guidance developed for the Place Based Planning Pilot, incorporating feedback and lessons learned to update guidelines and benchmarks for state recognition in Step 2: Plan Development. They should make this guidance available to the planning groups at the beginning of their planning processes.

Occurs in Step 2

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Commented [PLK*W8]: •Meetings: June 7, August 2

Commented [PLK*W9]: •Meetings: April 5, May 3, June 7
•PBP Evaluation Key Lesson Learned

Commented [PLK*W10]: •Meetings: May 3, June 7, August 2
•PBP Evaluation Key Lessons Learned

Commented [PLK*W11]: •Meetings: May 3, June 7, August 2
•Workgroup Consensus Email Survey (August 17)

STRAW DRAFT (FOR REFERENCE)

Recommendation E: The state should provide resources to planning groups to fund professional independent third-party facilitation.

Occurs in Steps 1, 2, 3, & 5

Commented [PLK*W12]: •Meetings: April 5, May 3, June 7, August 2
•PBP Evaluation: Key Lessons Learned

Recommendation F: The state should support capacity for an interagency team that provides planning assistance throughout the process. At a minimum, this would include coordination and consultation with local groups along the way (e.g., offering training, participating in meetings, permit coordination, grant identification) and technical support, as described in Recommendation B of the Data and Technical Assistance above.

Support for an interagency team could include a) support from mid and upper-level leadership in the core state agencies, b) greater vertical integration within agencies, and/or c) alignment of work plan priorities across the agencies.

Occurs in Steps 1, 2, 3, 4, & 5

Commented [PLK*W13]: •Meetings: March 8, April 5, May 3, June 7
•PBP Evaluation Key Lessons Learned

Recommendation G: The state should provide resources to fund continued engagement of local groups and state partners to move a plan into implementation. The outcomes of this continued engagement could include:

- Refinement and feasibility assessments of plan actions and strategies
- Working to address any policy needs with the state
- Preparation of projects to take advantage of implementation funding opportunities
- Ensuring that the pursuit of strategies and actions continue to represent a balanced representation of water interests

Occurs in Step 3

Commented [PLK*W14]: •PBP Evaluation Fact Sheet "Place-Based Integrated Water Resources Planning: Pilot Program and Recommendations" ([Downey et al. 2022](#))

Commented [PLK*W15]: •Meetings: April 5, May 3, August 2

Recommendation H: The state should provide resources to fund implementation of strategies and projects that were developed as part of a state-recognized integrated water resources plan and are being deployed on behalf of a collaborative planning and implementation group.

Occurs in Step 4

Commented [PLK*W16]: •Meetings: April 5

Recommendation I: The state should provide resources to local planning groups to update plans every 10 years to reflect changes in local conditions or data availability.

Step 5

Recommendation J: The state should develop a grant program for regional integrated water resources planning and implementation that includes clear entry points and benchmarks for each step in the process. Specifically:

- The state should provide opportunities for local groups who have achieved the required benchmarks through alternative funding or pathways to compete for grant funds in the later steps of the process.
- The state should provide clear benchmarks that, if met, automatically qualify a local group for funding in the next step of the process.

Occurs in Steps 1, 2, 3, 4, & 5

Commented [PLK*W17]: •Meetings: April 5, June 7

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Recommendation K: The state should use state recognized plans to help inform updates to the Integrated Water Resources Strategy.

Recommendation X: *Placeholder for additional recommendations proposed by the workgroup*

IV. Sustaining and Funding State Supported Regional Water Planning and Implementation

Recommendation A: The state should create a fund for regional integrated water resources planning and implementation that provides consistent and sufficient funding to local groups throughout the planning and implementation process.

Recommendation B: Given the nature and scale of investment required by regional integrated water resources planning and implementation, the legislature should create a workgroup to explore alternative revenue sources that would allow the state to make this significant, high priority investment.

Recommendation X: *Placeholder for additional recommendations proposed by the workgroup*

Commented [PLK*W18]: •Meetings: April 5, May 3, June 7
•PBP Evaluation Fact Sheet “Place-Based Integrated Water Resources Planning: Pilot Program and Recommendations” ([Downey et al, 2022](#))

Commented [PLK*W19]: •Meetings: June 7

Appendix A. Identifying a Convener

The following information contains excerpts from the Policy Consensus Initiative's document entitled, "The Role of a Convener." For the full version or to find more information or resources visit: http://www.policyconsensus.org/publicsolutions/ps_6.html.

1. What does it mean to be a convener?

A convener may be an individual, a group of individuals, an organization or a team of organizations that brings together a diverse group of people to collectively examine issues, pool resources and develop effective solutions to problems or challenges. Conveners get people involved in finding effective solutions together; they do not seek to impose their own solutions. Experience over the past 25 years has demonstrated that conveners are often essential to achieving successful outcomes in collaborative processes, especially when the solutions reached require action by many actors across different sectors and scales.

In this context, an appropriate convener:

- Has a demonstrable interest in long-term water planning and management;
- Has an understanding of local water systems, interests and issues;
- Serves a broad public interest;
- Is perceived as non-partisan;
- Has demonstrated an ability to engage with a balanced representation of water interests;
- Demonstrates dedication to the collaborative process, not just the outcomes;
- Has an interest in and the capacity to guide local stakeholders through a multi-year planning process;
- Is committed to conducting place-based planning in a transparent manner that is open to the public;
- Understands and can help to address power imbalances within a planning group.

Experience has shown that public officials and other respected civic leaders can be very effective as conveners or co-conveners of collaborative processes, so long as they act in impartial ways. Widely respected community based organizations can also be effective conveners because of their position in the community and their internal capacity to manage the logistics of collaborative planning.

If the convener is requesting funding, they should be able to receive and distribute grant funding for the place-based planning group or should identify a partner organization that can co-convene.

2. How is a convener selected?

The process for selecting a convener needs to be transparent, so that the parties and the public understand who made the selection and how the selection was made. In an instance where a convener is self-selected, the convener needs to be clear about why they are stepping forward as a convener.

The most important criteria for selecting a convener is that the person(s) or group(s)/organization(s) be highly respected—an individual or entity with a reputation for serving the public interest, with no particular ax to grind or perspective to push on the issue at hand. Sometimes people will come to the table primarily because of the convener’s status—because the stature of the convener makes them feel they are doing something important and worthwhile.

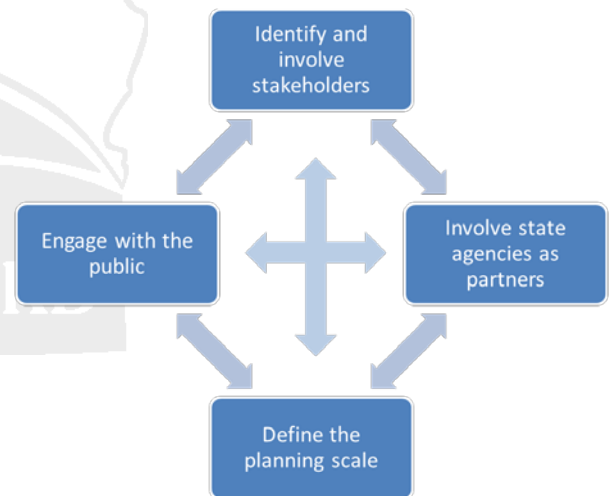
The role of the convener will be discussed and potentially revised during Planning Step #1 to ensure that all stakeholders understand and support the role of the convener moving forward.

3. What does it mean to be a co-convener?

In some areas it may be appropriate for different individuals or organizations to co-convene the planning process, which means they share the responsibility of initiating and guiding the planning process. A co-convener can supplement the skills or resources of an existing convener and may help to increase the credibility of a planning process. A co-convener may also be a part of a different network of partners who are integral to the planning effort. A local partner may invite the Department to be a co-convener and should indicate this in the letter of interest.

4. What is the role of a convener

The most important roles of the convener are to: generate support for place-based planning; work with partners to initiate place-based planning with the Department; conduct a stakeholder analysis to convene the original planning group; guide the group through Planning Step #1; and serve as a guardian of the overall planning process. During Planning Step #1 the planning group will discuss and potentially re-define the role of the convener. Throughout the planning process the role of the convener may change depending on the needs of the planning group.



Planning Step #1 Overview

The convener may also play some of the following roles:

- Facilitate group conversations;
- Assess stakeholder involvement and suggest changes in membership;
- Assess the planning and decision-making processes and suggest changes to the governance agreement;
- Guide and oversee the planning process;
- Provide varying levels of day to day support;
- Develop documents;
- Mediate conflicts between planning group members with a trained mediator;
- Be the main point of contact with state, regional and federal partners;
- Ensure transparency and public involvement in the planning process;
- Solicit public feedback on the planning process;
- Coordinate and oversee funding agreements on behalf of the planning group.

5. What are the best practices for a convener?

To be effective, conveners should abide by the following key guidelines:

- **Be inclusive.** Conveners should be sure that a wide variety of people from different perspectives are involved. They should welcome participants from all interests—not just those with obvious interests, but also those with the economic, political, or technical resources that will help make for successful outcomes.
- **Establish a neutral meeting place.** When the issue is complex and divisive, the convener must establish an impartial process and a safe space for people to open up about their beliefs and opinions. It is often helpful to get assistance from an experienced facilitator to plan and conduct the process.
- **Be impartial to the solution.** Participants must believe that the convener is not predisposed to one side or another and is trying to find a solution that all sides can embrace. The convener may need to work in a bipartisan fashion with a co-convener from the other side of the aisle, to ensure the perception of impartiality.
- **Direct, rather than dominate, the discussions.** The convener must enable people to talk with each other, rather than talking only to the convener. It is often useful for someone else to facilitate the discussions so the convener can listen and ask questions.
- **Frame the meeting and the issue.** The convener must establish a purpose for each meeting and help to ensure that the issue is framed in a way that enables all people to work together productively. Defining and naming the issue jointly can ensure that everyone is willing to contribute to the solution.
- **Keep people moving and working together.** The convener should provide feedback to the group on their progress. Where institutional impediments or red tape crop up, the convener should consider using his or her own capabilities to overcome them.
- **Demonstrate ongoing visible commitment.** The convener can help keep participants at the table by demonstrating that they care about the progress the group is making. Even if the convener cannot be present at every meeting, he or she should send signals demonstrating on-going interest.
- **Make sure there is an outcome.** The convener can help a group get to closure by establishing timetables for the process and reminding people of those timetables. The best outcome involves written agreements that spell out an action and implementation plan, including specifying different people's responsibilities.