

# **Basin Study Work Group Steering Committee (BSC) Meeting**

April 7, 2015, 1:00 pm - 4:00 pm

Barnes and Sawyer Rooms, Deschutes Services Building, 1300 NW Wall Street, Bend, OR 97701

## **ATTENDANCE**

(See Attachment A for the updated Active Members Tracking sheet.)

### **Member Representatives and Alternates Present**

Arnold Irrigation District: Shawn Gerdes  
Avion Water Company: Mark Reinecke  
Central Oregon Flyfishers: Dave Dunahay  
Central Oregon Irrigation District: Craig Horrell  
City of Bend: Adam Sussman (also Technical Co-Coordinator)  
City of Madras: Richard Ladeby  
City of Prineville and Central Oregon Cities Organization: Betty Roppe  
Crooked River Watershed Council: Chris Gannon  
Deschutes County: Alan Unger  
Deschutes River Conservancy: Tod Heisler, Kate Fitzpatrick (also Process Co-Coordinator)  
Native Reintroduction Network: Tom Davis  
Natural Resources Conservation Service: Tom Bennett

North Unit Irrigation District: Mike Britton  
Ochoco Irrigation District: Mike Kasberger  
Portland General Electric: Bob Spateholts  
Swalley Irrigation District: Suzanne Butterfield  
Three Sisters Irrigation District: Marc Thalacker, Pamela Thalacker  
Trout Unlimited: Mike Tripp  
Tumalo Irrigation District: Ken Rieck  
U.S. Bureau of Reclamation: Doug DeFlitch  
U.S. Fish and Wildlife Service: Nancy Gilbert  
U.S. Forest Service: Jason Gritzner  
Upper Deschutes River Coalition: Jeff Wieland  
Upper Deschutes Watershed Council: Ryan Houston  
Water for Life: Rex Barber  
WaterWatch of Oregon: Kimberley Priestley

### **Member Organizations Not Present**

Bend Paddle Trail Alliance  
City of Redmond  
Lone Pine Irrigation District

Oregon Department of Environmental Quality  
Oregon Water Resources Department

### **Also Attending**

Bea Armstrong, Deschutes River Conservancy  
Paul Lipscomb, OLAWA  
Scott Nelson, Rivière des Chutes

Shon Rae, Central Oregon Irrigation District  
Gail Snyder, Central Oregon LandWatch  
Brian Wilkinson, HDR Engineering

In addition, Mike Relf, Basin Study Lead, Bureau of Reclamation and Salem Opeifa from Oregon Water Resources Department attended the meeting. Mary Orton, The Mary Orton Company, LLC, attended as Facilitator and Anne George, The Mary Orton Company, LLC, attended and took notes.

## **AGENDA**

The group used the following agenda as a guide during their meeting:

1. Welcome, Self-Introductions, and Minutes
2. Plan of Study and Memorandum of Agreement
3. Project Management Proposal
4. Future Basin Study Process
5. Public Comment
6. Next Steps
7. Meeting Evaluation

## **WELCOME, INTRODUCTIONS, AND MINUTES**

BSC Chair Craig Horrell welcomed everyone. Craig acknowledged Suzanne for her 18 months of service as Chair of the BSC, which ended last month. He thanked her for her work in helping establish the groundwork for the BSC and said her work would lead to great outcomes for the project. The BSC thanked Suzanne and provided a gift in recognition for her work.

The minutes from the March 3, 2015 meeting were approved with no objection.

## **PLAN OF STUDY AND MEMORANDUM OF AGREEMENT**

Adam told members they would be seeking agreement on the Plan of Study (POS), the Communications and Outreach Plan (COP), and the Memorandum of Agreement (MOA) documents at the meeting. After approval, the MOA would have the POS and COP attached to it to comprise the contract with Reclamation.

### **Plan of Study**

Adam reminded the group that members and interested individuals had had many opportunities to contribute to the development and review of the POS. The final draft, a result of many collaborative revisions, had been sent to the mailing list for review prior to the meeting.

Mike Relf said the Management Team at Reclamation had reviewed the draft POS that resulted from the March BSC meeting; they were pleased with the document and had only minor revisions to recommend. Adam said that in addition to those minor edits, the document had been edited to address feedback received from BSC members. He said most of the edits to the document offered clarifications, including language that matched the Charter. Adam reviewed many of the edits to the draft POS.

Mary asked if there were any suggested changes to the final draft POS from members.

### Section 4.1, Study Tasks, Task 4, 4<sup>th</sup> open bullet under Deschutes activities

Mike Britton said he was concerned about language in Task 4 that mentioned the Monner Dam and Reservoir site. He said he wanted to make sure the intent was clear that all storage options would be considered at the reconnaissance level and that a reconnaissance-level study of Monner Dam was not a forgone conclusion or an already defined component of Task 4. He said he thought there was an opportunity risk if the group focused too much on Monner Dam.

Mike Relf said that Reclamation understood that based on prior studies, Monner Dam would likely be identified as a good option to study, but that Reclamation would study a larger area with a number of locations in order to identify various options. He noted that this work would be a reconnaissance-level study per Reclamation terminology. Depending on how the work proceeded, the study for this task could come close to an appraisal-level study, he said.

Outcome: Based on discussion, there were no proposed changes to Task 4.

### Section 4.2, Study Tasks Table, Task 7

Suzanne suggested that the budget for Task 7 ("Project Management and Administration") in the table in Section 4.2 be divided so that the scope reserve would be separate from project management. She said that by separating the two items, the actual allocations for project management and scope reserve would be clearer.

The group agreed by CONSENSUS (all green cards) to separate the dollar amount of the scope reserve from the project management line item in Table 1, Section 4.2 of the April 1 version of the Plan of Study, and add a note on the previous page to clarify this without adding a new task number for scope reserve.

#### Climate Change Study Budget

Rex said he thought the budget for Reclamation to study climate change was sizeable, and he wanted the group to consider re-allocating some of that budget to the study of storage options. He added there would be cost savings if the group were to utilize climate change studies that had already been completed, such as those in the Hood River Basin Study, and apply them to the Deschutes Basin.

Mike Relf said there had been discussions about the budget for climate change studies and that the Basin Study Program emphasized that climate change work should carry through supply, demand, and future options for solutions. Climate change was a large part of the project; it will serve as an element to develop the tools to look at options and solutions. He added that unless the group felt otherwise, he thought this budget provided a good balance. Reclamation would be reviewing existing studies and Jennifer Johnson, the technical lead on climate change analysis, had indicated that she was pleased that the group would not need to spend substantial funding to begin modeling because of the work already done in previous studies, he noted. Mike said that Reclamation could complete a more detailed and interesting assessment of groundwater interactions, for example. However, how the study folds climate change into the modeling scenarios would be specific to this study and the work would need to be peer reviewed to ensure that it met the highest scientific standards.

Discussion included the following points:

- Depending on how the project progresses, the BSC would have a chance to discuss changes to the climate change studies budget later in the process.
- A discussion on the extent of the climate change studies would help inform Reclamation about whether the group wanted a less robust climate change tool and perhaps a more intensive storage review.
- If funding were ultimately reduced for the climate change part of the study, BSC members will probably have multiple ideas for re-allocating those funds.

Mary reminded the group that any changes to the budget would be accomplished through the change management procedures in the POS.

Outcome: Based on discussion there were no proposed changes to the climate change studies budget.

#### Plan of Study Approval

The group agreed by CONSENSUS (all green cards) to approve the April 1 version of the Plan of Study with the amendment noted above.

#### **Communication and Outreach Plan (COP)**

Kate discussed the development of the COP and said the draft had been revised based on received comments and suggestions. She reviewed many of the edits to the draft COP.

In answer to questions, Mary said that there were 31 member organizations of the Steering Committee, and that the term “BSWG” included all of the subgroups and the Planning Team, while the BSC was the steering committee of BSWG.

#### Communication and Outreach Plan Approval

The group agreed by CONSENSUS (all green cards) to approve the April 1 version of the Communication and Outreach Plan with no changes.

#### **Memorandum of Agreement**

Mike Relf said that Reclamation used their MOA template to develop the agreement. He said the substance of the study plan would be found in the POS, and the MOA was largely a procedural document. The DBBC and its attorney had reviewed the MOA and offered a few comments, and the Planning Team had also reviewed it.

#### Introduction

Chris asked if the third bullet on page 1 of the MOA could be edited to include future storage as an option, since the “movement of water between uses and users” was identified as an option in the bullet. He said he was concerned that “moving water between uses and users” was highlighted over other priorities. Mary suggested that the group either list all of the options or remove them all from this sentence.

The group agreed by CONSENSUS (one yellow card) to remove the language “that may move water between uses and users” from the third bullet of page 1 of the April 1 version of the MOA and add the language “that address imbalances” to the end of the sentence.

The group discussed the concerns of the member who held up a yellow card (“I can live with the proposal”) and he encouraged the group to proceed.

#### Definition of “Demands”

Kimberley commented that in other BSWG documents, they had noted that the term “demands” referred to instream and out-of-stream demands.

The group agreed by CONSENSUS (all green cards) to add as a footnote in the April 1 version of the MOA: “Unless otherwise noted, the word ‘demands’ refers to instream and out-of-stream demands.”

#### Approval of Memorandum of Agreement

The group agreed by CONSENSUS (all green cards) to approve the April 1 version of the Memorandum of Agreement with the two amendments noted above.

Doug abstained because Reclamation would be party to the MOA.

#### **PROJECT MANAGEMENT PROPOSAL**

Craig said the Planning Team plus Ryan and Marc (per direction from the BSC at its last meeting) discussed how BSWG might address project management. Following their discussion, they agreed they would support hiring Niklas Christensen, a consultant with Watershed Professionals Network, on a short-term contract to develop a project management plan as well as detailed scopes of work for Study Team consultants. This is not a contract for a project manager. Niklas had served as a consultant on the Hood River Basin Study and presented to the BSC at its September 2014 meeting.

The Planning Team requested and received a proposal from him for \$25,000, which had been sent to the BSWG mailing list on April 3 and distributed again at the BSC meeting.

Kate said that Niklas understood timing, sequencing, and planning in a Basin Study and could provide a level of detail for scopes of work for potential study team members. His work would position BSWG to be ready to confidently hire study team members. His proposal included 32 hours of stakeholder meetings to better understand the issues in this basin, 16 hours of meetings with Reclamation staff, and 50 hours to develop the project plan. The funding for this work would come from the BSWG project management budget. Craig said that the reason the Planning Team supported a short-term contract through a first phase of the project was because it was not yet clear if the group would want one project manager or various managers through the entire study. Tod noted the Planning Team (plus Marc and Ryan) was unanimous in its support of the proposal.

Mary said there was a proposed action item on the BSC agenda that was written before the Planning Team had received the proposal. She suggested that the proposed action item be changed to read “The BSWG Steering Committee agrees that Niklas Christensen, a consultant with Watershed Professionals Network, be retained through a short-term contract with DBBC, per his proposal distributed at the April 7, 2015 BSWG Steering Committee meeting.”

Salem mentioned that he was concerned that the \$240,000 allocated for project management was too large a percentage of the overall budget. Craig thanked Salem and said this would be addressed.

Discussion included:

- I am impressed with his background and experience and his rate was reasonable.
- The group will decide later whether to use RFQs or RFPs in hiring the study team.
- Niklas would be asked to develop the qualifications needed for various tasks.
- The DBBC would execute the contract with Watershed Professionals Network, with BSC approval.

The group agreed by CONSENSUS (all green cards) that Niklas Christensen, a consultant with Watershed Professionals Network, be retained through a short-term contract with DBBC, per his proposal distributed at the April 7, 2015 BSWG Steering Committee meeting.

## FUTURE BASIN STUDY PROCESS

### Planning Team Membership

Craig said the Planning Team wanted to propose that Ryan and Marc be added to the Planning Team on a permanent basis. Current members were Craig, Tod, Kate, Adam, Mike Britton, and Mary (though Mary's contract was over after this meeting). Mike Relf also attended Planning Team meetings. The Planning Team plans BSC meetings and can try to resolve conflicts before they arise at BSC meetings. Adam added his role as Technical Co-Coordinator would end and he would represent the City of Bend and municipalities in general on the Planning Team. Craig said the Planning Team plans to meet twice a month until July, and the BSC would meet monthly, at least until the Study Team was in place. Mike said that as an honorary adjunct member of the Planning Team, he would be happy to continue to attend meetings. As the group considered contracting items, he would be happy to help, if asked.

The group agreed by CONSENSUS (all green cards) to add Marc Thalacker and Ryan Houston to the Planning Team.

### **Facilitation**

Craig said the Planning Team would like to propose that Kate serve as both Process Co-Coordinator and Project Facilitator after Mary's contract ended.

Betty asked why the group was changing facilitators, and expressed concern that Kate was not a neutral party. Craig replied that Mary was retained to help the group through the difficult task of seeking consensus on the POS. The Planning Team believes that the level of conflict would be reduced now as the BSC becomes more of a technical team, he said, and that Kate had the skills to facilitate meetings.

Discussion included:

- Kate's role could be described as coordinator, rather than facilitator, to more accurately denote the type of meeting preparation and follow-up she would be asked to do. Her work in the meetings would be keep people on task and Kate would do this work very well.
- I support Kate for this role, but would like to receive a proposal from the DRC, as funding for her role would come partially from BSWG project management budget.
- The Planning Team is the body that will work through contentious issues and bring items that had been well vetted to the BSC.
- The process coordination work that Kate has been doing is a full-time job. I think the plan would be to have:
  - the project manager handle the technical details of the study,
  - someone at COID would manage the financial management and reporting, and
  - the DRC would subsidize Kate's work to handle stakeholder and process management.
- The BSC should re-hire Kate as Process Coordinator, and a facilitator was not needed.
- The Planning Team will be working at a much quicker pace now that the POS and MOA were completed. It will be important to have good communication between the Planning Team and the BSC.
- The Planning Team should also consider how documentation and meeting notes would be managed moving forward.

Tod said the DRC would submit a proposal for Kate to serve as a facilitator or process coordinator for the BSC to review.

Betty volunteered to be part of the Planning Team. Discussion included that this would provide the Planning Team with another municipalities representative, its first representative of the Crooked River basin, and more gender balance.

The group agreed by CONSENSUS (all green cards) that Betty Roppe would serve as a member of the Planning Team, representing municipality interests as well as the Crooked River Basin.

### **Schedule of Meetings**

Craig said the BSC would meet the first Tuesday of every month from 10:00 am to 12:00 noon; and the Planning Team would meet on the second and fourth Mondays of the month from 1:00 to 3:00 pm at the DRC. He added that the Planning Team would be discussing the COP and they would likely bring a proposal to a future meeting.

### **Thank Yous**

Craig said that BSWG had retained Mary Orton and The Mary Orton Company for 18 months. He said Mary joined the process when she was very much needed. The group thanked her for her work as well as the work of Anne, an associate with the company, and Kate presented both with flowers.

Suzanne thanked Kate and Adam for their work on the project as the Process and Technical Co-Coordinators. She said with Adam's role ending as Technical Co-Coordinator, she particularly wanted to let him know that he had been a delight to work with, fun, and extremely efficient.

Mary said that everyone in the BSC should be very proud of the work they had accomplished together.

### **PUBLIC COMMENT**

Scott Nelson said he was a filmmaker and had moved to Bend in 1999. He said he had filmed rivers around the world and that water had always been in his blood. About four years ago he started a film called Rivière des Chutes. He said he came into the project with some preconceived ideas, which changed following discussions with a number of people in the region. He said he came to understand how the North Unit Irrigation District was doing smart conservation and this and other knowledge changed the way he looked at rivers. NUID made do with two acre-feet of water per acre, where others might use five. Following completion of his film, he said he started filming the upper Deschutes River and this once wild and scenic river was in crisis. He was now working on a second film that he described as more scientific and not possessing the emotion of the first film. He said he had spoken with many people, but Dr. Gordon Brown had been the most influential and had explained to him that the springs were not immune to change. He asked the group to consider this as they moved forward.

Paul Lipscomb said he had been "an interested back bencher" in the meetings. He said he was pleased that the BSC had come to the decisions they had. He said the people who actually showed up and did the heavy lifting ran the world. He thanked the group for coming together, showing up, and doing what they did.

Commissioner Alan Unger said he wanted to comment on the text amendment vote that came before the Deschutes Board of County Commissioners to allow piping as an outright use in the SR 2.5 zone, the only part of Deschutes County that did not allow piping as an outright use. He said it was difficult for the BOCC to be perceived as being pitted against the neighbors in that area. He said the neighbors in the SR 2.5 zone said he had a bias. He said what he had was a lot of knowledge, and he understood the challenges in the basin and that we needed to do to solve them. He said that when Commissioner Baney said that she was not sure that he could be unbiased in the decision, he stepped back, and thus the BOCC could not have a decision on the text amendment. The County legal staff was working with COID to see what steps were available to them moving forward. He added that the process and the collaborative work the BSC was doing would guide everyone toward the solutions that were needed, whether the solutions were on-farm management, piping, or regulation.

### **MEETING EVALUATION**

Members were provided forms on which to write one piece of feedback about what they liked about the meeting, indicated below with a plus symbol (+), and one piece of feedback about what they

would like to change for the next meeting, indicated with a delta symbol ( $\Delta$ ). Each check mark (✓) indicates that someone repeated an item. The following comments were received.

+	$\Delta$
<ul style="list-style-type: none"><li>+ Consensus surrounding the changes in the 12<sup>th</sup> hour.</li><li>+ Efficient and fast.</li><li>+ Very well done.</li><li>+ Again, our working together for so long is paying off. Thanks for getting us here, Mary!!</li><li>+ Good connections.</li><li>+ It flowed. Thanks.</li></ul>	<ul style="list-style-type: none"><li><math>\Delta</math> Planning Team needs to bring better documentation on background to discussions and proposed decisions.</li><li><math>\Delta</math> More check-ins with visiting public. I want to ensure ample opportunity for public engagement.</li><li><math>\Delta</math> Emphasize brevity.</li><li><math>\Delta</math> (Nothing noted.)</li></ul>

Craig Horrell adjourned the meeting at 3:38 pm.

## **ATTACHMENT A: BSC ACTIVE MEMBERS LIST**

From Section 3.a of the Charter: “If a member organization does not participate in decision-making at two consecutive meetings by attendance or by email (see 4.a.vi), that organization cannot participate in decision-making until after it participates at two of the prior four meetings.”

<b>Organization</b>	<b>1/6/15</b>	<b>2/3/15</b>	<b>3/3/15</b>	<b>4/7/15</b>
Arnold Irrigation District	P	P	P	P
Avion Water Company	P	P	P	P
Bend Paddle Trail Alliance				
Central Oregon Cities Organization	P	P	P	P
Central Oregon Flyfishers	P	P	P	P
Central Oregon Irrigation District	P	P	P	P
City of Bend	P	P	P	P
City of Madras			O	P
City of Prineville	P	P	P	P
City of Redmond	P	P	P	O
Crooked River Watershed Council	P	P	P	P
Deschutes County		P	P	P
Deschutes River Conservancy	P	P	P	P
Lone Pine Irrigation District	P	P	P	O
Native Reintroduction Network		P	P	P
Natural Resources Conservation Service		P		P
North Unit Irrigation District	P	P		P
Ochoco Irrigation District	P	P	P	P
Oregon Dept. of Environmental Quality	P	P	P	
Oregon Water Resources Department	P	P	P	
Portland General Electric	P	P	P	P
Swalley Irrigation District	P	P	P	P
Three Sisters Irrigation District	P	P	P	P
Trout Unlimited	P	P	P	P
Tumalo Irrigation District	P	P	P	P
U.S. Bureau of Reclamation	P	P	P	P
U.S. Fish and Wildlife Service	P	P	P	P
U.S. Forest Service	P	P	O	P
Upper Deschutes River Coalition	P	P	P	P
Upper Deschutes Watershed Council	P	P	P	P
Water for Life		P	P	P
WaterWatch of Oregon		P	P	P

O= Participated other than attending the meeting.

April: Terry Smith (LPID) and Bill Duerden (City of Redmond) both responded via email with their consensus card color to the decisions made at the April meeting.