

# DESCHUTES WATER ALLIANCE

*A forum to discuss regional water management needs through collaboration.*



## MEMORANDUM OF UNDERSTANDING

**Final: July, 2010**

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## Memorandum of Understanding

The Deschutes Water Alliance  
A forum to discuss regional water management needs through collaboration.

### I. INTRODUCTION

The Deschutes Water Alliance (DWA) is a regional forum that has the potential to establish ongoing regional water management planning and coordination to address key water issues in the Deschutes Basin.

The DWA was first formed in 2004 through a grant from the Bureau of Reclamation. The original membership included the irrigation districts (Deschutes Basin Board of Control), cities (Central Oregon Cities Organization), the Confederated Tribes of Warm Springs, and the Deschutes River Conservancy. Under this federal grant, the DWA formed a water bank as a market-based approach to redistributing water rights in the Deschutes Basin. In addition, the DWA published the following studies which can be found on the Deschutes River Conservancy (DRC) website [www.deschutesriver.org](http://www.deschutesriver.org).

- “Instream Flow in the Deschutes Basin”
- “Future Groundwater Demand in the Deschutes Basin: Monitoring, Status and Restoration Needs”
- “Growth, Urbanization and Land Use Change”
- “Irrigation District Water Efficiency Cost Analysis and Prioritization”
- “Reservoir Management”, and
- “Long-range Water Resources Management in Central Oregon.”

Since January of 2009, a group of original DWA partners has been meeting to consider various options for broadening the scope and participation in the DWA. The group proposes to expand participation by including county government and creating an ongoing forum for discussion about key water issues in the Deschutes Basin.

The DWA believes that it is best to address water issues at the regional level in addition to the local level because changes in water use or distribution in one jurisdiction can have an effect in another jurisdiction. Resolution of these water challenges can be addressed most effectively through a regional water planning process. It is critical for there to be a better regional understanding about water management.

After reviewing the original DWA studies and examining other existing water-related collaborations in the Deschutes Basin, the working group concluded that a forum comprised primarily of local governments was needed for water education, water policy discussions and to develop an integrated regional water management plan.

Therefore, the undersigned agree to establish the DWA.

## **A. PURPOSE**

To increase understanding of water issues in the region and meet regional water management needs by developing an integrated regional water management plan.

## **B. GOALS**

1. Secure and maintain stream flows and water quality in the Deschutes Basin for the benefit of fish, wildlife and people.
2. Secure and maintain a reliable and affordable supply of water to sustain agriculture.
3. Secure and maintain a safe, affordable and high quality water supply for urban communities.

## **C. OBJECTIVES**

1. Provide a forum for discussion, understanding and coordination of water needs.
2. Build on the previous studies and reports and work collaboratively to create a regional integrated water management process and plan.

## **II. STRUCTURE AND MEMBERSHIP**

### **A. BOARD AUTHORITY AND OFFICERS**

1. The parties understand that the voting members do not have the authority to bind their councils/boards to budgetary or policy decisions through this MOU, but that they do have the authority to formulate recommendations and agree upon budgets and policy statements/positions developed through the DWA to take back to their respective entities.
2. The DWA shall be governed by a voluntary Board of Directors and is comprised of MOU signatories. Designated alternates may participate in board meetings and work sessions and may vote on behalf of their respective board members.
3. A Chair and Vice Chair of the Board shall be elected annually by the Board. The Chair and Vice Chair shall be responsible for scheduling meetings, preparing and distributing agendas, keeping meeting notes, and overseeing DWA administration.

4. The membership of DWA will consist of the following elected/officials and alternates as voting and non-voting members:

a. Voting Members:

The Confederate Tribes Of Warm Springs	(elected official or alternate)
Crook County	(elected official or alternate)
Deschutes County	(elected official or alternate)
Jefferson County	(elected official or alternate)
City of Bend	(elected official or alternate)
City of Culver	(elected official or alternate)
City of La Pine	(elected official or alternate)
City of Madras	(elected official or alternate)
City of Metolius	(elected official or alternate)
City of Prineville	(elected official or alternate)
City of Redmond	(elected official or alternate)
City of Sisters	(elected official or alternate)
Central Oregon Irrigation District	(elected official or alternate)
North Unit Irrigation District	(elected official or alternate)
Ochoco Irrigation District	(elected official or alternate)
Three Sisters Irrigation District	(elected official or alternate)
Tumalo Irrigation District	(elected official or alternate)
Swalley Irrigation District	(elected official or alternate)
Arnold Irrigation District	(elected official or alternate)
Crook County Improvement District	(elected official or alternate)
Avion Water Company	(CEO or alternate)
Deschutes Valley Water District	(CEO or alternate)
La Pine Water District	(CEO or alternate)
Deschutes River Conservancy	(Executive Director or alternate)

b. Non-Voting Members:

Oregon Water Resources Department	(Local Manager Appointment)
Oregon Fish and Wildlife	(Local Manager Appointment)
Oregon Dept. of Environmental Quality (DEQ)	(Local Manager Appointment)
Bureau of Reclamation	(Local Manager Appointment)

c. Stakeholders: In order to achieve its goals, the DWA will need to inform, consult with and seek agreement with a wide range of other stakeholders including but not limited to:

State Legislators  
Congressional Delegation  
Water Resources Commissioners  
Department of Environmental Quality  
U.S. Fish & Wildlife Service  
National Oceanic and Atmospheric Administration  
Crook County Soil & Water Conservation District  
Jefferson County Soil & Water Conservation District  
Deschutes County Soil & Water Conservation District  
Development Interest, Destination Resorts, etc.  
WaterWatch  
American Rivers  
Trout Unlimited

## **B. WORK PLAN AND BUDGET**

The Board shall develop a work plan and budget to create an integrated regional water management plan using the original DWA studies as a starting point. All voting members of the DWA shall contribute financially based upon a formula to be determined, including grants and in-kind contributions. The Board will approve the work plan, budget and financial formula. The evaluation of potential grant opportunities will be a priority for the DWA.

## **C. CONSENSUS DECISION-MAKING**

1. The DWA will use a consensus decision-making process and will foster a collaborative approach to problem solving. “Consensus decision-making” means that every voting member present at the meeting votes yes or abstains. Each decision arising from an agenda item will be structured as follows:

a. Discussion of the Item: The item is discussed with the goal of identifying opinions and information on the topic at hand. The general direction of the group and potential proposals for action are identified during the discussion.

b. Formation of a Proposal: Based on the discussion, a formal decision proposal on the issue is presented to the group.

c. Call for Consensus: The facilitator calls for consensus on the proposal. Each member of the group actively states their agreement with the proposal.

d. Identification and Addressing of Concerns: If consensus is not achieved, each dissenter presents his/her concerns on the proposal, potentially starting another round of discussion to address or clarify the concern.

e. Modification of the Proposal: The proposal is amended or rephrased in an attempt to address the concerns of the decision-makers. The process then returns to the call for consensus and the cycle is repeated until a satisfactory decision is made.

2. Members are encouraged to voice and have recorded all views. If any member sees the need to stand in the way of consensus on a decision, he/she will explain his/her concern with the proposed decision to the group, and the group will make every attempt to understand the concern and the underlying interests. Members may choose not to block the consensus even though they do not fully agree with the decision. Once a consensus decision has been reached, all members agree not to oppose that decision.

3. Sufficient time will be provided for the members to seek advice from the entities they represent, constituents, agencies, or other experts, when desired, before a decision is adopted. All members present at the meeting are included in the consensus process. Any member may abstain from the consensus and may request to be acknowledged as abstaining in the publication of the consensus. Abstaining is a choice not to block or support the decision.

4. The group may decide to delegate an issue to a working group for further exploration, development or recommendation to the full group.

5. The group may delegate decisions on administrative matters to a smaller group, such as the executive committee.

#### **D. QUORUM AND VOTING**

A quorum of the Board shall be achieved for conducting DWA business when one more than 50% of the board members or their alternates are present, either in person or by other means allowing real time participation in the board meeting. If any board member is absent and unable to participate in real time, voting is permitted by recorded voice or written message as long as the message is received by the Chair prior to the vote being taken at the meeting. It is desirable although not mandatory that a quorum is achieved through balanced representation of municipalities, counties, tribes and irrigation districts.

#### **E. MEETINGS AND NOTIFICATION**

Regular board meetings shall be held as determined by the Board. Special meetings may be called as needed. The Chair or Vice Chair will notify board members of meeting times and locations two weeks in advance of the meetings.

#### **F. MEETING CONDUCT**

Board members will treat each other with respect and in a manner that provides opportunity for group decision making. Conflict will also be addressed in keeping with the consensus based operating guidelines.

## **G. PUBLIC OUTREACH PROCESS**

All DWA meetings will be open to public attendance and any member of the public may attend any meeting. The public is encouraged to participate at the appropriate time on the meeting agenda.

## **H. AMENDMENTS**

Amendments to this MOU may be made only by unanimous agreement of the Board, pursuant to board authority and approval of the respective entity that the board member represents, if legally required.

## **I. TERMINATION**

Any party may terminate its involvement in the DWA by providing sixty days written notice to all DWA member organizations.

## **J. SIGNATURES**

Signatories to this agreement attest that their respective governing bodies have approved participation in the DWA and this approval is evidenced by the public minutes. Listed next to the signatories is the name of the elected official who has been designated to serve as DWA board member. Elected officials may list the name of an alternate who will attend DWA board meetings in their absence.

**[SIGNATURES ON FOLLOWING PAGE]**

MEMBER ORGANIZATION	SIGNATURE/DATE	VOTING MEMBERS	
		NAME OF ELECTED OFFICIAL	NAME OF ALTERNATE
The Confederated Tribes of Warm Springs			
Deschutes County			
Crook County			
Jefferson County			
Central Oregon Irrigation Dist.			
North Unit Irrigation Dist.			
Ochoco Irrigation Dist.			
Three Sisters Irrigation Dist.			
Tumalo Irrigation Dist.			
Swalley Irrigation Dist.			
Arnold Irrigation Dist.			
Crook County Improvement Dist.			
City of Bend			
City of Redmond			
City of Prineville			
City of Madras			
City of Sisters			
City of Culver			
City of La Pine			
City of Metolius			
Avion Water Company			
Deschutes Valley Water Dist.			
La Pine Water Dist.			
Deschutes River Conservancy			

Non-voting members, please list the official representative and an alternate.

MEMBER ORGANIZATION	NON-VOTING MEMBERS	
	NAME OF OFFICIAL	NAME OF ALTERNATE
Oregon Water Resources Dept.		
Oregon Dept. of Fish and Wildlife		
Oregon Dept. of Environmental Quality		
Bureau of Reclamation		

END OF DESCHUTES WATER ALLIANCE MEMORANDUM OF UNDERSTANDING