

Planning Workshop Report

2009 Governors Water Conference

Dr. Will Focht, Director

Oklahoma Water Resources Research Institute

Workshop Overview

- Held three half-day workshops during summer and fall; last was held two weeks ago
- Each workshop addressed 10 water themes
- About 230 citizens participated in the workshops (about 23 per theme)
- Purpose was to develop water resource management strategies for consideration in next spring's Town Hall
- This presentation summarizes the “unvetted” strategies developed at the workshops

Theme I: Balancing Supply & Demand in the Face of Change

- *How should the plan ensure that water supply meets demand all across the State over the next 50 years given likely changes in population size and distribution, economic conditions, and climate?*
 - Opportunities for actively learning about changes (adaptive management)
 - Programs to accurately monitor water supply and demand, and changes in both
 - Methods to evaluate the plan to ensure that its goals are being achieved in the real world
 - Procedures for review and revision of the plan
 - Identification of water supply and demand research needs and funding
 - How to design the plan as a “living document” that can deal easily with changes in water supply and demand

Strategy 1 of 1:

DSS Tools and Ongoing Adjustment

- Develop decision support tools to assess and forecast changes in supply and demand, evaluate supply alternatives, and prioritize infrastructure needs
 - Use frequently (not just every 10 years)
 - Keep updated with new models, technologies and databases
 - Address all water use sectors
- Regional stakeholder groups should monitor water use & supply and review DSS analyses in order to develop recommendations for securing additional supplies when needed
- Adequate and consistent funding for planning and implementation should be assured

Theme 2:

Water Conservation

- *What measures should be taken to improve water use efficiency, reduce water waste, and reuse/recycle water – and how should these measures be encouraged?*
 - Means to encourage reduced consumption
 - Uses of marginal (e.g., saline or nutrient-laden) water
 - Gray and black water reuse and reclamation
 - Means to reduce waste in water use
 - Monitoring and reporting of water conservation efforts
 - Education and research programs, priorities, and funding

Strategy I of I:

Promotion of Conservation Practices

- Encourage voluntary water conservation...
 - e.g., rainfall capture and runoff control, soil management, water reuse, drought resistant crops, industrial landscaping, permeable pavement, improved efficiency, etc.
 - ...through water bill inserts, OSU extension publications, internet and other public media information campaigns, teacher materials for K-12, demonstration projects, public recognition of successful projects, realistic pricing, tax incentives, reverse rate structures, etc.

- Evaluate effectiveness of conservation measures and promotion programs

Theme 3: Water Availability, Including during and after Hazards

- *How should we protect the safety and reliability of water supplies in the face of shortages as a result of natural and other hazards?*
 - Protection against supply disruption
 - Storage for use during shortages
 - Prioritization of water allocation during water shortages
 - Research on water supply disruptions, shortages and responses, and funding

Strategy 1 of 3: Infrastructure Improvement over the Long Term

- Measures include:
 - Rehab water supply & flood control structures
 - Create new multi-purpose reservoirs
 - Interconnect water supply systems
 - Develop cost-effective water transfer systems during emergencies
 - Treat marginal and gray water
 - Store water through water banking
- Establish dedicated water infrastructure fund and increase the State Revolving Fund

Strategy 2 of 3:

Water Information Office

- Provide information to the public during emergencies on appropriate hazard responses
 - e.g., reverse 911, twitter, email, website, etc.
- Provide ongoing public education on water conservation and water availability
 - OK Conservation Commission could take lead but should work with educators from other agencies
- Evaluate these programs to assess their effectiveness

Strategy 3 of 3:

Water Hazards Management Plan

- Update and expand the OK Drought Management Plan to address all hazards
- Evaluate plan implementation annually and update the plan every 5 years, funded with a dedicated source
- Provide incentives for cooperation and mutual aid
- Designate a central authority to be responsible for water emergencies
 - Identify clear lines of authority among agencies
 - Designate a state coordinator with power to act

Theme 4:

Surface-Ground Water Relationship

- *Should the management of surface and ground water resources be better coordinated, and if so, how?*
 - Monitoring the impacts of withdrawals on surface and ground waters
 - Determination of minimum in-stream flows for environmental purposes
 - Usefulness of a distinction between a right-of-use and a right-of-ownership
 - Methods for compensation for water rights restriction or infringement
 - Coordination of surface and groundwater permitting

Strategy 1 of 2:

Preserve Water Rights

- Do not change existing water rights
- But go ahead with investigation of ground and surface water relationships (quantity & quality)
- Create water management districts under OWRB jurisdiction to formulate policy, plan, and enforce policies

Strategy 2 of 2: **Protect Water Rights**

- Any changes to existing water rights must be based on clear scientific evidence and respect ownership of groundwater
- May be willing to accept equitable restrictions on use
 - Reform or redefine water law based on the results of the scientific water studies
- Create water management districts (as proposed in the previous strategy)

Theme 5:

Land Use Practices that Affect Water

- *How should the plan protect and enhance water quality and quantity through appropriate land stewardship? In other words, what land use practices should be used to reduce threats to water quality and quantity?*
 - Watershed-level management and land-use planning
 - Urban sprawl and development in floodplains
 - Riparian areas, bottomlands, wetlands, conservation easements
 - Runoff controls, road maintenance, and erosion control
 - Fertilizer and pesticide application, and invasive species
 - Wellhead protection, septic tanks
 - Methods to encourage best management practices
 - Education and research needs
 - Funding of land use studies and incentives

Strategy 1 of 1: Land Use Coalitions

- Establish 13 watershed-based advisory groups comprised of regional reps to develop recommendations and action plans, and submit these to a Cabinet-level Coordinator who has authority to require State agencies to respond
- State agencies provide experts to advise groups on BMPs
- To receive financial assistance from the State, landowners must be educated on BMPs and demonstrate that the assistance will be used to improve water quality
- Cities and counties should enforce, incentivize, and provide education on State-promulgated land use performance standards in order to meet water quality and runoff control objectives

Theme 6:

Water Sales and Transfers

- *If water is going to be sold out-of-state or transferred in-state, how should this be managed?*
 - Control over water exports
 - Distribution and use of funds generated from sales and transfers, including compensation to source regions and landowners
 - Costs to and responsibilities of buyers
 - Infrastructure for water movement
 - Ecological considerations of water movement
 - Definition of “excess/surplus” water

Strategy 1 of 1: Sale and Transfer Regulation

- Ensure that the long-term needs of basins of origin and Oklahoma are met before out-of-state sales are allowed, through a regulatory system that:
 - allows transfer only of “excess/surplus” water (that needed over next 50-100 years for both consumptive & non-consumptive uses and during water shortages);
 - requires that import basins employ water conservation strategies and practices; and
 - protects water quality in both basins of origin and import.
- Basins of origin should:
 - be financially compensated by the import basins (e.g., through water use fees or taxes), and
 - establish planning and development authorities to work with a State entity to participate in policy decisions about infrastructure investment, revenue distribution, and water sale and transfer permits
- Evaluate need and alternatives for, environmental impacts and costs of, and legal access to, new water transfer infrastructure

Theme 7: Intergovernmental Water Resource Management

- *How can the governments of the United States, Indian Nations, Oklahoma, neighboring states, counties, and municipalities work more cooperatively and effectively to manage water resources within their areas of jurisdiction?*
 - Intergovernmental agreements to address rights and standards
 - Coordinated planning and plan implementation
 - Elimination of regulatory conflicts and overlaps
 - Regulatory loopholes
 - Unfunded mandates
 - Data and resource sharing
 - Conflict resolution procedures

Strategy 1 of 3:

Tribal-State Dialogue

- ▣ State and tribes should continue dialogue aimed at reaching agreement on water-related issues
- ▣ Where issues overlap in a region, these dialogues should involve all appropriate parties

Strategy 2 of 3:

Interstate Water Planning

- ▣ Develop interstate water plans using existing compacts or other avenues

Strategy 3 of 3: Intergovernmental Advisory Committees

- Advisory committees of reps from municipal, county, state, and tribal governments (with federal *ex officio* reps) should develop and submit recommendations to address intergovernmental issues to the OWRB, Governor and Legislature
- Reps appointed by member governments
- Committees should be organized based on either 13 basins or 5 OWRB field areas

Theme 8: State Interagency Water Resource Management

- *How should the various State agencies having jurisdiction over water resources in Oklahoma work together more efficiently and effectively? Should these agencies, or parts of them, be consolidated into one or more agencies?*
 - Agency consolidation
 - Agency reorganization
 - Redefinition of agency jurisdictions, authorities, responsibilities
 - Changes in the services offered by agencies
 - Procedures for agency coordination and oversight
 - Streamlined permitting
 - Consistent enforcement and incentives for compliance

Strategy 1 of 3:

Water Agency Consolidation

- Consolidate all water programs (e.g., regulatory, permitting, enforcement, funding, OCWP implementation) into a single State agency
- Create regional offices
- Review and possible rewrite rules from existing agency programs
- Include a strong educational component
- Create a single information repository
- Incorporate regional stakeholder-based water resource management

Strategy 2 of 3:

Interagency Coordination Committee

- Include managers of water programs from all state agencies, chaired by a cabinet-level “water” secretary or undersecretary
- Committee develops an MOU to coordinate water quality & quantity regulation and implement the OCWP
- Committee submits annual progress reports and legislative recommendations to Governor & Legislature
- All water programs staff located in close proximity to encourage cooperation and facilitate public access
- Regional stakeholder-based water resource management should be incorporated

Strategy 3 of 3:

From Coordination to Consolidation

- ▣ Transition from the coordination strategy to the consolidation strategy
- ▣ Coordination committee plans the transition

Theme 9: Stakeholder Involvement and Conflict Management

- *How should citizens and non-government organizations be involved in implementing water resource management programs and future plan updates and revisions?*
 - Organization of stakeholder advisory groups
 - Group responsibilities and authorities in plan implementation
 - Stakeholder involvement in plan updates and revisions
 - Alternative dispute resolution procedures to deal with private (non-governmental) conflicts
 - Funding of group activities
 - Education needs

Strategy 1 of 2: Bottom-Up Stakeholder Advisory Groups

- Start with local grassroots organizations (existing and new) that include all interested parties from local watersheds and aquifers to formulate policy advice on planning and implementation, educate local stakeholders, and make local decisions subject to administrative review by appropriate agencies
- Local groups select reps to sit on 13 regional advisory groups to consolidate local recommendations
- Regional groups select reps to sit on a state advisory group to consolidate regional recommendations and submit them to appropriate state agencies

Strategy 2 of 2:

Conflict Resolution Center

- ▣ Establish a state “water conflict resolution center” that tries to resolve wholly private or private-government conflicts out of court
- ▣ Center provides professional mediators to attempt a resolution
- ▣ If mediation fails, and the conflict involves an agency, then a hearing examiner hears the case using agency procedures and issues a recommendation to the agency

Theme 10: Relationship of Local and Regional Planning to State Planning

- *What is the appropriate relationship among local and regional water planning authorities and between local/regional water plans and the State water plan?*
 - Interface with regional and local planning processes and/or the inclusion of region & local provisions in the state plan
 - Division of planning and implementation responsibilities between state and regional/local authorities
 - Technical assistance in local and regional planning
 - Coordination of access to water supply (reservoirs, aquifers, rivers)
 - Regionalization of infrastructure (shared infrastructure)
 - Funding of local and regional infrastructure (water and wastewater collection, treatment, and distribution)

Strategy I of I: State Assistance and Review of Local Planning

- OWRB provides tech assistance and authoritative information to local entities to develop local plans
- Local plans submitted to OWRB for review
- OWRB responds with suggestions and incentives to eliminate duplication, encourage regional cooperation, and assure consistency
- OWRB creates a mechanism to encourage regional cooperation in development of water resources and infrastructure
- Future OCWP planning should incorporate local planning efforts

Cross-Theme Findings

- More local involvement in planning and plan implementation
- Assurance of dedicated funding of and continuing effort in planning & plan evaluation
- More coordinated water management and ease of public access to information
- Desire for dialogue and voluntary approaches over courts and coercion
- Concern over rights, control & compensation