

STRAW DRAFT v2 (CLEAN)

Document Description

There were 14 written responses from workgroup members on the 8/24/22 Draft Version 1 of the straw framework and potential recommendations. Using this feedback, and the discussions at the September 6 Workgroup Meeting, OWRD offers the following revisions. ~~Please see the accompanying “Version 1 Feedback” document to see specific comments, consensus checks, and responses/actions from the drafting team. Please provide any comments on Draft Version 2 (9/20/2022) via the accompanying v2 worksheet.~~

The framework and recommendations contained in this document were written with the intent to shape outcomes of a place-based planning program and are not focused on crafting legislative language. The results may inform legislation, rulemaking, and future program guidance.

DRAFT Version 2: 9/20/2022

The Next Generation of Place Based Integrated Water Resources Planning

Placeholder for articulating why moving the next generation of place based integrated water resources planning forward is important. 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

I. Baseline Sideboards

The HB 5006 workgroup focused its effort on developing recommendations for the next generation of place-based integrated water resources planning (referred to throughout this document as “place-based planning”). The workgroup provides their recommendations with a common understanding that their recommendations, at a minimum, are framed by the sideboards described for the place-based planning pilot, which is set to sunset July 1, 2023. In particular, these sideboards include Section 2(4) of Chapter 780 Oregon Laws 2015:

Place-based integrated water resources strategies...must:

- (a) Be developed in collaboration with a balanced representation of interests;
- (b) Balance current and future in-stream and out-of-stream needs;
- (c) Include the development of actions that are consistent with the existing state laws concerning the water resources of this state and state water resources policy;
- (d) Facilitate implementation of local solutions;
- (e) Be developed utilizing an open and transparent process that fosters public participation; and
- (f) Be developed in consultation with the department.

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II. Pathway

The HB 5006 workgroup grounded its recommendations for place-based planning and implementation in the pathway outlined below. Where appropriate, workgroup recommendations reference steps in the pathway to provide a clearer understanding of where each recommendation fits into the broader system. The Workgroup considers all steps to be part of “Planning”.

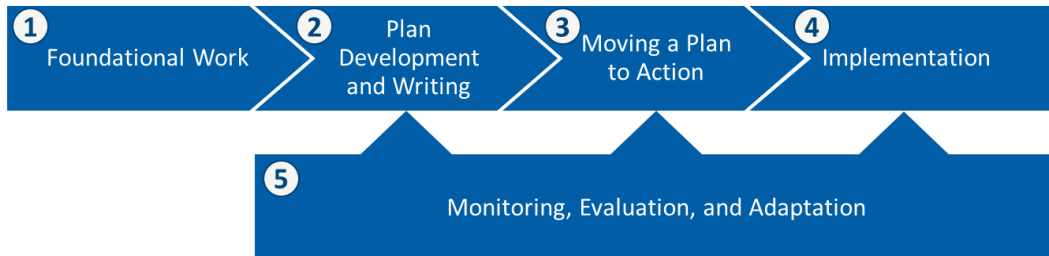


Figure 1: Conceptual Model for Place Based Integrated Water Resources Planning and Implementation.

III. Terms & Definitions

These definitions provide a common understanding of terms as they are used in this report and are not intended to be translated directly into legislative language.

Balanced Representation of Water Interests:

Each basin is unique in terms of the actual distribution of interests and stakeholders. A balanced representation of water interests includes diverse interests representing both instream and out-of-stream water needs and ensuring that all persons potentially affected by a place-based plan are invited to 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. Some groups may represent multiple stakeholder categories (e.g., a city or district may also represent the local water utility). Generally, interests in any given place may include:

- Local governments (cities, counties, and special districts)
- Tribal governments
- Municipal water and wastewater utilities
- Major industries or employers
- Agriculture (small and large operations)
- Forestry (small and large operations)
- 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)
- Water-dependent recreation
- Anglers/hunters
- Tourism
- Rural domestic well users
- Watershed Councils
- Soil and Water Conservation Districts

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Convener:

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.

Neutral Facilitator:

A facilitator is a person who helps a group of people to work together better, understand their common objectives, and plan how to achieve these objectives, during meetings or discussions. In doing so, the facilitator remains "neutral", meaning they do not take a particular position in the discussion. Some facilitator tools will try to assist the group in achieving a consensus on any disagreements that preexist or emerge in the meeting so that it has a solid basis for future action.

Implementation:

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

Place-Based:

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

Planning:

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:

The state works in partnership with groups engaging in place-based planning and implementation, providing support and guidance throughout the process. Below are brief examples of roles the state may play in the water system. Specific recommendations about how the state should engage and support planning groups 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 may 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 may 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, Oregon Health Authority, and Oregon Department of Agriculture.

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State Recognition:

Currently, state recognition means that an interagency team of state agency staff review a place-based integrated water resources plan and make a recommendation to the Water Resources Commission to recognize a plan if it is consistent with planning guidelines and statewide IWRS principles. This term may be better defined per the specific recommendations in this report.

Recommendations

I. Data and Technical Assistance

DTA Recommendation A: The state should commit to collecting, processing, interpreting, and distributing water data for effective water planning in Oregon. The legislature should fund “situational assessments” for basins across the state to understand the basic data (and also data gaps) in each place; this would help the state and communities understand if there is a need for PBP. The data would be useful for all sectors even if the place chose not to pursue planning.

Occurs before Step 1

DTA Recommendation B: The state should fund the appropriate level of agency staff needed for interagency data collection, analysis and technical support, and coordinated work-planning and budgeting to ensure robust participation from an interagency team.

Occurs in Steps 1, 2 & 5

DTA Recommendation C: Within their mission and sideboards, state agencies should support planning groups by developing educational resources tailored to fill gaps in local capacity or knowledge/skillsets.

Occurs in Steps 2 & 5

II. Community Engagement

CE Recommendation A: Place-Based Planning funding should include support for meaningful community engagement, at the outset and ongoing. This would include resources for broad outreach, education, multiple channels for engagement and capacity building throughout the process.

CE Recommendation B: Establish a clear set of standards for engagement tied to accessing state funding for regional planning, **based on the high-level principles from the Community Engagement Guide**. These principles should be considered criteria for grant funding.

CE Recommendation C: Offer a best practices guide to regional planning groups to assist them in engagement efforts (see: Community Engagement Guide developed and endorsed by the HB 5006 Work Group).

CE Recommendation G: To demonstrate commitment, planning groups need to develop and memorialize (through, e.g., a Charter, MOA, Operating Protocols or other) their commitments to the planning process. This should include a clear scope and purpose of the planning effort, which must remain within the State’s authority and public benefit obligations.

CE Recommendation H: The State should provide capacity support specifically to tribal and other under-represented or marginalized communities for meaningful engagement in place-based planning.

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III. Pathway and Process

PP Recommendation A: The state should provide staff support, funding, and training for communities looking to initiate the planning process. This could include things like helping to identify local leadership, developing a standard planning readiness guide, conducting an assessment of a community's social readiness and capacity to engage in the process, pre-application conferences, training webinars, and other activities that build community capacity and awareness around planning readiness.

Occurs before Step 1

PP Recommendation B: The state should provide resources to build foundational trust with and among interested parties, planning groups, and state agencies prior to plan development and writing. This includes setting foundational norms for group engagement and developing and understanding foundational data.

Occurs in Step 1

PP Recommendation C: The state should provide support to local groups to help them prepare for and execute planning. At a minimum, this includes staff capacity and/or funding for professionals to help with governance agreements, DEIJ trainings, consensus decision making, project management, water science, ecology and biology, climate science, water law, and technical plan writing.

Occurs in Step 1 & 2

PP 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

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

Occurs in Steps 1, 2, 3, & 5

PP 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

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

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- 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

PP 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

PP Recommendation I: The state should provide resources to local planning groups to update plans every 10 years to reflect changes in local conditions and/or updates to data availability or climate change information.

Step 5

PP Recommendation J: The state should develop a grant program for the next generation of place-based planning and implementation that funds:

- (1) Foundational work and plan development for communities ready to engage and invest in place-based planning; and
- (2) Continued engagement, implementation, and plan updates, as described in PP Recommendations G, H, & I, for groups with state recognized plans.

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

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

PP Recommendation L: The state should be required to participate in a specified role in place-based planning processes.

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

SF 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.

SF 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.

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