Oregon Regional Planning Efforts: Background and FAQs (DRAFT)

State-Supported Regional Planning and Management Workgroup
Meeting #3, April 5, 2022

Contents

Place Based Integrated Water Resources Planning

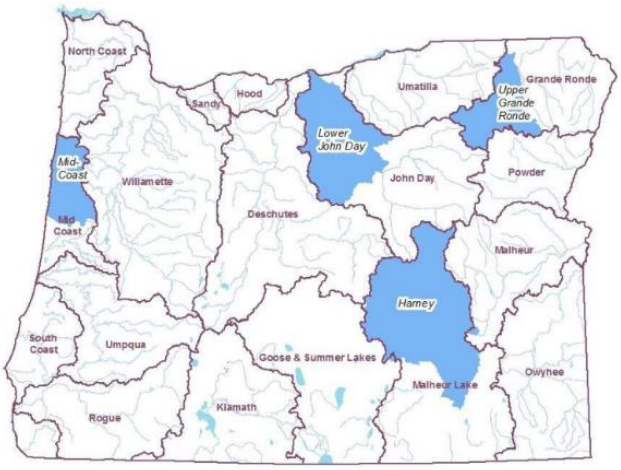
Presenters:

Rebecca McClain (Principal Researcher, National Policy Consensus Center), Adam Denlinger (Mid Coast), Holly Mondo (Harney Basin), Donna Beverage (Upper Grand Ronde)

Overview (link)

Below is a general overview of the pilot phase of Oregon's Place Based Integrated Water Resources Planning. Specifics of each planning group's efforts are available in the following four sub-sections.

Geography:



Important Dates:

2015: In February, OWRD released 2015 Draft Place-Based Planning Guidelines. In July, the OR Legislature provided OWRD with resources to pilot a place-based approach to water planning, including financial assistance for communities to do planning in partnership with the state ($750,000 and 2 positions). OWRD solicited applications for grant funding and received 16 applications.

2016: OWRD awarded grants to groups in 4 areas: the Lower John Day Sub-Basin, the Upper Grande Ronde Sub-Basin, the Harney-Malheur Lake Basin, and the Mid-Coast Region. Groups in each pilot area began meeting to develop their place-based integrated water resources plans.

2019: OR Legislature extended sunset for pilot from June 2019 to June 2023 and provided additional funding for financial assistance.

2022: The first plans are submitted to the state Water Resources Commission for State Recognition.

Initiated by:

Oregon Water Resources Department with funding and support from SB 266.

Drivers or Motivations of the Effort:

Undertaking place-based integrated water resources planning (place-based water planning) is Recommended Action 9.A of Oregon's Integrated Water Resources Strategy (IWRS).

How were objectives identified and sideboards established?

The OWRD provided a set of Draft Planning Guidelines that follows a set of key planning principles:

- Locally-initiated and led collaborative effort
- Voluntary, non-regulatory process
- Includes a balanced representation of water interests (both instream and out-of-stream)
- Conducted in partnership with the state
- Addresses current and future instream and out-of-stream needs
- Looks at water quantity, quality and ecosystem needs in an integrated approach
- Creates an open and transparent process that fosters public participation
- Builds on and integrates existing studies and plans
- Does not infringe on existing water rights
- Adheres to the IWRS principles and state laws

Process: How did you approach your process and who was involved in determining the structure of the process approach?

The Draft Planning Guidelines included five planning steps:

- Step 1 - Build a collaborative and inclusive process
- Step 2 - Gather information to understand current water resources and identify gaps in knowledge (instream and out-of-stream)
- Step 3 - Examine current and future water needs for people, the economy, and the environment (instream and out-of-stream)
- Step 4 - Develop and prioritize strategic and integrated solutions to meet water needs
- Step 5 - Adopt and implement a local integrated water resources plan.

Resources: Where did resources come from to support the effort- technical, process, or project implementation?

Funding, technical, and process assistance was provided by the state primarily through OWRD, DEQ, ODFW, OWEB and ODA. Groups also sought and received funding from planning group members and private foundations.

Outputs:

- Evaluation of the Pilot Place-Based Integrated Water Resources Planning effort (link)
- State Recognized Place-Based Integrated Water Resources Plans (In-process)

Next Steps:

Three of the four groups will likely have state-recognized plans in 2022 and will shift from plan development to plan implementation. More detail on each group's next steps below.

Programmatically, the Department wants to ensure that any future planning work is informed by the lessons learned from past approaches, responds to the water planning needs across the state, and takes into account agency capacity. Therefore, the Department embarked on an assessment of water resource planning. The independent evaluation of place-based water planning is one element of the larger assessment. The Department is planning to submit a legislative concept in 2023 that would give it authority to award grants to support various types of water planning as well as submit POPs to increase its ability to provide data and technical assistance to groups that/who conduct water planning.

Participants:

Participant lists specific to each planning effort are detailed in the sections below.

Harney Community Water Planning Collaborative (link)

Draft out for review.

Upper Grand Ronde River Watershed Partnership (link)

Draft out for review.

Mid-Coast Water Planning Partnership (link)

Draft out for review.

Lower John Day Place Based Planning (link)

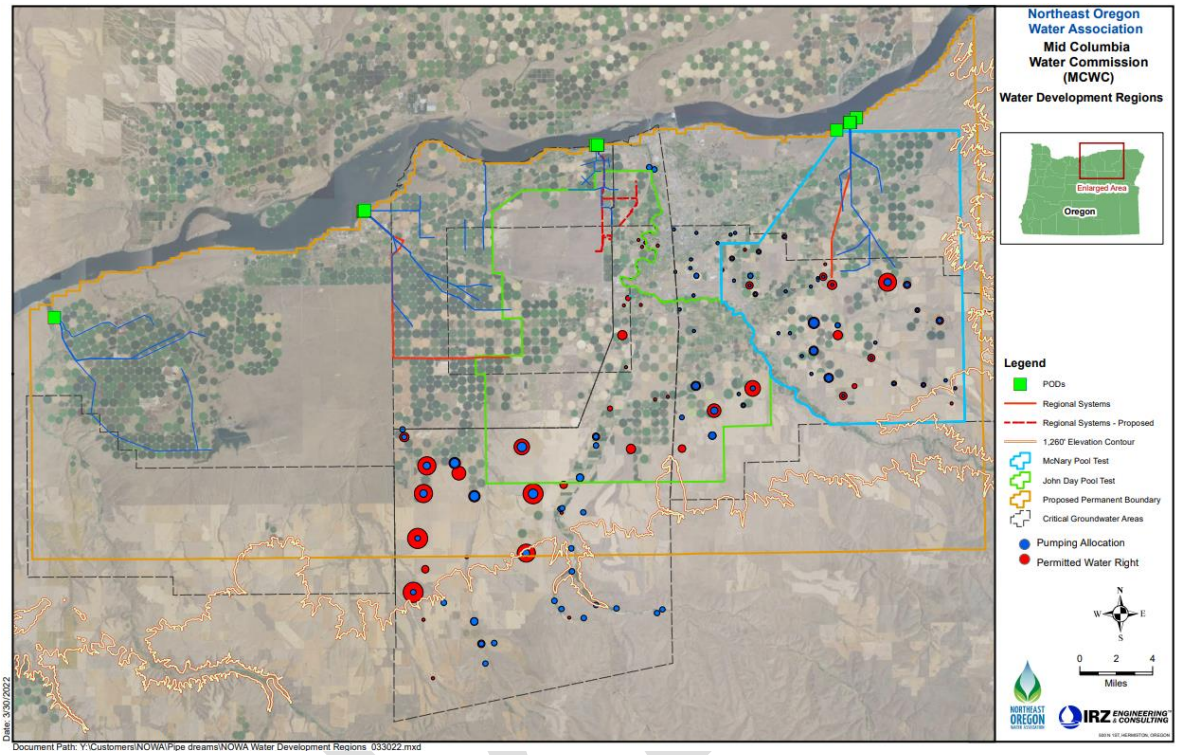
Draft out for review.

Columbia River - Umatilla Solutions Taskforce (link)

Presenters:

JR Cook (NE Oregon Water Association) & Kimberley Priestley (WaterWatch)

Geography: Umatilla Basin and Columbia River



Important Dates:

- Convened on June 18, 2012
- Declaration of Cooperation signed February 2013

Initiated by:

- Governor Kitzhaber's Natural Resource Advisor (Richard Whitman)
- Umatilla County Commissioner and Chair of the Umatilla Basin Commission (Dennis Doherty)

Drivers or Motivations of the Effort:

- Over 40 years of collaborative efforts (1986 Governor's Task Force report, Umatilla Basin Exchange Act, Sen. Hatfield efforts on CTUIR Tribal Water Rights Settlement, etc.)
- Significant data development in the years before the CRUST was convened, in addition to existing monitoring networks, enabled the establishment of a firm baseline to warrant further discussion.
- A desire by then Governor Kitzhaber to seek a solution that would stave off further legislative battles (following five sessions of grappling with bills related to Columbia River allocations)
- For irrigators and Mid-Columbia businesses of Oregon, a consideration of the lack of parity and access to solutions between Washington and Oregon (Prior to CRUST, Washington continued to develop new

acreage and formed & funded the "Office of Columbia River" while Oregon acreage and environmental sustainability continued to decline).

- Job creation and economic recovery through irrigated agriculture in the Umatilla Basin
- Lack of substantive solution(s) to aquifer recovery in 4 State designated Critical Groundwater Areas
- Salmon and native fish recovery in the mainstem Columbia River and the Umatilla Basin
- Opportunity to incorporate and build upon existing efforts, including Oregon's Integrated Water Resources Strategy, the Umatilla Basin Aquifer Storage and Recovery Project, the work of the State of Washington Office of the Columbia River to develop instream and out-of-stream projects, Umatilla Sub-Basin 2050 Plan, and studies and actions related to salmon recovery efforts

How were objectives identified and sideboards established?

Objectives: The group was given a charge by the Governor's office, which informed its six process objectives. They are detailed in the Declaration of Cooperation. The group spent significant time developing guidelines to govern content of the discussions. The development of the guidelines led to great efficiencies in the process.

Sideboards: Included in these guidelines were sideboards that required that any option to increase utilization of Columbia River water not negatively impact flows needed for fish, and not impede Tribal Water Rights Settlement discussions, the Basin 2050 Water Plan, Columbia River Salmon and Steelhead Recovery Plans, the State's integrated Water Resources Strategy and the Umatilla Groundwater Management Area Action Plan. Including these sideboards made discussions more efficient as options that did not meet these could not be brought to the table.

The guidelines called for consideration of both Oregon and inter-state options, spanning short term and long-term opportunities.

The guidelines required that all options developed be similarly screened based on technical feasibility, economic feasibility, legal feasibility, and political feasibility and that the group determine options for which there was consensus and/or options where there was not consensus but warranted further discussion, as well as any needed legal or institutional changes to implement recommended options.

The sideboards developed to guide discussions for this process resulted in analysis and decisions that were straightforward and conflict free.

Process: How did you approach your process and who was involved in determining the structure of the process approach?

The Governor designated this process as an "Oregon Solutions" project and it was professionally facilitated by Steve Greenwood from OS. The process was co-convened by the Governor's office and a Umatilla County commissioner and it had strong presence and leadership by state (e.g. OWRD and ODFW Directors attended all meetings). The Confederated Tribes of the Umatilla Indian Reservation was a key participant. The group was limited to 20 stakeholders, many of whom had working relationships before entering discussions. All participants invited to participate had extensive knowledge about the issues at play.

As noted above, years of relationship building, data & monitoring networks, in addition to the OS effort to spend significant time upfront on developing sideboards for discussion led to great efficiencies in developing the CRUST DOC.

Meetings were held monthly with project participants, starting in June 2012. Sub committees met throughout. The facilitator was very available to all members. Ultimately the CRUST considered nearly 30 options. The four agreed upon screening sideboards (tech, econ, legal, political feasibility) were applied, as well as an analysis of ecological impacts and economic development impacts. Consensus was reached on 9 options. The CRUST agreement was very clear that this agreement did not mean carte blanch approval for implementing an action regardless of the ultimate specifics of the project, but rather that agreement represented a good faith effort that the options represented the best chance of success and recommended taking to the next step toward determining feasibility. This helped the group get to consensus.

Resources: Where did resources come from to support the effort - technical, process, or project implementation?

- Financial resources for the facilitation of the effort were provided by non-state local sources including County, public entity and private contributions.
- State and county staff resources were provided by state and county.
- All travel, staff and participation costs by members were covered by each respective member entity.
- $1.1 million contributed annually by the Mid-Columbia Water Commission since CRUST declaration to keep effort moving forward.

Outputs generated:

- Direct
    - Signed Declaration of Cooperation that included a set of nine consensus recommendations
- Indirect
    - Passage of 2015 funding package to begin investment in regional Columbia River water supply projects to convey CRUST approved water supply sources to key areas of demand for long-term sustainability
    - Pilot transactions of Umatilla Brokerage (Has led to the Mid-Columbia Water Commission and temporary mitigation pooling structure)
        - All developed locally, needs long-term certainty

Output Targets Missed/Deemphasized:

- "Generation of Oregon Institutional Capacity" lead by Governor's Natural Resource Office
    - Lead to disconnect/conflict in Wallowa investments and to lack of coordinated, measurable actions and budget recommendations
- "Agreements with State of Washington (and/or Idaho) to protect water conserved or stored in Oregon"
- "Interstate discussions on potential joint investments or joint utilization of water storage sites"
- "Use of unused, developed Washington water rights"
- "Testing Completion of Umatilla Basin Aquifer Restoration Project"
    - Missed opportunities for recharge and aquifer restoration

Next Steps:

- CRUST II (Formalizing a multi-state co-investment discussion and approach)
    - $500,000 authorized in 2021 session to Umatilla County to implement agreements of the Columbia River Umatilla solutions Taskforce to formally move forward on the list of consensus-based actions for development of a stronger interstate approach including:
        - Agreements with the State of Washington and/or Idaho to protected conserved water originating in Oregon
        - Interstate discussions on potential joint investment or joint utilization of water storage sites
        - Developing Oregon institutional capacity to pursue regional agreements and potential interstate investments in water development projects

Participants:

Public

- Blue Mountain Community College
- Bonneville Power Administration
- Confederated Tribes of the Umatilla Indian Reservation
- Northwest Power Conservation Council
- Oregon Dept. of Agriculture
- Oregon Dept. of Fish & Wildlife
- Oregon governor's office
- Oregon Water Resources Department
- OSU college of Agricultural Sciences
- Port of Morrow
- Umatilla Basin Commission
- Umatilla County
- US Bureau of Reclamation
- Washington Columbia River Water Program

Private

- Private farm owners
- Umatilla Electric Co-op

Non-profit

- American Rivers
- Freshwater Trust
- Water Watch

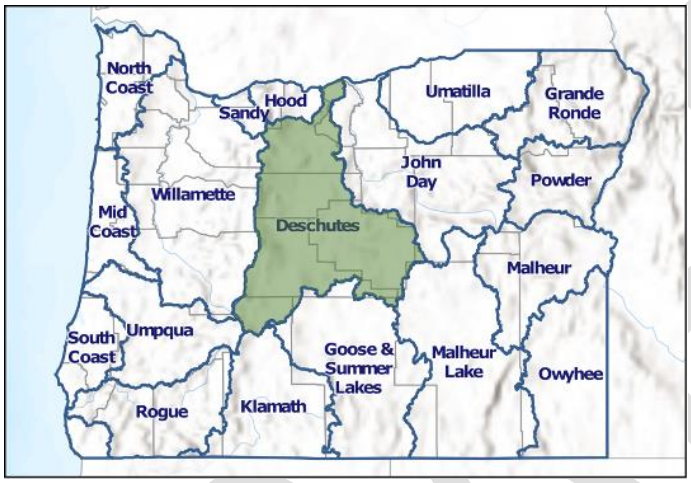
Deschutes Basin Water Collaborative

Deschutes River Conservancy: www.deschutesriver.org
Deschutes Basin Water Collaborative: https://www.coic.org/dbwc/

Presenters:

Bobby Brunoe (Confederated Tribes of Warm Springs) & Kate Fitzpatrick (Deschutes River Conservancy)

Geography: The Deschutes Basin, with an initial focus on the upper and middle Deschutes River mainstem.



Important Dates:

- Confederated Tribes of Warm Springs Reservation Water Rights Settlement Agreement, finalized 1997
- Deschutes River Conservancy formed 1996
- Deschutes Water Alliance formed 2004
- Basin Study Work Group formed 2014
- Deschutes Basin Water Collaborative formed 2020

Initiated by:

Collaborative efforts in the Deschutes Basin were initiated by the Confederated Tribes of Warm Springs (CTWS), beginning with the process around the Water Rights Settlement Agreement. They were joined by Environmental Defense Fund and local irrigation districts to form the Deschutes River Conservancy (DRC) in 1996. In 2004, the DRC, cities, and irrigation interests initiated the Deschutes Water Alliance to undertake studies and expand to an even broader stakeholder group, including additional representatives of local governments. Core partners in these efforts initiated the Basin Study Work Group (2014) and Deschutes Basin Water Collaborative (2020), broadening the stakeholder group each time. DRC provided continuity of capacity and leadership to initiate/fund these efforts, joined by the Central Oregon Intergovernmental Council (COIC) in formation of the Deschutes Water Basin Collaborative.

Drivers or Motivations of the Effort:

- The initial driver was the CTWS's critical interest in restoring streamflow and water quality through collaboration, and protecting the tribes' water rights, in the context of an overallocated basin where

many reaches exceed water quality standards. Clean, cold water to provide for salmon and tribal communities is central to tribal priorities.

- Growing urban populations, the regulatory context of the Deschutes Basin Groundwater Mitigation Program informed by the USGS Deschutes Groundwater Study, emerging Endangered Species Act issues, and adapting to climate change have continued to drive collaboration.
- Having had collaborative project success in the basin, stakeholders in the Deschutes remain motivated to continue collaborative efforts to accelerate meeting instream and out of stream goals. Reasons include the belief that collaboration will ensure funding and can result in successful outcomes more quickly than other approaches.

How were objectives identified and sideboards established?

The mission of the DRC to restore streamflow and water quality was decided upon by the multi-stakeholder founders based on outcomes of an initial basin report and agreement that streamflow and water quality were two major resource issues that could create conflict and that would benefit from collaboration. Agreement that the group would operate by collaboration and consensus through diverse representation created the sideboards that continue to lay the foundation for the collaborative work in the basin. The successive planning efforts have adopted goals to address instream and out of stream needs, using the same sideboards of collaboration and consensus.

Process: How did you approach your process and who was involved in determining the structure of the process approach?

In each of the efforts, the process approach was determined through MOU or Charter development. A professional facilitator was retained to help the Basin Study Work Group formalize its charter and governance structure.

In the case of the Deschutes Basin Water Collaborative, the Charter describes a two-tiered structure to guide actions: 1) A Planning Team that will facilitate deliberation on key issues, set agendas, develop proposals, and keep the process moving; and 2) the Deschutes Basin Working Group that will allow for very broad stakeholder engagement in the process and outcomes. The Charter also developed subcommittees, which currently include a Technical Committee, a Communications Committee, and an Instream Committee (as well as a Groundwater Mitigation Committee on-hold).

Resources: Where did resources come from to support the effort - technical, process, or project implementation?

The DRC was initially federally-authorized to receive direct appropriations, providing important initial capacity for collaboration and projects. Through its 501©3 status, DRC has provided consistency in technical support, project implementation funding, and collaborative capacity over the range of planning and implementation efforts, through securing a diversity of agency grants and foundation funding. Irrigation districts have been primary partners in this work. Cities have contributed resources as well over time. The Upper Deschutes Basin Study, funded by the Bureau of Reclamation and the State of Oregon, provided $1.5 M for a variety of technical and policy studies and modeling generated by a host of consultants and OWRD/Reclamation. The DBWC is currently funded by grants (OWEB, OCF, etc.) and local contributions. DRC provides technical support and Central Oregon Intergovernmental Council provides facilitation and coordination to the Deschutes Basin Water Collaborative. DBWC employs contractors as needed, for additional technical support etc.

Outputs:

Since 1996, The DRC and basin partners have restored over 200 cubic feet per second to basin rivers and streams while improving agricultural reliability and generating some long-term water supply for growing communities.

The Deschutes Water Alliance Studies (2006) and Upper Deschutes River Basin Study (2019) provided a robust body of information on water supply and demand and strategies to meet needs into the future, including state-of-the art hydrologic modeling.

The collaborative processes in the basin have created a broad and highly educated stakeholder group that is well-positioned to build on its collaborative experience around project implementation and information generation.

Next Steps:

The DBWC is currently working to develop a comprehensive water management plan for the Middle and Upper Deschutes Rivers, with the goal of accelerating projects that meet instream and out of stream needs. It plans to expand its work throughout the basin.

Participants in the Deschutes Basin Water Collaborative:

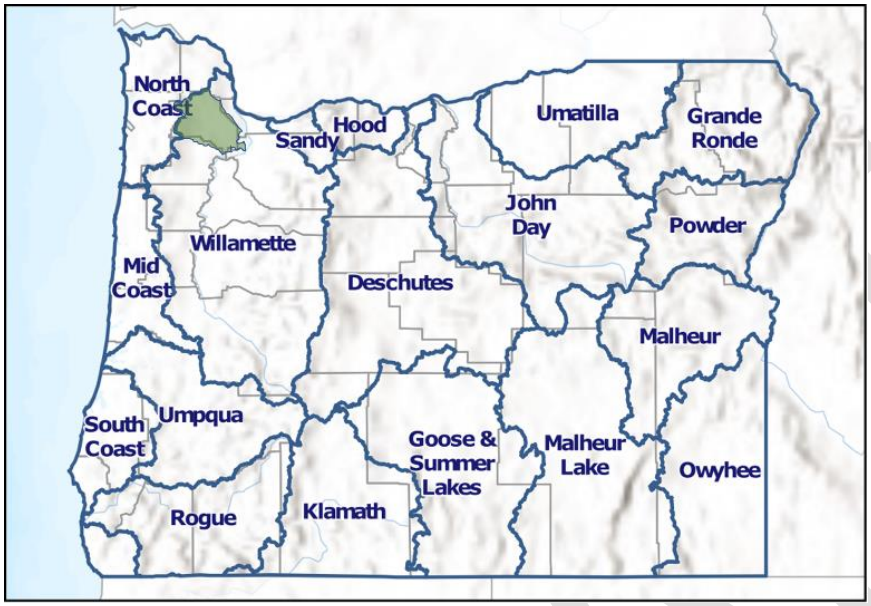
- Oregon Governor's Office
- Oregon Dept. of Agriculture
- Oregon Dept. of Environmental Quality
- Oregon Dept. of Fish & Wildlife
- Oregon Water Resources Dept.
- US Fish & Wildlife Service
- US Forest Service
- Oregon Environmental Council
- Arnold Irrigation District
- Central Oregon Irrigation District
- Deschutes Soil & Water Conservation District
- Lone Pine Irrigation District
- North Unit Irrigation District
- Ochoco Irrigation District
- Water for Life
- Central Oregon Intergovernmental Council
- Confederated Tribes of Warm Springs
- Crook County
- Jefferson County
- League of Women Voters – Deschutes County
- Avion Water Company
- Central Oregon Cities Organization
- City of Bend
- City of La Pine
- City of Prineville
- City of Redmond
- Central Oregon LandWatch
- Yancy Lind (Citizen)
- Crooked River Watershed Council
- Deschutes River Conservancy
- Great Old Broads for Wilderness
- Oregon Natural Desert Association
- Sunriver Anglers
- Trout Unlimited – Deschutes Redband Chapter
- Trout Unlimited (State Office)
- Upper Deschutes Watershed Council
- WaterWatch of Oregon
- Portland General Electric
- Coalition for the Deschutes

Tualatin Basin Regional Partnership and Flow Management (link)

Presenter:

Niki Iverson (LOC, Water Director City of Hillsboro & Chair of LOC Water/Wastewater Policy Committee)

Geography: Tualatin River Basin



Important Dates:

- Joint water supply regional partnerships began in the Tualatin Basin in the 1960's with the construction of Scoggins Dam and Reservoir (Hagg Lake) by the Bureau of Reclamation for agricultural irrigation, municipal and industrial supply, water quality, and flow augmentation purposes.
- Regional partnerships continued with the initial construction (1970's) and dam raise (late 1990's) of Eldon Mills Dam and Barney Reservoir, and the formation of the Barney Reservoir Joint Ownership Commission.
- The Cities of Hillsboro, Forest Grove, Beaverton, and the Tualatin Valley Water District formed a municipal drinking water supply partnership called the Joint Water Commission in the 1970's, jointly owning and operating a water treatment plant, large transmission lines, and water supply.
- The Flow Management Technical Committee began meeting in 1987 to continue the tradition of stakeholder flow management and regional supply partnerships and collaboration. This partnership includes the Water Master and stakeholder funded position in the Water Master's office.
- Hillsboro, Tualatin Valley Water District, and Beaverton partnered in the Willamette Water Supply System Commission to construct a seismically resilient new water supply in 2015.
- Wilsonville and Tualatin Valley Water District constructed a regional water intake facility in the early 2000's on the Willamette River. Sherwood, Hillsboro, Beaverton, and Tigard have joined that partnership and formed the Willamette Intake Facilities Commission.

Initiated by:

The efforts were originated by agricultural irrigation and municipal drinking water stakeholders. Henry Hagg and JW Barney were the key leaders in initiating the efforts and obtaining federal support.

Drivers or Motivations of the Effort:

Municipalities making up the Joint Water Commission and the Tualatin Valley Irrigation District share an intake that is owned by the Bureau of Reclamation. Due to water shortages and a wastewater moratorium, several basin stakeholders joined to build regional storage projects. A Flow Management Technical Committee was formed by several basin stakeholders and continues to meet on a monthly basis during the peak season. This committee is made up of technical staff that manage water supply, basin stakeholders and the water master's office.

How were objectives identified and sideboards established?

This is a continuous process and it is consensus based. We have strong relationships and a partnership culture in Washington County that was built over many decades. There are different projects that have different partnerships, but the partners generally agree on an approach though an initial agreement such as a project charter.

Process: How did you approach your process and who was involved in determining the structure of the process approach?

Meets monthly and reviews hydrographs and current status of the reservoirs, along with a variety of other water issues. Each member updates the committee on any changes that could impact the flow management of the Tualatin Basin.

Resources: Where did resources come from to support the effort - technical, process, or project implementation?

Members of the committee are technical staff with detailed knowledge of the specific characteristics of flow of this river. Clean Water Services Watershed Management Division and Oregon Water Resources Department District 18 Water Master prepare the annual report with data collected by cooperating entities.

Several basin stakeholders provide funding to Washington County for an Assistant Water Master and for several flow stations and water quality monitoring throughout the basin.

Outputs:

Annual Reports documenting the flow management of the Tualatin River. Coordination on basin water supply projects, water quality events and response, and other stakeholder initiatives. Primarily, we maintain flow management in the Tualatin River.

Next Steps:

The group will continue to work together on flow management and coordinate on basin projects. The next projects that we will be focusing on in the Tualatin Basin are the Safety of Dams improvements at Scoggins Dam, water reuse opportunities, climate change impact studies, the Willamette Supply project, and other related basin planning.

Participants:

- Tualatin Valley Irrigation District
- Oregon Water Resources Department
- Washington County – assistant water master, emergency management and response, and parks staff
- Clean Water Services
- Washington County
- Lake Oswego Corporation

- City of Forest Grove
- Joint Water Commission
- Barney Reservoir Joint Ownership Commission
- City of Hillsboro Water Department