

# Comments on State Recognition of Place-Based Plans

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Oregonians have experience conducting watershed assessments and using those assessments to guide watershed restoration projects for more than two decades, but this experience has not been well captured or systematically evaluated, therefore I propose to provide my personal observations on that experience in order to inform the potential role of State recognition of Place-Based Integrated Water Resource Plans.

## Background

In the early 1990's federal land managers were charged with conducting "Watershed Analyses" using interdisciplinary teams to identify the conditions of natural resources throughout the Pacific Northwest. At the time, Oregon was assisting local communities to organize "Watershed Councils"<sup>1</sup> throughout the state. Led by the Governor's Watershed Enhancement Board, a manual for Watershed Assessment<sup>2</sup> was developed in 1999 and funding made available for those community developed and led groups to conduct assessments throughout the state. The manual is a technical guide for analysis that recommended approaches and tools for evaluating physical and biological conditions of each watershed the councils were interested in. The primary purpose of the watershed assessment manual was to help develop a systematic way to identify critical conditions and potential projects for watershed restoration.

Watershed assessments were conducted throughout the state with the important difference with Place-Based IWR Planning that no process guidance was provided, each council has full latitude to conduct the assessment as they could afford and saw fit. This wide latitude led to a broad range of experimentation that ranged from hiring interns, contractors, using community members, to using college classes to conduct the technical analyses. In each case, from my observation as a reviewer of nearly all the assessments, was that each assessment was used as a "community learning opportunity". As information was developed and vetted with local knowledge, the assessment was "tuned" to local understanding and information that might not be available in agency files or scientific documents. The assessment also was a tool to expose the local community to what agency and science information was available and relevant to their home "basin" or "valley".

While the Oregon Watershed Enhancement Board no longer hosts the Assessment Manual nor funds watershed assessments, this technical evaluation, even at a rudimentary level, was a large effort to raise community awareness and capture community knowledge. At it's best it was a community learning event that focused efforts for restoration, at it's worst it was a sterile compilation of facts about a place.

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<sup>1</sup> Strategic Water Management Group. 1992. Proposal: A Watershed Management Strategy for Oregon. Final Report and Recommendations of the SWMG Policy Work Group. August 11, 1992. 12 P.

<sup>2</sup> Watershed Professionals Network. 1999. Oregon Watershed Assessment Manual. Developed for the Governor's Watershed Enhancement Board. July 1999.

## How Does This Relate to Place Based Integrated Water Resource Plans?

The Guidance document provided for place-based water resource planning<sup>3</sup> describes both a process and content. This is different from the watershed assessment approach. There are two differences that affects public expectations. The first is that place-based planning groups are expected to have a structured decision process based on a written agreements among participants. While this is not “required” in the Guidance Document, it raises the expectation that the decisions of the collaborative have consequences. Secondly, State agency review also raises the expectation that the plan has consequences. Thirdly, the guidance states: “Planning group members should formally approve their plan.” This suggests that there should be an outcome of significance for the stakeholders that are involved in the plan.

Where a completed watershed assessment did not have any direct consequences for restoration funding by OWEB, the relationship of the project to the completed watershed assessment was an element in competitive grant application reviews. The OWEB model was the creation of an opportunity based on a locally driven evaluation of conditions. There was no effort to elevate the watershed assessment to have consequence other than as a common guide for developing priorities and potential projects.

## Suggested Consequences

Given the raised expectations from the structure of the planning guidance and state agency review, there should be specific and well communicated consequences from a State “recognized” Integrated Water Resource Management Plan. The following are suggestions to consider as a benefit for a completed plan that has had agency review:

1. Consideration as a priority for Feasibility Study and Water Project Grants and Loans.
2. Consideration as a priority for OWEB funding.
3. Oregon Water Resource Commission support for Bureau of Reclamation or other federal funding opportunities.

While funding priority and consideration is important, the priorities in a locally adopted and state “recognized” plan should play a significant role in managing water in the basin or basins which the plan(s) cover by:

1. Consideration as sufficient as a “Voluntary Agreement” under ORS 537.745.
2. Consideration for regulation priority (along with priority date).
3. Support for solutions beyond those that are legislatively available to OWRD (e.g. water sharing arrangements, arrangements to reduce permits (such as a groundwater CREP), arrangements to self-regulate using “codes of practice” such as local monitoring and collective management, etc.)

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<sup>3</sup> Oregon Water Resources Department. 2015. Draft Guidelines A Tool for Conducting Place-Based Integrated Water Resources Planning in Oregon. February 2015. 26 p.

## Experience from Elsewhere

Australia has experience in collective action to address common pool resources<sup>4</sup> and has confirmed that co-management can be successful when it starts from a community level through collective action. The goal of place-based integrated planning is to encourage co-management, however the role of the State can significantly affect the outcome by being too directive. The Australian study concludes: ***“This is consistent with the literature that argues that when local stakeholders are involved in decision-making processes, they take ownership of the problem and are more likely to accept, comply with and contribute to management policies. On the contrary, if government departments are not collaborative, the effectiveness of community collective action leading to co-management is compromised. The results of this study show that during the phases when community collective action was high, groundwater management was more successful with more and better outcomes, as opposed to the phases where collective action was low.”***

The Australian article concludes with the open questions of: ***“(1) What factors facilitate or impede collective action? (2) Are the biophysical measures of the outcomes of collective action consistent with stakeholder perceptions of outcomes? And (3) What processes are most likely to enable long-term thinking by governments and stakeholders as they respond to or anticipate climate-change scenarios?”***

Eight lessons learned from community-based natural resource management (CBNRM) experience from Australia and New Zealand<sup>5</sup> include:

1. “the importance of policy makers recognising that the primary purpose of CBNRM is to strengthen the intrinsic motivation of community members to contribute voluntarily to NRM initiatives, and that attempts to treat them as mere implementation instruments threaten to alienate them and thereby weaken this motivation.”
2. “regional bodies have been allowed limited freedom to adopt modes of governance that suit their context and this has inhibited their capacity to engage stakeholders and build relationships based on trust.”
3. “higher levels of governance are subsidiary to lower ones, not the reverse as conventionally presumed.”
4. “the kinds of voluntary actions required to bring the costs of NRM implementation within the fiscal capacities of governments include exerting peer pressure on neighbours to cooperate, supporting third-party sanctioning of uncooperative landholders, complying with conditions attached to financial incentives, and complying with environmental laws and regulations.”
5. “the vital roles of governments in supporting CBNRM. The lesson is that these roles need to be performed in ways that strengthen local self-help by way of voluntary collective action rather than undermine it.”

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<sup>4</sup> Shalsi, Sarah, C.M. Ordens, A. Curtis, and C.T. Simmons. 2019. Can collective action address the “tragedy of the commons” in groundwater management? Insights from an Australian case study. *Hydrology Journal*.27: 2471-2483.

<sup>5</sup> Curtis, A., H. Ross, G.R. Marshall, C. Baldwin, J. Cavaye, C. Freeman, A. Carr, and G.J. Syme. 2014. The great experiment with devolved NRM governance: lessons from community engagement in Australia and New Zealand since the 1980’s. *Australian Journal of Natural Resource Management*. 21(2): 175-199.

6. “A network-based culture grounded in a credible commitment to collaboration is essential to engender local trust and reciprocity and the certainty that participants’ stakes will be treated fairly.”
7. “the mistake of viewing CBNRM as some kind of panacea, either in the sense that it is appropriate for all NRM settings or challenges.”
8. “CBNRM as a cost-effective platform for rural development that extends beyond NRM to provide an important part of the social capital in rural areas, particularly in areas where other institutions have been in decline.”

The lessons learned from community-based natural resource management are directly relevant to the question of “What does a State “recognized” integrated water resource management plan mean?” The relationship between the public management agency with regulatory authority and local stakeholders is critical and has an inherent imbalance of power. Without clearly understood consequences from a recognized plan, there is little incentive to participate in a meaningful manner.

The caution for place-based planning, in my opinion, is to allow for local innovation and provide flexibility in the linear planning approach (Steps 1-2 -3 -4 -5) to pursue activities that can make changes early in the process rather than considering implementation as a result of complete planning. For example, in the Harney Basin the local community has been waiting for more than 8 months for “THE GROUNDWATER STUDY” but there is full recognition that something needs to be done sooner rather than later. As a result, only the hardy have continued to work together towards developing a plan. Local residents seeking more immediate actions have expressed frustration both with the planning approach and the agency (OWRD).

The pilot efforts of place-based integrated water resource planning is very important and should be viewed in the light of collaborative governance and co-management of common good resources. In the case of water resource management, it is important to understand the different perceptions of “helper” and “doer” as OWRD interacts with agriculturalists. Experience, again from Australia<sup>6</sup>, points to the important relationship between those expected to implement conservation practices and those providing guidance or assistance.

The experience from Oregon in watershed restoration and Australia in community-based natural resource management are instructive for your considerations but the lessons are not one to one, therefore you should consider what expectations are raised and clearly define the outcome of a “recognized” Integrated Water Resource Management Plan.

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<sup>6</sup> Marshall, Graham R. 2009. What does “community” mean for farmer adoption of conservation practices? Some logic and evidence. Occasional Paper 2009/01. Institute for Rural Futures. University of New England. June 2009. Australia 21 p.