

RECLAMATION

Managing Water in the West

Governance Arrangements for Large Scale River Restoration

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Governance Issues

1. Ongoing Debates or Conflict
2. Decision Making
3. Successes
4. Challenges
5. Governance & Science



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1. Ongoing Debates or Conflict

Half of the 16 Reclamation programs/projects polled indicated that they had on-going debates and/or conflicts over objectives or the decision-making process.

“Decision-making is pretty simple, especially since we have a Program Document that outlines how it will be done and who participates.”

“The (Program) experiences an ongoing debate over program direction and objectives. A long-term issue has been the lack of clearly defined objectives for the (Program).”

Time Allocated to Conflict Management

- Managers reported that they routinely spent 50-100% of their time managing water conflict
- The higher the management level, the more time was spent in managing conflict

Source: Aaron Wolf, Oregon State University

Keys to Avoiding Ongoing Conflict

1. Don't start or continue a program without a clear, well-defined governance process
2. Establish goals, objectives, and targets for the program/project early in the process
3. Keep the goals/objectives/targets before the partners and staff
4. Continually ensure that all parties are adhering to the governance process
5. Consider elevating when the grinding creates too much friction at your level

2. Decision Making

Only a few of the Programs or projects mentioned significant delegation challenges. Most indicated that they had a process for planning work and getting it approved by the decision making body, and then implementing.



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Keys to Decision Making

- 1. A clear governance process tempers the tendency towards...**
 - insistence on being included in every aspect of the program, in every decision, regardless of level, whether policy or technical
 - insistence on special status above other partners
- 2. Establishing credential requirements for participation is tempting, but does erect barriers and may appear off-putting**
- 3. The cost of open participation should be strict accountability for following the governance process**

3. Successes

There is a wide variety of governance structures throughout Reclamation river restoration programs/projects.

Most have both ‘policy’ level groups to make final decisions on plans and budgets, or to resolve conflicts, and ‘technical’ committees that address implementation of the work plans, analysis of data, oversight of contract work, etc.

Diversity of Governance Structures

- **Legislation**
 - e.g. Trinity
 - P.L. 102-575, Section 3406 (b)(23)(a&b)
- **Litigation**
 - e.g. San Joaquin settlement
- **Policy**
 - DOI – AEAM
 - Grand Canyon
- **Self-Determined**
 - Invention
 - Continuation
 - Evolution
 - Re-invention



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Success via Committee

FACA

“The basic organizational structure of the program being a functional Federal Advisory Committee Act (FACA) committee provides for a good organizational design for this type of program.”

Non-FACA

“The Regional Implementation Oversight Group (RIOG) process is working.”

Success via...

...Grass Roots Inclusion

“The use of a locally placed Sub-basin liaison position and use of local project sponsors allow full integration into local communities.”

...Process & Preparation

“When the Collaborative Program By-laws and process are followed and when participants have reviewed the materials provided and have been briefed by their technical representatives, the ability for activities to get prioritized and moved up...is usually successful.”

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Success via Reorganization

Please provide an example of a program governance process or design that has been particularly successful.

“To be honest, I can't think of one. We are currently looking at our governance structure to see if we can find something more successful.”

Keys to Successful Governance

1. **Definition of Roles & Responsibilities**
2. **Separation of policy from technical roles, as much as possible**
3. **Peer Review is key to successfully integrating science into any governance process. External review increases confidence in scientific conclusions while reducing parochialism.**
4. **Peer review can provide an independent basis for discussions with state and local governance team members and their constituents**

4. Challenges

The challenges in governing river restoration programs are similar to the management of any large-group endeavor. Reclamation does not operate in a vacuum; we have many partners, cooperators, collaborators, contractors, stakeholders, consultants, etc..

Partner or Litigant?

“...some of the participants at the table are also litigating the adequacy of the Program.”

Decisions at the Proper Level

“We strived to limit the recommendations of the (executive committee) on annual budgets to policy-level issues, and to attempt to resolve technical issues more informally at the technical group level.”

Parochialism

“The Steering Committee is made up of representatives from 7 participant groups...Each participant group comes with its own priorities and biases, and wants to focus efforts in their own jurisdiction.”

Accountability

“We have no structure that gives Program partners a clear role and then holds them accountable for achieving certain actions or goals.”

Consultants & Contractors

“Certain parties are represented by private consulting firms which include scientists that have worked on these fish for their entire careers.”

Role of Policy vs. Science in Decision Making

“One frequently recurring conflict in the Program is... This is usually ‘resolved’ through adaptive management processes which rely on best available science, but the solutions are usually short term and case-specific; despite the adaptive management mechanism, partners will always be faced with one another's underlying perspectives and goals.”



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5. Governance & Science

All decision-making is based on information

In a 'science based' program 'science' generates the information for the decision-making process

There is a **difference** between monitoring and science

- Monitoring tracks progress towards goals/objectives/targets
- Science explains the behavior of the system

Interpretation of science or monitoring results can vary between partners

- Expert, independent peer review can help resolve these disputes

Keys to Successful Governance

1. **Adopt/Evolve a solid decision making process**
2. **Define Goals/Objectives/Targets early**
 - Remind everybody often
3. **Work at unifying the program/project vision**
4. **Define 'science', and the role it will play in the decision-making process**
5. **Study the successes around Reclamation and elsewhere, then adopt what will work best for you**

Conclusion

The key to successful governance appears to be the effective management of conflict.




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Handoff...

“The likelihood of conflict rises as the rate of change within the basin exceeds the institutional capacity to absorb that change.”

Aaron Wolf



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