



## **State-Supported Regional Water Planning and Management Work Group Operating Protocols**

### **Background**

HB 5006 appropriated General Funds into the Oregon Water Resources Department (OWRD) Director's Office to work with Oregon Consensus (OC) to "convene a process to develop a framework and path for state-supported water planning and management at the water region and/or basin level."

Further informed by a process assessment conducted by OC (see OC Assessment Findings Memo for details: [OC Assessment Findings Memo\\_FINAL](#) ), a Work Group has been established to meet the charge of the HB 5006 legislation. The Work Group purpose and operating protocols are described in this document.

### **Work Group Purpose**

The Work Group will use a consensus-based process to develop recommendations for an integrated approach to water planning, management and investments that connects grassroots, regional or basin planning with state resources and tools. The effort will focus on integrating three elements:

- Regional planning, local input, and sideboards;
- State support and sideboards; and
- A framework for decision-making that will enable the above two items to be achieved.

Deliverables: The Work Group will develop recommendations based on learning, deliberation and consensus building. Specific deliverables include:

- Documented findings review of various regional planning approaches, models, and lessons learned
- Foundational principles for structuring a modernized water planning, management and investment system
- A recommended structure or structure options for regional/basin planning in Oregon
- A recommended decision framework that integrates regional/basin efforts with statewide resources and tools

## **Work Group Members**

HB 5006 included a budget note which included categories of groups to participate and further direction to set up a balance of representative seats. The named categories are: conservation, agriculture, environmental justice, municipal, and tribes, as well as State Agencies: Oregon Water Resources Department (OWRD) and Oregon Department of Fish and Wildlife (ODFW). Additional categories of representation determined by the Process Leadership\* to create a well-rounded representation of interests and geographies include: non-agricultural business interests, regional representation across Oregon's basins/watersheds, the Department of Environmental Quality (DEQ) and the Governor's Office.

Preferred Qualifications of the Work Group and its Members:

- Representation of interests across instream, out of stream, quality and quantity.
- Representation of statewide and regional-specific experiences or perspectives.
- Representation of urban and rural experiences and perspectives.
- Consideration of new voices to the table alongside those who have consistently been engaged in water policy negotiations.
- Consideration of diversity of backgrounds, identities and geographies.
- Demonstrated commitment to work in a consensus process to achieve the collective goals of all.
- Expertise or ability to take a systems-level view of the issues to develop a structure that serves all of Oregon.
- Ability to commit consistent focus and time for a year-long effort which will require frequent (monthly or more often) meetings and a fair amount of in-between meeting work. This will include coordinating with constituencies to ensure no surprises and a good faith effort to develop recommendations that everyone can live with.

### **Work Group Membership (as of 1/27, subject to change)**

#### **Conservation**

- Caylin Barter, Wild Salmon Center
- Kimberley Priestley, WaterWatch

- Chrysten Rivard, Trout Unlimited

### **Agriculture**

- April Snell, Oregon Water Congress
- Mary Anne Cooper, Oregon Farm Bureau
- Jeff Stone, Oregon Nurseries Association

### **Environmental Justice**

- Ana Molina, Environmental Equity Committee, Columbia Riverkeepers
- ***Additional EJ interests are being sought to serve on the Work Group***

### **Municipal, Local and County Governments, Special Districts**

- Margaret Magruder, AOC, Columbia County Commissioner
- Adam Denlinger, SDAO, Seal Rock Water District
- Niki Iverson, LOC, Water Director City of Hillsboro & Chair of LOC Water/Wastewater Policy Committee

### **Tribes**

- Bobby Brunoe, Confederated Tribes of the Warm Springs
- Kathleen George, Confederated Tribes of the Grand Ronde
- Calla Hagle or Jason Fenton, Burns-Paiute Tribe
- Anton Chiono, Confederated Tribes of the Umatilla Indian Reservation
- Roselynn Lwenya, Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians

### **Non-Agricultural Business/Industry**

- Dan Thorndike, Oregon Business Council
- Bob Rees, NW Guides and Anglers Association, recreation industry interest

### **Regional Perspectives**

- Daniel Newberry, Johnson Creek Watershed Council
- Donna Beverage, Union County Commissioner
- Holly Mondo, Harney Community-Based Water Planning Collaborative
- JR Cook, NE Oregon Water Association
- Kate Fitzpatrick, Deschutes River Conservancy
- Kelly Timchak, Curry Watersheds Partnership
- Peggy Lynch, League of Women Voters
- Wally McCullough, Eugene Water & Electric Board

### **State Agencies (ex officio)**

- OWRD - Tom Byler
- ODFW - Chandra Ferrari
- DEQ- Richard Whitman

### **Governor's Office (ex officio)**

- Courtney Crowell

**Attendance expected.** To maintain the continuity of the discussion, it is important to have the members attend every meeting. Members are expected to make a good faith effort to attend all meetings. In the event of an unplanned emergency, the facilitation team will take steps to assure a missing member is provided an update about the meeting.

**Use of Alternates:** In the spirit of good faith commitments to engage in this process as a Work Group member, the use of alternates should only be used when absolutely necessary. Alternates should be prepared to serve in a proxy role by being up to speed and well-versed in the issues being discussed in the process and able to step in if needed without disrupting the work of the group. For major recommendation milestones, the Work Group will determine whether to proceed with a consensus check if the primary member is not present at the meeting.

**Use of Task Groups:** As a task-specific feature of the Work Group process, task groups may be formed to gather information and develop ideas or proposals for Work Group consideration. This process feature will be developed and directed by the Work Group as needed. Task groups will not have a 'decision making' authority and all task group products will be funneled through the Work Group for further deliberation and consideration for consensus. Task groups may be comprised of members of the XX Work Group as well as additional outside expertise at the group's invitation.

**Additional Engagement Opportunities:** OC and OWRD will create an engagement plan for broader stakeholder and public information sharing and input to the process. This will include web-based information sharing, and hosting or attending public forums to provide updates on the Work Group effort and to gather feedback on specific pieces of work being developed within the Work Group process.

## Work Group Timeline

The following proposed approach and timeline assumes a set of recommendations that will be prepared in time for the 2023 Legislative session, as a milestone and marker nested in a longer term effort. Any additional scoping and tasks of this Work Group will be developed as the process unfolds.

### January-March 2022: Education Phase

#### Tasks:

- Develop and agree to working agreements and commitments to guide the group's effort. (Operating Protocols)

- Develop a shared understanding of key factors impacting Oregon’s water future: population dynamics, climate and ecological changes, infrastructure, etc.
- Study various regional/basin approaches and capture lessons learned, evaluate pros and cons for bringing into the Oregon system.

**March 2022:** Foundational Principles

- Task: Develop agreement around a set of principles that will provide the foundation for a state-supported regional water management and planning system for Oregon.

**Spring:** “Findings” and “Principles” information sharing and opportunity for broader feedback loop. The Work Group refines ideas based on feedback loops.

**March-June 2022:** Regional / Basin Construct

- Task: Develop concept(s) for regional or basin approach to water planning, management, investments that aligns with established principles. Seek agreement on concept(s).

**Summer:** Draft concepts shared for broader feedback loop and refinement by Work Group.

**July-September 2022:** State Construct / Framework

- Task: Define roles and responsibilities of the state to integrate with regional efforts and make strategic decisions about planning, management and investments.

**Fall:** Framework concepts shared for broader feedback loop and refinement by Group.

**October-November 2022:** Consensus agreements and next steps- comprehensive

- Task: Finalize consensus agreements, package recommendations, complete process report and determine next steps.

**November:** Broad information sharing opportunity to roll out consensus agreements and next steps.

## Decision-Making

The Work Group will strive for consensus on recommendations. Consensus is defined as, “willingness to accept the Work Group’s recommendation.” A consensus tool will be used by the facilitator to gauge levels of alignment on proposed concepts at iterative points in the process. A final consensus check on all recommendations will be done at the end of the process before a recommendation goes forward on behalf of the Work Group.

Consensus recommendations may be developed into legislative concepts, policy recommendations to the Oregon Water Resources Commission, or other decision making / implementation forums yet to be determined.

## Communications

Open to the public, documented meetings. The OC facilitation team will prepare high level meeting summaries that will document the Work Group proceedings including issues discussed, options and proposals discussed, action items and consensus recommendations or other conclusions of the work. These meeting summaries will be posted on the OWRD project web page: ***(TBD - will be added when available.)***

Work Group records, such as formal documents, discussion drafts, meeting summaries and exhibits are public records. Work Group communications are not confidential and may be disclosed. However, the private documents of individual work group members generally are not considered public records if OWRD or another public body does not use or retain copies.

Media relations: OWRD will be the point of contact with the public and media about meetings, agenda topics and general process. As a general practice, OWRD will coordinate with the Work Group on media communications in advance.

Speaking on behalf of the Work Group: All members agree to refrain from making comments about or representing the views of other members in contacts with the media. They also agree to not represent or characterize the positions and views of any other party in public forums. Unless explicitly and specifically delegated to do so by the Work Group, members agree not to speak on behalf of the group outside of the Work Group forum.

## Member Participation Norms

It is expected that all members help to create an environment where all perspectives can be shared to promote comprehensive exploration of issues and the creation of shared and heard understanding and consensus building on recommendations. To that end, Work Group members agree to work in good faith:

- Be prepared for and attend meetings, and follow through on promises and commitments;

- Stay focused on the Work Group charge;
- Bring concerns related to this work from their interest group or organization up for discussion at the earliest point possible in the process;
- Share all relevant information that will assist the group in achieving its goals;
- As appropriate, keep their organizations or interested communities informed of the process and substance;
- Stay accountable to and help other members stay accountable to the Work Group process as defined in these Operating Protocols;
- Engage in honest, open-minded, and constructive discussions to seek understanding and optimal outcomes; and
- Avoid substituting or alternating members whenever possible.
- Raise process concerns in the group, not via outside forums or the media.

Should a group member appear to act in bad faith, the facilitator will talk with the individual(s) about the situation. A variety of approaches will be explored, accordingly, to redress the concerns including the possibility of having the member removed. The authority to replace and/or remove a member from the group rests with the Process Leadership Team.

#### Rights in Other Forums

Participation in the group does not limit the rights of any member. Members will make a good faith effort to notify the group in advance if another action outside the process will be initiated or pursued which could affect the issues, proposals, or agreements being discussed.

## **Organizational Structure**

### Process Leadership and Support

To provide process direction and support to the Work Group, a Process Leadership Team will be comprised of the following:

- **Independent Facilitation Services:** Oregon Consensus will provide facilitation services for the forum that will include preparing process documents, agendas, and meeting notes; facilitating work group forums; and assisting with the coordination and facilitation of broader engagement efforts into the process. OC will work on behalf of the whole group to support consensus building efforts toward outcomes (recommendations) that the group can support.
- **Balanced and Strong Leadership:** Legislative leadership from the former Interim House Water Committee (Representatives Helm, Owens and Reardon) and the Chair of the Oregon Water Resources Commission (Reeves) will serve in a process leadership capacity, ensuring the process goals and sideboards are well defined and that the group successfully meets its deliverables in a timely

manner. They will not drive the substantive outcomes, but rather work to support consensus building and provide clarity as needed to promote progress of the group.

- **Lead Technical and Communications Support:** OWRD staff will be the technical resource lead and provide communications support to the Work Group forum.
- **Potential Steering Committee:** There may be value in the group considering developing a steering committee with a smaller subset of Work Group members to provide process advice. This will not be initiated at the outset of the process, but the group may want to engage a smaller group on process related concerns as the effort unfolds.

