

Basin Study Work Group Charter

Approved by the BSWG Steering Committee on September 23, 2014

Revised by BSWG Steering Committee approval April 7, 2015

1. Purpose

BSWG's purpose is to manage a Basin Study with the Bureau of Reclamation that builds upon past work to update groundwater and surface water models, develop a basin-specific climate analysis, update supply and demand projections, and identify specific actions that can be taken to resolve water issues in the basin. Study results will be used to build a long-term basin water management plan to guide sustainable water management actions in the future. The study brings together a diverse set of stakeholders to seek specific solutions for resolving water supply and demand imbalances for agriculture, municipal, and instream uses in the Upper Deschutes River Basin.

Basin Studies address basin-wide efforts to evaluate and address the impacts of climate change. The Bureau of Reclamation funds comprehensive water studies that define options for meeting future water demands in river basins in the western United States where imbalances in water supply and demand exist or are projected. Each study includes four key segments:

- State-of-the-art projections of future supply and demand by river basin.
- An analysis of how the basin's existing water and power operations and infrastructure will perform in the face of changing water realities.
- Development of options to improve operations and infrastructure to supply adequate water in the future.
- Recommendations on how to optimize operations and infrastructure in a basin to supply adequate water in the future.

All references to supply and demand in this document include agricultural, municipal, and instream.

2. Structure and Function

- a. The goal of the BSWG structure is to promote completion of the Basin Study, to be open and inclusive, and to encourage diverse viewpoints.
- b. BSWG consists of a Steering Committee, a Planning Team, and Subgroups.
- c. Steering Committee
The Steering Committee has a defined membership that includes agriculture, municipal, and instream interests.
- d. Planning Team
 - i. The Planning Team for the Steering Committee is comprised of the Chair, the Co-Coordinator(s), the Chair of the Deschutes Basin Board of Control, the Executive Director of the Deschutes River Conservancy, a representative of municipal water users, and the Facilitator. The composition of the Planning Team can be changed by approval of the Steering Committee.
 - ii. The Planning Team will suggest to the Steering Committee the design of process, meetings, and agendas; may offer recommendations to the Steering Committee on issues or procedure; and will provide other support to the BSWG as outlined in this Charter or as appropriate.
 - iii. The DBBC Chairman (or designee) is the official point of contact with the Oregon Water Resources Department and the Bureau of Reclamation regarding funding agreements and fiscal management for the Basin Study.

- e. Subgroups
 - i. Subgroups send recommendations to the Steering Committee for consideration.
 - ii. The three current Subgroups are Upper Deschutes Basin, Whychus Creek Basin, and Crooked River Basin.
 - iii. Subgroups can create and disband subcommittees and technical committees.
 - iv. The Steering Committee can create and disband Subgroups.
- f. Fiscal agent and applicant
The Deschutes Basin Board of Control, on behalf of BSWG, is the applicant for the Basin Study, and will serve as fiscal agent for the Basin Study.

3. Representation

a. Steering Committee Members

Each of the following organizations will be formally invited to be a member of the BSWG Steering Committee and to designate a representative and an alternate to represent it at Steering Committee meetings. Alternates are expected to have an up-to-date understanding of the work of the Steering Committee so they can fully participate when called on to do so.

Once a member agrees to join, the Co-Coordinators and the Facilitator will communicate with any member whose representative(s) do not attend a meeting(s). 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. The Process Co-Coordinator or Facilitator is responsible for keeping track of members, approved representatives, and attendance records.

Irrigation Districts

Arnold Irrigation District
Central Oregon Irrigation District
Lone Pine Irrigation District
North Unit Irrigation District
Ochoco Irrigation District
Swalley Irrigation District
Three Sisters Irrigation District
Tumalo Irrigation District

Local Government

Central Oregon Cities Organization
City of Bend
City of Culver
City of La Pine
City of Madras
City of Maupin
City of Metolius
City of Prineville
City of Redmond
City of Sisters
Crook County
Deschutes County
Jefferson County

Tribal Government

Confederated Tribes of Warm Springs

Interested Organizations

Bend Paddle Trail Alliance
Central Oregon Flyfishers
Crooked River Watershed Council
Deschutes River Conservancy
Economic Development for Central Oregon
Native Reintroduction Network
Portland General Electric
Trout Unlimited
Upper Deschutes River Coalition
Upper Deschutes Watershed Council
Water for Life
WaterWatch of Oregon

Federal Government

National Marine Fisheries Service
Natural Resources Conservation Service
U.S. Forest Service
U.S. Fish and Wildlife Service
U.S. Bureau of Reclamation

Water Providers

Avion Water Company
Deschutes Valley Water District
Terrebonne Domestic Water District

State Government

Oregon Department of Environmental Quality
Oregon Department of Fish and Wildlife
Oregon Water Resources Department

- b. One representative or alternate from each member organization will sit at the table, participate in the discussion, and participate in decision-making. The representative at the table may call on her or his alternate to speak when that representative is recognized by the Chair or Facilitator.
- c. Subgroup Members
Subgroups may include Steering Committee members as well as others who have relevant expertise and/or interest in the topic or geography.

4. Decision-Making

a. Steering Committee

Goal

- i. The goal of the Steering Committee decision-making process is to promote completion of the Basin Study as described in the Purpose statement in Section 1 above, to be open and inclusive, and to encourage diverse viewpoints.

Consensus Decision Rule

- ii. The Steering Committee operates by consensus. No member has the authority to make decisions for the Steering Committee. In the spirit of collaboration, Steering Committee members agree to do their best to meet the interests of all members.
- iii. No formal votes will be taken. Each member organization receives one set of red, yellow, and green cards at each Steering Committee meeting. When asked by the Chair or Facilitator to indicate their level of agreement for a proposal, members will hold up one card. The green card indicates the member fully supports the proposal, the yellow card indicates that the member can accept the proposal, and the red card indicates that the proposal is not acceptable because the member has serious reservations.
- iv. Consensus means that no more than one member holds up or sends in a red card, after every attempt has been made to address the concerns of all members.
- v. Only consensus agreements will move forward under the Basin Study. (See the exception under 4.a.x).

Absences

- vi. If a decision is made at a Steering Committee meeting from which a member(s) was absent, the Facilitator or Process Co-Coordinator will send the decision language to absent member(s) via email within five working days after the meeting, with a deadline of five additional working days to respond with a virtual green, yellow, or red card. At the close of the response period, the Facilitator or Process Co-Coordinator shall report the results to all members of the Steering Committee.

Addressing Disagreement

- vii. When a member holds up a yellow or red card in a meeting, the group will immediately or as soon as possible make every attempt to address the member's concerns. When a member who was absent sends in a virtual yellow or red card, the group will make every attempt to address the member's concerns at its next meeting or via email. In either

case, all Steering Committee members will make every effort to offer alternatives satisfactory to all members.

- viii. If further discussion does not resolve the concerns expressed, the Chair can appoint a small group to address the concerns outside the meeting and attempt to reach agreement on a proposal for the full group to consider. The Chair can request that the Facilitator to work with the small group.
- ix. In the rare instances when a final decision is made with a member showing a red card, that person will be invited to write up her or his concerns so they can be included in the minutes.

Special Circumstance

- x. For grant administration and fiscal decisions made by the DBBC, if:
 - the Steering Committee is unable to reach consensus on an item, and there is an upcoming deadline that makes a decision on that item urgent, and
 - if action is not taken on that item by that deadline, the DBBC would be in violation of the terms of one or more of its funding agreements that would put it in jeopardy of violating its fiduciary responsibility as fiscal agent, or the DBBC would be put in a position of having to repay grant funds already disbursed, then the Reclamation Study Manager will be asked to help the Steering Committee address that item. If the Reclamation-facilitated process is not successful, the DBBC, only after giving notice to the full Steering Committee with as much advance notice as possible, will make the decision regarding that item. In its deliberation, the DBBC will consider all points of view that were expressed on the subject by Steering Committee members. The Steering Committee anticipates that this clause will be used rarely, if at all.
- b. Subgroups
 - i. Subgroups operate by consensus, with the same definition of consensus as described above in 4.a.iv.
 - ii. No member has the authority to make unilateral decisions for the Subgroup.
 - iii. No Subgroup has the authority to make decisions for the Steering Committee.
 - iv. If a Subgroup is unable to agree on a proposal, it can send alternatives to the Steering Committee for a decision.

5. Roles and Responsibilities

- a. Steering Committee and Subgroup members agree to:
 - i. Attend meetings, or arrange for another representative of the organization to attend, as much as possible.
 - ii. Fully participate in meetings and articulate the views of their organization and constituents. (Constituents are stakeholders, members, or board members of an organization; or colleagues, subordinates, and superiors at an agency.)
 - iii. Keep their constituents fully informed about the deliberations and actively seek their input, so they can understand and support the decisions made by the group.
 - iv. Strive to bridge gaps in understanding, seek creative resolution of differences, and commit to the goal of achieving consensus.
 - v. Be willing to engage in respectful, constructive dialogue with other members.
 - vi. Recognize that open discussion is vital to a collaborative process, and commit to expressing their views and concerns in advance of a decision being made.
 - vii. Arrive at the meetings fully prepared to discuss items on the agenda. Preparation includes reviewing meeting notes and other materials sent in advance.

- viii. Support any consensus decisions made, and refrain from negative comments about items that were agreed to by consensus.
- ix. Bring copies of their meeting agenda and materials to the meetings to save on copying expenses.
- x. Comply with the provisions of this Charter, and help remind others of its provisions to encourage compliance by everyone.
- b. Members of the public
 - i. Steering Committee meetings are open to the public. Anyone is welcome to attend and observe the meetings.
 - ii. Seating away from the table will be provided for members of the public.
 - iii. At designated times during meetings, members of the public may be invited to address the Steering Committee. The Steering Committee may also elect to solicit written comments from the public.
- c. Steering Committee Chair (as chosen by the Steering Committee)
 - i. Presides over Steering Committee meetings.
 - ii. Is a member of the Planning Team.
- d. Process Co-Coordinator (as appointed by the Steering Committee)
 - i. Is a member of the Planning Team.
 - ii. Invites representation and participation from all interests.
 - iii. Sets meetings and circulates agendas and other meeting materials in coordination with the Chair.
 - iv. Coordinates Subgroups and their meetings, including coordinating technical input and recommendations from Subgroups.
 - v. Coordinates with stakeholders as necessary.
- e. Technical Co-Coordinator (as appointed by the Steering Committee)
 - i. Is a member of the Planning Team.
 - ii. Generates draft technical documents for consideration by the Steering Committee, such as the Letter of Interest, Proposal, and Plan of Study.
 - iii. Assists the Chair with communications with Reclamation.
- f. Facilitator (as appointed by the Steering Committee)
 - i. Is a member of the Planning Team.
 - ii. Assists in addressing conflict between and among Steering Committee and Subgroup members, during and between meetings.
 - iii. Facilitates Steering Committee meetings and, as requested, Subgroup meetings.
 - iv. While facilitating meetings, may ask questions and follow up.
 - v. Keeps notes on flipchart paper or on screen to ensure that decisions being made are clear to everyone.
 - vi. Generates draft meeting notes for review by the Steering Committee, ensuring they include key points of discussion as well as items of agreement and disagreement.
 - vii. Keeps a “parking lot” for issues that are not addressed in a meeting.
 - viii. Assists in building consensus among members.
 - ix. Reminds members of the provisions of this Charter to encourage compliance.
 - x. Serves as a confidential channel of communication for members and observers who wish to express views and do not wish to address the full group.
 - xi. Advocates for a fair, effective, and credible process, while remaining completely neutral as to the outcome of the deliberations.

6. Communication

- a. Steering Committee and Subgroup members agree to:
 - i. Recognize that all members bring with them their own legitimate purposes and goals from their perspective or on behalf of their organizations.
 - ii. Recognize the legitimacy of the goals of others, and assume that their goals will also be respected.
 - iii. Get curious, instead of irritated, when someone says something they disagree with.
 - iv. Listen carefully; ask questions to understand and to get others' perspectives.
 - v. Make statements to explain or educate, and help others understand their perspective, assumptions, reasoning, and intent.
 - vi. Share all relevant information.
 - vii. Use specific examples and make sure everyone agrees on the meaning of important words.
 - viii. Request a break if needed. Stakeholder groups can request a break in order to caucus among themselves.
 - ix. Avoid engaging in side conversations and working on email or texting during meetings.
 - x. Bring it up at a meeting, or talk privately with the Chair or Facilitator, if they are having difficulty with another member or with the process.
- b. Other communication
 - i. Steering Committee and Subgroup meetings are open to the public and are noticed to Steering Committee members, Subgroup members, and others who indicate an interest.
 - ii. Steering Committee and Subgroup final meeting notes will be sent to all Steering Committee and Subgroup members and other interested parties.
 - iii. Draft Steering Committee meeting notes, including a list of those who attended, will be sent to all Steering Committee members after each meeting. Approval of the notes will occur at the following meeting, with changes made by consensus of the Steering Committee.
 - iv. Draft Subgroup meeting notes, including a list of those who attended, will be sent to that Subgroup's members after each meeting. Approval of the notes may occur via email.

7. News Media

- a. All meetings are open to the news media.
- b. Outside of meetings, members are free to make statements to the media regarding their own opinions and consensus decisions by the Steering Committee; however, they agree not to attribute statements to others involved in the process or represent others' interests.
- c. If members of the media interview Steering Committee or Subgroup members, those Steering Committee or Subgroup members are encouraged to alert the Steering Committee through the Process Co-Coordinator or Facilitator. They are also encouraged to recommend that the reporter talk to the Steering Committee Chair, provide the Chair's phone number, and notify the Chair.
- d. If an article or report appears that misquotes or inaccurately represents a member, that individual should inform the group of that occurrence as soon as possible.

8. Changes to the Charter

This Charter can be amended at any time by consensus decision of the Steering Committee.