

Integrated Regional Water Management Plan Cosumnes, American, Bear and Yuba (CABY) Region

FINAL CHARTER *(Rev. 5/22/06)*

I. PURPOSE

The primary purpose of the CABY process is to produce the CABY Integrated Regional Water Management Plan (IRWMP).

The IRWMP is a planning document that identifies a vision, guiding principles, broadly-supported goals, objectives, strategies, actions and projects to enhance the beneficial uses of water for the CABY region, including the provision of long-term water supplies, protection and improvement of water quality, and enhancement of environmental and habitat resources. The IRWMP, initially informed by the various pre-existing plans in the region, will provide an integrated approach to water management across the region's four watersheds: **Cosumnes; American; Bear; and Yuba (CABY)**. Based on technical knowledge and endorsed by a united community, the resulting CABY IRWMP actions and projects will have significant opportunities to attract local, state and federal grants and other financial support into the region.

II. CABY PLANNING HORIZON

The CABY planning horizon is approximately twenty years into the future -- in the range of 2027 – 2030. It is acknowledged that many of CABY's discussions and actions will be informed by a longer time horizon of up to fifty years into the future.

III. CABY STAKEHOLDER STRUCTURE

1. **Planning Committee:** The Planning Committee, comprised of organizations representing diverse interests across all four CABY watersheds, is the decision-making body of the IRWMP process.
2. **Work Groups:** The Planning Committee will establish Work Groups, which will focus on preparing recommendations for Planning Committee's consideration and action on specific areas including: water supply, water quality, and environment and habitat protection. Groundwater management objectives will be included in work plan of the Work Groups.
3. **Coordinating Committee:** The Coordinating Committee, appointed by the Planning Committee, is a smaller, representative group of the Planning Committee that meets in-between Planning Committee meetings to assist staff with process planning, recommendations for process modifications, communications, and other issues for which staff needs advice.

The Coordinating Committee may play a role in the development of the IRWM Plan, at the request of the Planning Committee, including preparation of substantive proposals, but has no decision-making authority.

4. **Public Forum:** The “Public Forum” is the term used to describe the general public and the broad range of organizations interested in the CABY process that seek information about CABY activities either by attendance at meetings or through other means of communication. The CABY process will seek input from the Public Forum on the Plan’s direction and content.

IV. ROLES AND RESPONSIBILITIES

Planning Committee

1. Organizations and governmental agencies participating in the CABY process will select one formal designee to represent them on the CABY Planning Committee. The designee will represent the views of the organization that selected them to participate in the process.
2. Planning Committee members will attend meetings consistently and, if unable to attend any session, will send an alternate also chosen by their participating group. However, use of alternates is not encouraged as this can interfere with the continuity of discussion and decision-making.
3. The Planning Committee is the decision making body of the IRWMP process, and its members will make a good faith effort to achieve consensus in order to produce a Plan with the strongest support possible.
4. Members will participate in at least one Work Group and attend these meetings regularly.
5. Members will regularly communicate information about the process to their organizations or agencies, as well as to the individual constituencies and communities they represent.
6. The Planning Committee will make decisions in accordance with the rules set out in Section VIII on Decision Making below.
7. A Planning Committee member’s eligibility to take part in IRWM Plan decision-making depends on active participation by that member. Active participation is defined in Section VIII (4) below.

Work Groups (WG)

1. Each Work Group is dedicated to one of the three major problem areas or goals set out in the DWR proposal: water supply, water quality, and environment and habitat protection. The Planning Committee may establish additional goals and accompanying Work Groups.
2. Planning Committee Members may participate in more than one Work Group.
3. Work Groups are encouraged to seek additional participants from outside the Planning Committee to increase the diversity of interests represented, provide input from all four watershed areas, provide additional expertise to the Work Group, or for other reasons deemed necessary by the Work Group.
4. Work Group membership must balance interests and diversity but should be kept to a workable number to facilitate in-depth discussions.
5. Work Groups should have members from all 4 watersheds in order to emphasize integration with respect to the major problem area each Work Group is examining.
6. Consistent attendance at Work Group meetings will be essential since a large part of the IRWMP workload will be carried by these groups.
7. Work Groups will be guided by:
 - a. Direction from Planning Committee (with feedback from public)
 - b. Requirements of IRWMP grant and final product
8. A project manager and a technical consultant will staff each of the Work Groups.
9. Work Groups will strive for consensus and, lacking that, will present the full range of opinions on any proposal to the Planning Committee to inform the Planning Committee's decisions.

Coordinating Committee (CC)

1. The Coordinating Committee consists of the following eight organizations, as determined at the Planning Committee's March 1, 2006 meeting: El Dorado Irrigation District; El Dorado County Water Agency; Placer County Water Agency; Nevada Irrigation District; Sierra Nevada Alliance; Natural Heritage Institute; South Yuba River Citizens League; and American Rivers.
2. The role of the Coordinating Committee is that of process planning and logistics to assist staff with scheduling, recommendations for process modifications,

communication, and other issues for which staff needs advice in between Planning Committee Meetings.

3. The Coordinating Committee may play a role in the development of the IRWM Plan, at the request of the Planning Committee, including preparation of substantive proposals, but has no decision-making authority.
4. The Coordinating Committee will strive for consensus and, lacking that, will present the full range of opinions on any proposal to the Planning Committee to inform the Planning Committee's decisions.

Public Forum

The "Public Forum" is the term used to describe the general public and broad range of organizations interested in the CABY process that seek information about CABY activities either by attendance at meetings or through other means of communication. The CABY process will seek input from the Public Forum on the Plan's direction and content.

Strategies for reaching this larger audience include:

1. Public comment time at Planning Committee meetings allowed in a flexible and inclusive manner rather than limited to a single period.
2. Interactive communication through the CABY website with full publication of work products, reports, public meeting materials, regional resource databases and other resources.
3. A master mailing list compiled by the Project Director consisting of lists contributed by member organizations as well as public inquiries, meeting attendance lists and website sign-ins.
4. Multi-media materials created by member organizations to assist members in updating constituent and other community groups on planning activities and to inform local and regional media of milestone achievements.
5. Special outreach to tribal governments to elicit their input in a manner consistent with protocols on government-to-government relationships
6. Additional efforts to identify and communicate with Environmental Justice communities throughout the region.
7. Other public participation strategies as developed by the Planning Committee or Coordinating Committee.

V. PLANNING COMMITTEE MEETING SCHEDULE

The regular meeting day for Planning Committee meetings will be the 1st Wednesday of the month as follows. Planning Committee meetings will be held from 9:00 a.m. to 4:30 p.m. due to the large amount of issues that require discussion and decision-making.

Wednesday, March 1, 2006

Wednesday, April 5, 2006

Wednesday, May 3, 2006

Wednesday, June 21, 2006

No July Planning Committee Meeting

Wednesday, August 2, 2006

Wednesday, September 6, 2006

Wednesday, October 4, 2006

Wednesday, November 1, 2006

Wednesday, November 29, 2006 (*The Planning Committee may re-visit this date in the early Fall, if needed.*)

VI. ATTENDANCE

Given the volume of information to be considered and the short time frame, regular attendance by each member or his/her designated representative is essential.

VII. COMMUNICATION

1. Meeting summaries will be provided following each Planning Committee meeting.
2. The Planning Committee is encouraged to develop common IRWMP statements for periodic public release. Suggested text for such statements may be developed by staff and facilitators or may be offered by a group member. The Planning Committee may delegate this responsibility to the Coordinating Committee.
3. Members are asked to speak only for their organization or themselves when asked by external parties, including the media, about the CABY's progress, unless there has been a formal adoption of a statement, concepts, or recommendations by the Planning Committee.
4. In addition, staff will be available to provide presentations of the group's work at meetings, conferences or other venues. Members are strongly encouraged to provide or arrange presentations about the group's work wherever feasible to increase awareness of the IRWMP work.

VIII. PLANNING COMMITTEE DECISION-MAKING

1. **Consensus as the Fundamental Principle:** The Planning Committee shall strive for consensus (agreement among all participants) in all of its decision-making. Working toward consensus is a fundamental principle of the CABY process.

2. **Definition of “Consensus”:** In reaching consensus, some Planning Committee members may strongly endorse a particular proposal while others may accept it as “workable.” Others may be only able to “live with it.” Still others may choose to “stand aside” by verbally noting a disagreement, yet allowing the group to reach a consensus without them if the decision does not affect them or compromise their interests. Any of these actions still constitutes consensus.

3. **Less than 100% Consensus Decision Making:** The Planning Committee shall not limit itself to strict consensus if 100% agreement among all participants cannot be reached after all interests and options have been thoroughly identified, explored, discussed and considered. Less-than-consensus decision-making shall not be undertaken lightly. If, after full exploration and discussion, the Planning Committee cannot come to 100% agreement, it will use the less-than-consensus decision-making protocols as described below. For proposals or the Plan to be endorsed by the Planning Committee, it must pass the two tests identified below, in the order as presented. This means that the Plan first has to meet the first test (a) before the second test (b) can be applied.

a) **Broad Support of the Planning Committee Membership:** The Plan must be endorsed by a 75% supermajority of the total number of *active* members of the Planning Committee. (In other words, the Plan cannot be opposed by more than 25% of the total number of *active* members of the Planning Committee.) *Active* participation is defined in item 4 below.

b) **Representation from Major Interests:** The above 75% supermajority must include three of the four following public agencies: El Dorado Irrigation District; El Dorado County Water Agency; Placer County Water Agency; Nevada Irrigation District; and three of the four following non-profit organizations: Sierra Nevada Alliance; Natural Heritage Institute; South Yuba River Citizens League; American Rivers.

4. **Definition of Active Participation by Planning Committee Members:** Active participation means regular attendance at Planning Committee meetings; regular participation in at least one Working Group or ensuring that a designee of the Planning Committee member’s organization participate in a Work Group under the Planning Committee member’s close guidance; and reviewing planning and other written documents before discussions or decisions will held. It is understood that occasionally Planning Committee members may need to miss Planning Committee and / or Work Group meetings. If there is a question as to whether a Planning Committee member should be considered “active” for purposes of decision-making, the Coordinating Committee will make that determination.

5. **Check-Ins:** Throughout the process, in order to determine if the group is moving in a particular direction, the facilitator may also ask for an informal “read” of the group’s perspective. Answers to this type of facilitator’s request are used for the purpose of developing the dialogue and not in anyway binding.

6. **Conditional Endorsements:** It is also understood that Planning Committee members represent organizations and, in some cases, may not be unable to make final commitments without conferring first with their organization. In this case, agreements will be considered conditionally endorsed, pending organizational confirmation.

IX. ENDORSEMENT AND ADOPTION OF THE PLAN

The Plan is to be endorsed by the Planning Committee. In addition to endorsing, four organizations will adopt the plan before January 1, 2006 (note: date may be changed following further discussion with DWR). The adopting organizations are to include a minimum of two of the four following public agencies: El Dorado Irrigation District, El Dorado County Water Agency, Placer County Water Agency, Nevada Irrigation District; and two of the four following non-profit organizations: Sierra Nevada Alliance, Natural Heritage Institute, South Yuba River Citizens League, and American Rivers. The Plan shall not go forward to the adopting organizations until the Planning Committee endorses the Plan using the decision-making rules as described in Section VIII above.

X. CABY PHILOSOPHY

The members of the CABY Planning Committee, the decision making body responsible for approving the IRWMP, affirm its commitment to work in good faith with all the diverse interests represented on the Planning Committee. Good faith implies an obligation to regularly attend and participate in CABY meetings and Work Groups, strive to understand all perspectives, engage in dialogue and deliberation, and earnestly work toward building common ground and consensus with fellow Planning Committee members.

The CABY philosophy also acknowledges that Planning Committee members and their organizations may have to occasionally unilaterally pursue their interests during the CABY planning process. This is sometimes referred to as the reality of “living in two worlds” and does not imply that an organization is violating their good faith participation. No one participating in the CABY process is being asked to abandon their obligations to their organizations or give up any type of rights.

The Plan will not be a legally binding document. Rather, it will be a regional compact with accompanying commitments, possibly documented through a Memorandum of Understanding (MOU). Once an organization endorses the IRWMP, the act of endorsement comes with serious responsibilities to participate in the implementation of the Plan. This does not mean that, after the endorsement of the Plan, there will be no differences in approach, method or interpretation of the Plan. The Plan will be a living document and will need to change over time. But, what it does mean is that organizations

endorsing the Plan agree to continue building common ground together and agree to resolve differences collaboratively through dialogue and, if necessary, dispute resolution processes.

XI. GROUND RULES

The group will utilize the following standing ground rules regarding meeting protocol and may modify them as appropriate.

The group agrees to:

- Listen and openly discuss issues with others who hold diverse views.
- View disagreements as problems to be solved rather than battles to be won.
- Refrain from ascribing motives or intentions to other participants.
- Respect the integrity and values of other participants.

Several specific rules apply during meetings: The group agrees to:

- Honor time.
- Use conversational courtesy.
- Keep pagers and mobile phones silent during meetings. Please return calls during breaks.
- Appreciate humor but do not engage in humor at the expense of others.

XII. OPEN PROCESS

1. All meetings of the CABY process are open to the public.
2. Planning Committee agendas will be sent out in advance of the meetings and posted on the CABY web site. At each meeting, the public will be given an opportunity to comment.
3. Members of the public are expected to adhere to the above CABY ground rules.

XIII. AMENDMENTS TO THIS CHARTER

The Planning Committee, utilizing the Charter decision-making process as described in Section VIII above, may adopt changes to this Charter.