

**STATE-SUPPORTED REGIONAL WATER PLANNING AND MANAGEMENT WORK GROUP**

Meeting #10 Summary

November 1, 2022 from 11:00am-4:00pm

**ACTION ITEMS:**

ACTION	BY WHOM?	BY WHEN?
<ul style="list-style-type: none"><li>Reach out to Representatives Owens and Helm to gain clarity on their placeholder legislative concept and relay any relevant information to the Work Group either via email or during the next meeting's opening remarks.</li></ul>	OC	Completed-email to Work Group 11/4, reflected in v3 Straw

**Meeting Attendees:**

Work Group Members: Anton Chiono, Adam Denlinger, Bob Rees, Chandra Ferrari, Chrysten Rivard (via Zoom), Courtney Warner Crowell (via Zoom), Dan Thorndike (via Zoom), Daniel Newberry (via Zoom), Donna Beverage (via Zoom), Heather Bartlett, Illeana Alexander (via Zoom), Jason Fenton (via Zoom), Jennifer Wigal, JR Cook (via Zoom), Kate Fitzpatrick (via Zoom), Kathleen George (via Zoom), Kelly Timchak, Kimberley Priestley, Lauren Poor, Margaret Magruder, Oriana Magnera (via Zoom), Peggy Lynch, Racquel Rancier

Staff: Lili Prah, OWRD

Facilitation Team: Robin Harkless and Jennah Stillman, Oregon Consensus

**MEETING SUMMARY:**

***Welcome and Introductions***

Facilitator, Robin Harkless, welcomed the Work Group to the second in-person meeting and shared her appreciation for those who were able to gather together and those joining via Zoom. She then reviewed the main topics for the meeting which included: recognition and implementation of a plan for evolving the next generation of the Place-Based Planning program, revisiting the tiered structure for program funding and support, and a review of an updated system-level proposal developed by a volunteer subset of Work Group members. She noted that as time permits, there were a handful of outstanding issues and updates to address and were still being tracked, as all of the work to date that would move forward in the v3 straw proposal. Regarding the tracking table that had been sent out with pre-meeting materials, she clarified that it was not a reflection of consensus around recommendations but was a tracking tool of the substantive topics at play. Robin then invited Meg Reeves, Oregon Water Resources Commission Chair to share opening remarks.

Meg Reeves thanked the Work Group members for taking on this effort for the benefit of the state. Reflecting on the challenges and recent progress made, on behalf of the Process Leadership Team,

she reminded the group about the charge that had been directed in August by the Process Leadership team and confirmed by the group to focus on improvements to the Place-Based Planning program. She acknowledged the recommendations related to system-wide concerns and urged the group to use their remaining time to focus on providing additional detail, clarification and cohesiveness for the Place-Based Planning recommendations. She also highlighted the state's role in recognizing a plan, the significance of having a recognized plan for local communities, and the implementation of a recognized plan as key areas needing more direction.

Some Work Group members shared their initial thoughts regarding the topics that Meg had raised. Peggy Lynch (League of Women Voters) stated that there has to be a more explicit process of connection from OWRC's recognition to the multiple agencies that may be responsible for enacting the plan. Daniel Newberry (Johnson Creek Watershed Council) added that Place-Based Planning pilots' plans underwent a multi-state agency review process before being put forward to OWRC, but clarified that he felt that recognition itself comes down to access to state funding and should include implementation support. He added his hope that there would be a recommendation that addresses what the recognition process means if there is no funding, given potential crises and funding needs for the state in the future. Donna Beverage (Union County Commissioner) shared her perspective on recognition from when the Upper Grand Ronde pilot plan was recognized, and in addition to what Adam had shared, she noted that there was direction that the information contained in the plan would inform future updates to the IWRS. Kimberley Priestley (WaterWatch) raised a process question regarding how the Work Group's recommendations with regard to Place-Based Planning would potentially connect to legislative concepts, either OWRD's or the placeholder from Representatives Owens and Helm. Racquel Rancier (OWRD) responded that it would depend on the final recommendations and a forthcoming analysis to determine what avenue made the most sense and might be subject to change.

**ACTION:** Oregon Consensus will reach out to Representatives Owens and Helm to ask for clarity on their intentions for connecting their placeholder legislative concept and the report of this Work Group, and relay any relevant information to the Work Group either via email or during the next meeting's opening remarks.

### ***Place-Based Planning Grant Program***

Robin shared a review of the discussion from the last Work Group meeting and the general early alignment that had emerged around the proposal for a tiered grant structure with different support offerings and access points. She noted that in addition to the structure of the grant program, there was a second proposed component put forward about being competitive with established criteria that had not yet been fully discussed. She reflected that both items seemed to have early alignment, but they were also acknowledged as distinct proposals. To that end, Robin asked the group if there was basic alignment around these two components and whether the group wanted to put additional details forward:

*The Place-Based Planning grant program should be competitive with established criteria for accessing Place-Based Planning funds.*

*The grant should be tiered with different qualifications to provide different onramps for groups with varying levels of capacity and resources.*

Work Group member feedback included, but was not limited to:

- Dan Thorndike (Oregon Business Council) shared that he did not think the Work Group should go into further detail around the criteria, which would be better addressed in rulemaking. He emphasized that he felt the most important thing for this grant program was to be broad-based, representative for all areas, and provide different access points for groups with varying capacities and in different phases of the planning process. He added that ideally there would be flexibility with the general application process and possibly a rolling grant program, or multiple open periods. He clarified that he felt that “competitive” meant that there wasn’t an unlimited amount of money or resources available within
- Kimberley shared her perspective that there would be one overarching threshold to enter the Place-Based Planning program through one open application, with a selection process from the state, and then those designated as Place-Based Planning efforts would have access to the tiered supports within the grant program. She clarified that she felt the grant program should not be open to just anyone, given the limited funding available and desire to enable groups chosen to do planning to see that work all the way through with continuous state support (funding and general resources).
- Margaret Magruder (Association of Oregon Counties) shared that she supported having established criteria for accessing grants and added that “competitive” might be too daunting of a word without clear understanding and that maybe a different word would be better.
- Daniel referenced the OWEB FIP grant program as a two-tiered model to consider.
  - Chrysten Rivard (Trout Unlimited) provided additional information about OWEB’s program, which she shared has two decision-making criteria embedded to 1) assess if a group is eligible and ready and 2) prioritize efforts that align with OWEB’s priorities around the greatest issues of concern, ecological focus, and resource allocation. She felt that a tiered approach for the Place-Based Planning grant program should have both of these considerations, for prioritization both among applicants and statewide issues to invest in. She clarified that she didn’t think the Work Group had time to tackle criteria details, but that they *could* suggest general areas of prioritization for consideration moving forward, and that it would be important to clarify how and where prioritization happens.
- Heather Bartlett (Cow Creek Band of Umpqua Indians) agreed with tiered access and referred to EPA wetland program development grants - one tier for groups that don’t have a plan and another tier for those who do have a plan and can apply for on the ground support.
- Kelly Timchak (Curry Watersheds Partnership) agreed that criteria should be based on the state's needs and priorities. She also emphasized that just one Place-Based Planning grant or

program cannot realistically cover all of the work and as such, matching funds will realistically come into play, but that the state could provide support in helping groups identify other funding sources.

- Dan shared that grant program priorities and allocation decisions need to be integrated and coordinated amongst all state agencies, not just driven by OWRD and quantity issues. He also raised caution around the Work Group putting in too much detail around criteria or priorities.
- Peggy raised a consideration that while she generally supports OWRD housing the Place-Based Planning program, there are challenges given that the program, criteria, needs and selection are broader than OWRD's purview, i.e. not limited to water quantity. She suggested that there should be interagency coordination around the front-end of the process in developing grant criteria, selecting applications, and coordinating priorities.
- Anton Chiono (Confederated Tribe of the Umatilla Indian Reservation) noted that the original Place-Based Planning pilot grants were provided in lump sums and as such, wondered if basins could present a budget of *all* anticipated needs in an application. He suggested considering gap funding to support varying needs to promote planning that meets criteria, but that doesn't penalize those who aren't as far along. A question was then raised about whether the intent of the Place-Based Planning grant program was simply to provide gap funding vs. support for the full effort. If so, this needed to be clarified.
  - OWRD responded that the Place-Based Planning pilots had to propose a budget but didn't know what it was going to take, and received allocations within the budget at hand. Additionally, the Place-Based Planning program funding was not included in the OWRD General Fund base budget and was not run as gap funding. They asked that if gap funding was the intent going forward, what was the subsequent expectation for the state being at the table?
- Margaret shared that the state should not be expected to fund Place-Based Planning in entirety, but that it will be important for the state to provide adequate initial funding for groups to get going, build capacity, and then support them to seek funds elsewhere; emphasizing that funds shouldn't be distributed too slowly.
- Adam Denlinger (SDAO) suggested that the state should introduce a consultation process for all basins to understand their qualification eligibility upfront. Also, that there should be a commitment for funding to complete the process even if it comes from different avenues, partnership funding, etc.
- Bob Rees (NW Guides and Anglers Association) agreed that there has to be a commitment from basin stakeholders to do the work and create a product, and that if accountability is not met, there be repercussions with regard to those funding allocations.

Robin summarized the discussion up to this point and that the group generally agreed that 1) There should be a grant program structured with different tiers of grants and flexible access points to meet communities where they are at with their needs and opportunities; 2) There should be qualifications for grants with strategic priorities established by the state to determine those qualifications, as well as

accountable commitments around community partnership with the state; and 3) This grant program should be tied to other grant programs and funding opportunities related to planning and implementation.

### ***Place-Based Planning: Recognition of a Plan***

Lili Prael (OWRD) provided a brief review of the high-level takeaways from the background materials provided in advance of the meeting related to the current status and process for recognition and implementation, based on the learnings from the Place-Based Planning pilots and independent evaluation. Materials can be found [here](#). Robin then asked the Work Group to share their thoughts on whether or how to build in clarity and structure around recognition and value of a plan that leads to implementation.

Work Group member feedback included, but was not limited to:

- Adam shared that he felt ‘the value of a plan’ was multifaceted - conveying upfront to partners and stakeholders for buy-in, helping build a more widespread understanding of how water is managed and the impacts of implementing solutions, and after recognition, having the credibility and documentation to better qualify for more grant funding to do work and address larger problems. However, not everyone in the planning process saw or understood the inherent value of the plan.
  - Anton agreed and suggested that the inherent value needs to be made more clear and communicated for internal participants and broader stakeholder groups throughout the planning process.
  - Kimberley agreed that having a plan gives groups a leg up with grant funding and added that this should be highlighted for grantees upfront, maybe in the Place-Based Planning Guidelines.
- Kelly asked, given that is not currently required for a plan to be recognized by OWRC, if it was ok for each group to decide whether to pursue recognition or not. If so, she suggested that there should be a statement included to clarify this flexibility and individual choice.
- Chandra Ferrari (ODFW) acknowledged that there is not a lot of integrated agency coordination around recognition of a plan and that although the agencies are trying to build one voice around recommendations, OWRD is the ultimate decision-maker and has the ability to move forward despite different agency perspectives. Noting that if all agencies have resources to bring to bear for all steps of the process, she suggested that this Work Group should explicitly outline guidance for agency involvement along the way in the planning process, from consulting on criteria and selection all the way to support toward implementation.
- Peggy added that the IWRS had to be approved by all four of the agency commissions and that there was a process that recognized the integrated nature of this work and the necessary contributions from all agencies. Although supportive of the importance of other state agencies fully recognizing a plan and connecting various programs and resources for

implementation, she also cautioned about the ‘urgency of now’ and the need to move important work forward.

### ***Place-Based Planning: Implementation***

Racquel reviewed the criteria for OWRD’s existing grant programs - one for feasibility studies and one for specific types of water projects. She shared that the range of actions identified out of the four Place-Based Planning pilots did not all fit the criteria for these grants even though there is some overlap with categories and collaborative preference points. (Racquel also shared at the 10/4 meeting that the pilot program was not designed to limit Place-Based Plans or subsequent actions solely to these two implementation funds.)

Work Group member feedback regarding implementation funding included, but was not limited to:

- Chandra highlighted that Place-Based Planning is not explicitly referenced in ODFW funding criteria and could be more direct, although the agency has broadened in scope to include water planning. She suggested the Work Group include a recommendation to direct an interagency coordination team to develop an implementation funds toolkit and process for groups to help identify existing funding sources, where plan actions would fall, and some level of gap analysis to ensure that needs are covered.
  - Peggy agreed and added that housing the Place-Based Planning program at one agency creates an inherent problem and felt that it was important for groups to know where to go to implement that work and have access to any solutions identified in a plan.
- Kimberley clarified that just because an action is listed in a plan doesn’t mean that funding or resources are guaranteed.
- Lauren Poor (Oregon Farm Bureau) shared that groups shouldn’t be forced to write plans geared towards existing grant programs, given the changing nature of funding programs and resources and that plans should be relevant for years. Her recommendation was that future plans should be written to meet the water needs of a region and then secondarily, there would be a toolkit analysis of all current grants that could suit the needs for the plan.

Work Group member feedback regarding updating a plan and state support included, but was not limited to:

- Jeff Stone (Oregon Association of Nurseries) suggested that rather than mandate a marker of time, there could be various triggers (both internal and external factors) that would initiate a plan update.
- Daniel noted that to keep plans from sitting on the shelf, it is important to build in periodic evaluations and recommended once per biennium. He suggested this could be part of the state recognition process, in evaluating what progress has been made, helping determine whether larger updates are needed, and driving future decisions.

- JR Cook (NE Oregon Water Association) also nodded to the reality of biennial budgets and the time it takes to do the work. He suggested linking progress reports, budgeting and implementing legislation in order to act upon plans effectively and urgently address water problems. He felt that ten years was too long for plans to undergo updates, and noted the time commitment to do full plan updates.
- Adam added that most regional plans have built-in quarterly check-ins with stakeholders.
- Peggy suggested that since it sounded like reporting activity was already built in, submitting a biennial report to the legislature (or agencies who recognize the plan) would be an efficient means to demonstrate the value of the plan.
- Dan emphasized the need for an ongoing, living document that is updated and adjusted as needed to be responsive. To Peggy's comment, he suggested that these reports be sent to an interagency body or agency commissions, so as to not get lost in the legislature.

Work Group member feedback regarding implementation coordination and project implementation included, but was not limited to:

- Jennifer Wigal (DEQ) clarified that OWRD currently 'owns' the recognition and implementation support process for Place-Based Planning and suggested that the Work Group should recommend formalizing interagency commitments if that is the direction they want to go.
  - Kelly added that she thought that OWRD should not lead implementation and that it should be a local role, but recognized that it depends on the planning and the place.
  - Racquel agreed that there was a need for a formal process to involve state agencies on the progress and priorities of the planning groups, and would require funding for both implementation coordination and implementation work itself.
- Kelly shared her support for the three implementation strategy options to enable tiered support for general implementation and some technical assistance, recognizing that the current funding for Place-Based Planning is only for planning and doesn't include implementation.
- Kimberley shared that WaterWatch had concerns about developing a new, separate fund for Place-Based Planning project implementation and wanted to clarify that this was not intended to create a specific fund for implementation. She also shared that she felt the group didn't have time to deal with the details around how to do it, but that it was important to ensure overall balance with instream and out of stream objectives.
  - Chandra added that given the state agencies' role in ensuring balanced in and out of stream work is occurring, she suggested including clarifying details in the recommendation about *how* this should occur overtime and keep momentum for implementation.
  - Chrysten suggested including a question in the annual reporting and/or from funding reviewers that asks groups to demonstrate the effort of moving forward with all objectives, and ensure checks and balances as a condition of renewing

implementation support. She added that although an important accountability mechanism, it would be important to maintain flexibility for the pace of implementing some objectives (e.g. 1-2 years) and not block groups from accessing any funds.

- Anton added that this balance question/progress accountability could be connected to progress updates / evaluations developed with the planning groups every 2 years.
- Peggy agreed that there did not necessarily need to be a separate, new fund for implementation but that it would be critical to make sure that there is funding available for this work. She also agreed that the biennial reports would provide the opportunity to outline what's missing and what's been successful.
- Jeff agreed that this balance check-in question should provide a more supportive pathway to determining the right route for the region and issues at hand, and not be an institutionalized barrier.
- Dan suggested that this should be a specific recommendation, a funded mandate directing the state agencies to provide implementation support as well as accountability (e.g. metrics and monitoring) over time. He also added a suggestion to reframe the state's role in "advocating" for funding rather than a stronger mandate to 'fund implementation.'

In summary, Robin shared that she heard the emerging recommendation is about guaranteeing some support for these plans from the gateway to implementation, which is not currently structured in the program. This would include a structured interagency component, partnership between planning groups and the state, and an implementation funding opportunities toolkit.

### *System-Level Recommendations*

Robin reviewed the discussion and direction from the 10/20 Work Group meeting regarding the broader system-wide needs to support all statewide water planning and management including but also beyond just Place-Based Planning. She shared that since the last meeting, a small group of volunteers (Bob, Chrysten, Kate, and Peggy) met to develop a proposal to reflect the direction of the Work Group, and their offering included a background context statement along with three specific recommendations. Peggy shared a review of the proposal (in **bold** below) and clarified that while the group wants to make sure that Place-Based Planning continues, the critical first step is to ensure that foundational pieces, captured in the recommendations, are addressed in order for all water planning and management to be effective.

**“To meet statewide goals and mandates for managing instream and out-of-stream water needs with a changing climate, Oregon needs to make significant investments in water planning. Any state-supported regional water planning and management must be underpinned with the budgets and capacity needed to do this work at the state level. To meet this need, state leadership must prioritize and address the current overarching system-level need for funding related to state agency data collection and analysis, agency capacity, and interagency coordination. Specifically:**

1. The Legislature should fund data inventories across the state to understand foundational informational needs in each basin. Data inventories would inform strategic and effective water planning and management and help prioritize state-supported regional water planning throughout the state with a focus on areas of scarcity.
2. The Legislature should fund the appropriate level of agency capacity needed for interagency data collection and analysis, technical support, and coordinated work-planning and budgeting to ensure robust cooperation and engagement by and between agencies in support of water planning and management efforts that seek to meet both instream and out of stream water needs.
3. The Legislature should fund climate-informed water budgets for basins across the state to better understand current and future hydrologic conditions. This work would lead to better informed water planning and management. However, given the critical need for water planning and the long-term nature of this type of commitment, having climate-informed water budgets should not be a prerequisite for regional water planning to begin.

Another important component of any state-supported regional water planning and management work is community engagement and collaboration. The workgroup has created a Community Engagement Guide with guidelines and best practices for how to meaningfully engage communities in regional water planning (Appendix X). This is intended to be accessible to and used by everyone involved in building a successful regional water planning and management collaborative (e.g., state agency staff involved with regional water planning, communities, etc.) The guide is intended to be a tool to ensure that a diversity of voices are proactively and continuously included throughout a water planning effort and in ongoing management. It is intended to be accessible, flexible, and inclusive in order to support diverse regions and communities. The hope is that by providing this guide to regional water planning and management groups, it will provide support to ensure that no one is left out of the process.”

Work Group members generally agreed with the intent behind this proposal and offered additional feedback that included, but was not limited to:

- Kelly suggested emphasizing “foundational informational needs,” including a statement about prioritizing data collection to address any critical needs, and making a clear tie between recommendation 1 and 2 *informing* recommendation 3.
- Jennifer suggested restructuring and rewording the recommendations to clarify the baseline data and information needed, as it relates to legislation for all state agencies to make datasets publicly available and the DEQ-led development of a water data portal - which she clarified was not about collecting data, rather about coordinating data and making it accessible to end users.

- Anton added that “data inventory” might be too broad and should focus on clarifying the intent (and effectively directing resources) to proactively gather basic, useful data necessary to form a basin’s water budget. He conveyed that not all data needs to be gathered to the highest, publishable degree and that at a minimum, there should be a stream gauging network in all basins and a process to identify what data, or data quality, is needed to answer particular questions.
  - Kate added that ideally every basin would have a current water budget and data inventory but that there should be a prioritization process. To that end, she suggested combining the data inventory and water budget pieces so that priority basins have a budget to work from and in the absence of those, a general understanding of the data that does exist.
  - Bob agreed that prioritized data will vary from basin to basin and leaving it broad enough for that to happen is important, and to consider direction from basin stakeholders on what information may be needed.
  - Racquel clarified what she was hearing, that the recommendations should emphasize usable data that doesn’t require layers of technical analysis.
- Kimberley offered a friendly amendment to include ‘instream and out of stream’ in each recommendation, assuming that they will translate to funding requests. She also suggested that in addition to understanding data gaps, it was important to add direction to identify a path to filling those gaps.
- Peggy suggested updating the recommendation to include “essential data and data gaps” to direct the state to take a more active role in addressing instream and out of stream crises statewide.
- Heather added that data can also be used to show how effective a plan or projects are, which would be helpful tying back to the reporting and accountability discussion previously. She also raised caution about how data gathering can slow down a process, if critical information is needed and not on hand before a process starts (e.g. Harney County groundwater data).

Robin shared that she had heard that these recommendations were intended to be broader than Place-Based Planning, in directing the state to do an inventory of critical water budget information for every basin, that would then lead to informing strategic investments and more effective planning and management across the state as well as inform Place-Based Planning efforts. She also reflected the Group’s sentiment that significant investment was needed for state agency coordination to integrate across silos, address data gaps, and support better planning and management.

**ACTION:** Friendly amendment suggestions will be reflected into the v3 straw proposal. Any additional wordsmithing could be done by the small group.

**Public Comment**

Harmony Burrighart shared that she was a former OWRD staff member involved with the Place-Based Planning pilot program development and coordination. Acknowledging that she had not heard the

Work Group's discussion on this topic today, she shared that recognition and the value of a plan was a recurring theme of interest and concern that surfaced during the Place-Based Planning pilots process. She noted that all the internal work developed on this topic had not necessarily been provided and suggested the Work Group review additional materials that had been prepared around this topic to continue building upon previous work done.

Robin shared her appreciation for the group's progress and focus today. She then briefly reviewed the tracking document and highlighted some topics that had evolved based on discussions today, as well as remaining issues not discussed (e.g. Community Engagement guide, the use of Community Engagement principles as considerations for grant criteria, and any explicit recommendation or advice around sustaining the Place-Based Planning program). She asked the Work Group to review the tracking document and flag any major conceptual ideas not reflected in the tracking tool right away. She shared that the v3 straw proposal of updated recommendations would be sent no later than November 7th and that OC would follow-up with a communication about how to review and respond to v3, as well as next steps and expectations for the remaining meetings (November 14th and December 6th, both virtual).

The meeting then adjourned.