

Hudson River – Black River Regulating District Transparency Plan

I. Review of HRBRRD's Current Public Engagement

Steps taken to review agency policies and procedures on transparency.

- *In 2020, HRBRRD undertook a comprehensive review of adopted policies, procedures and guidance documents. Staff identified the statutory, regulatory and/or Board authority for each such policy, procedure and/or guidance; making the current version of each such document and its authorization accessible to staff on an internally shared drive. Staff also posted most current policies & procedures to a link accessible from the Regulating District's homepage.*
 - *Staff will take immediate steps to post the following additional policies and procedures to that public link:*
 - *Committee Charters (Governance, Audit & Finance)*
 - *Drug & Alcohol Testing, Substance Abuse Policies*
 - *Expense Reimbursement Procedure*
 - *Link the FOIL Policy to the FOIL Request Form*
 - *Immigrant Access to State Buildings Policy*
 - *Inventory Control Procedure*
 - *HRBRRD's Policy on Policymaking*
 - *Sexual Harassment Policy*
 - *Travel Policy*
 - *Vehicle Use Policy*
- *HRBRRD staff updates and monitors the Regulating District's social media outlets daily. Assigned staff also provide redundant monitoring of the HRBRRD's Accessibility and FOIL email sites and serve as the HRBRRD's point of contact in the event a member of the public attempts to communicate with the Regulating District in a language other than English.*
 - *The Executive Director will assess the feasibility of the Regulating District plans communicating directly in languages other than English.*
- *HRBRRD posts employment agreements to a link accessible from the Regulating District's webpage. This includes the Management Exempt Rules and Benefit Guidelines and the CSEA Collective Bargaining Agreement.*
 - *Staff will post the 2020-2024 CSEA Agreement when that document has been executed.*
- *HRBRRD maintains a calendar of deliverable dates for each reportable requirement. The schedule details the statutory and/or regulatory basis for the requirement, its due date, and the Regulating District senior staff member*

and Board Committee responsible for meeting each such requirement. Senior staff report compliance with such mandates to the Board monthly.

- Staff will take immediate steps to post the “Calendar of Deliverable Dates” for each reportable requirement to a link accessible from the Regulating District’s homepage.*
- HRBRRD Counsel maintains the HRBRRD’s database of Project Sunlight contacts; and distributes periodic reminders to staff expressing reporting requirements and criteria.*
 - Counsel will remind all staff to identify and report applicable contacts.*
- HRBRRD staff address each FOIL request in a timely manner. The HRBRRD typically produces documents via email and at no cost. The Regulating District has no backlog. Counsel reports to the Board on requests received during the monthly reporting period. Frequently requested documents, such as reservoir elevation data, the access permit system fee structure, shoreline cutting restriction information, allowable stairway and landing configurations, etc. are posted prominently at <https://hrbrd.ny.gov>.*
- The Data Sets identified in the Regulating District’s 2014 Open Data submission continue to satisfy Executive Order 8.95. The HRBRRD posts links to Gauge Data and Reservoir Release information compiled by the United States Geological Survey for each of the reservoirs under its control. The HRBRRD also posts data staff compile, including: seven day reservoir release schedules; elevation projections; weather observations and forecasts; snow surveys; and precipitation reports upon which Regulating District staff rely in making release determinations.*
- HRBRRD posts meeting agendas and a packet of materials, including draft resolutions, memorandum in support, and staff reports, to the Regulating District’s website in advance of each monthly Board Meeting. Board meeting notices provide live links to each meeting and a link to the audio and video recording of each public Board meeting is posted to the Regulating District’s homepage within 24 hours of the meeting’s completion. Staff also post a link to meeting minutes within two weeks; typically within 48-96 hours.*
- As noted in response to the inquiry regarding FOIL tracking and backlogs above, the Regulating District does not typically charge for access to documents or data compiled and/or distributed.*
- HRBRRD follows the General Retention and Disposition Schedule for NYS Government Records, eff September 2016. In addition, in 1997 and again in 2020, the Regulating District requested, and has been granted by State Archives, authority to adhere to agency specific disposition schedules for several classifications of records. Each such request and authorization is posted on a link accessible from the Regulating District’s homepage.*

- *HRBRRD engaged State Archives in 2019 to assess and take possession of several of the Regulating District's most significant historical records to ensure such records are properly protected and to enhance accessibility to the public.*
- *HRBRRD Staff, especially the Executive Director and Chief Engineer, regularly attend and participate in periodic meetings held by various lakeside associations. The Executive Director has established, and will maintain, an on-going dialog with elected officials representing each HRBRRD municipal beneficiary and elected officials representing the towns and villages surrounding the Regulating District's principal reservoirs.*
- *HRBRRD provides members of the public with a link allowing virtual participation in its board meetings. The Board sets aside a period at each meeting for public officials to comment and a separate period at which members of the public may address the Board.*

Review of how the agency interacts with the public.

- *What public meetings and hearings does the agency hold?*

The HRBRRD Board meets nine to ten times each year. In addition, the Board has created three committees, (Governance, Audit, and Finance) which each meet at least two times each year.

While rare, the HRBRRD's Management Exempt Employment Rules and Benefits Guidelines permit an employee (at step three of the employment grievance procedure) to request a hearing before the Chair of the Governance Committee to dispute an adverse employment action. Not as rare, an aggrieved access permit holder at Great Sacandaga Lake, may request a hearing before the Board to challenge a staff determination impacting the permittee's use or enjoyment of the permit granting access to GSL or restricting the activities such permittee can perform on their permit area.

- *What opportunities exist for the public to participate in agency decision-making?*

HRBRRD has taken a collaborative approach to decision-making, such as forming a permit fee working group comprised of residents, advocacy groups, and business owners when it sought to raise access permit fees in 2020 for the first time in two decades. Other examples of such collaboration include: quarterly meetings between engineering staff and the hydroelectric energy producers benefitting from flow augmentation provided by the Regulating District's facilities; and annual, noticed, budget sessions at which the Regulating District's

beneficiaries may express reservations about the size and scope of expenditures necessary to fund HRBRRD operations.

HRBRRD provides members of the public with a link allowing virtual participation in its board meetings. The Board sets aside a period at each meeting for public officials to comment and a separate period at which members of the public may address the Board.

HRBRRD Staff, especially the Executive Director and Chief Engineer, regularly attend and participate in periodic meetings held by various stakeholder/advocacy organizations. The Executive Director has established, and will maintain, an on-going dialog with elected officials representing each HRBRRD municipal beneficiary and elected officials representing the towns and villages surrounding the Regulating District's principal reservoirs.

- What information does the agency make available on its website and in social media?

HRBRRD publishes information about its operations on social media, primarily its Facebook account, including updates on water levels and details on flood avoidance through HRBRRD operations during high-water events. HRBRRD also uses social media to direct members of the public to its website for data on elevations, flows, and releases and to effectively promote and explain new initiatives like the online permit payment system, which was rolled out in 2020. HRBRRD posts each active policy, procedure and guidance document to its website. We also post audio/video recordings of each meeting (archived back to September 2010) and the minutes of each such meeting.

- What access does the public have to engaging with the agency leadership?
Board meetings, held in person, allow members of the public to interact directly with members of the Board and senior staff. In addition, senior leadership, including the Executive Director, is readily available to the public at the HRBRRD's Sacandaga Field Office in Mayfield. The HRBRRD's newsletter, published 3-4 times per year, is sent from the Executive Director's email with responses and feedback encouraged. The Executive Director is one of three employees with access to HRBRRD's Facebook account and routinely monitors and responds to direct messages from the public.

- What are the information requests most commonly sought from the agency?
Generally speaking, most requests pertain to the access permit system on Great Sacandaga Lake. Additionally, engineering staff routinely address inquiries from interested stakeholders (Hydroelectric Operators, Whitewater Rafting Companies) regarding planned releases from the Regulating District's reservoirs.

- What are the areas of greatest public interest in the agency's work?
Members of the public are most typically concerned with operations on Great Sacandaga Lake, and the management of the access permit system on Great Sacandaga Lake. Other inquiries typically relate to water levels or releases.

- What does the agency do to solicit input from the public?
HRBRRD publishes a quarterly newsletter highlighting the basis for decisions affecting agency stakeholders. The "contact us" email link for each Regulating District Office (Albany, Mayfield, and Watertown) successfully encourages the public to contact us. Likewise, the Regulating District maintains on its website for each monthly meeting a robust description of each agenda item and very detailed minutes explaining each action taken by the Board. The Board's Policy on Policies requires that the Board consider any substantive policy update, not mandated through Executive Chamber directive, over three consecutive Board meetings to encourage Board engagement and to encourage feedback from the public. For major initiatives, like the access permit fee increase proposal, HRBRRD will also convene a working group comprised of staff and outside stakeholders to solicit public engagement.

II. Proposed Plan to Expand Transparency and Expected Timeline

- What plans does your agency have to improve transparency with respect to expanding information you make available to the public, filing timely reports with the legislature, complying with Project Sunlight, timely compliance with FOIL, compliance with Open Data NY, reducing costs for and easing access to agency data and records, expanding agency participation in public and community events and increasing access to and public participation in meetings, hearings and decision-making?

HRBRRD will follow thru on the action items listed above in response to the inquiry regarding steps taken to review agency policies and procedures. In addition, HRBRRD will endeavor to continue to compile in a single location each applicable reporting requirement, assign responsibility for compliance with said requirement and encourage the applicable Board committee to track compliance. HRBRRD's General Counsel will continue to send periodic reminders for staff to note whether HRBRRD had any Project Sunlight-reportable contacts for the reporting period each month and will note any such reported contacts in his monthly report to the Board. In the event that the Regulating District creates additional data sets, or identifies additional data sets compiled by others and used in furtherance of the HRBRRD's mission, the HRBRRD will propose publication of additional state data sets.

- What is the timeline for implementation of those plans?

HRBRRD will fully implement the above measures by the end of 2021.

- What resources will you use to implement your plan?

HRBRRD will use internal resources to implement its plan.

III. Measures of Success and Long-term Monitoring

- *HRBRRD will begin categorizing and tracking social media feedback in three categories: positive, negative, and N/A to assess public feedback.*
- *HRBRRD will begin publishing a customer service survey which will track a variety of metrics, including how accessible/ transparent the public views HRBRRD, as part of its news letter on an annual basis, beginning in 2021.*