

# Wyandotte Creek Groundwater Sustainability Agency

## DRAFT Advisory Committee Charter

Version: December 10, 2020

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### Purpose

The purpose of the Wyandotte Creek Advisory Committee (WAC) is to provide input and recommendations to the Groundwater Sustainability Agency (Agency) Board of Directors on groundwater sustainability plan (GSP) development and implementation. The intent of the WAC is to provide community perspective and participation in Sustainable Groundwater Management Act (SGMA) implementation.

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The WAC will review and/or provide recommendations to the Agency Board on groundwater-related issues that may include:

- Development, adoption, amendment of the GSP
- Sustainability goals and objectives
- Best management practices
- Monitoring programs
- Annual work plans and reports (including mandatory 5-year milestone reports)
- Modeling scenarios
- Inter-basin coordination activities
- Projects and management actions to achieve sustainability
- Community outreach
- Local regulations to implement SGMA
- Fee proposals
- Other

The WAC will not be involved in the Agency's day to day operations, such as contracting, budgeting, etc.

### Brown Act, Open Process, and Conflicts of Interest

All meetings of the WAC are open to the public. The Agency will announce WAC meetings through its regular communication channels.

WAC meetings are subject to the Brown Act. The WAC shall adopt a schedule and location for regular meetings, and meeting agendas shall be posted in accordance with the Brown Act. Under extenuating circumstances that may preclude the WAC from holding in-person meetings, the WAC may consider offering a video-conferencing option. However, all attempts will be made to hold in-person meetings, particularly when substantive discussion and formal recommendations are being considered by the WAC.

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All WAC meetings shall provide for public comment in accordance with the Brown Act, including non-agenda public comment and public comment on individual agenda items. As needed, time limits may be placed on public comments to ensure the WAC is reasonably able to address all agenda items during the course of the meeting. Speakers will generally be limited to three minutes, but time may be adjusted based

upon meeting circumstances. Special and emergency meetings need not provide for non-agenda public comment, but such comment may be allowed in the [WAC](#)'s discretion. ↓

**Deleted:** Members of the WAC are subject to all applicable conflict of interest laws including Government Code section 1090 and the California Political Reform Act. The Agency shall adopt a conflict of interest code for the WAC

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## Roles and Responsibilities

### Agency Board of Directors

The Agency Board commits to the value of the [WAC](#) and will consider [WAC](#) recommendations when making decisions.

### Advisory Committee

The role and responsibility of the [WAC](#) is to solicit and incorporate community and stakeholder interests into recommendations on SGMA implementation in the Wyandotte Creek [Subbasin](#) for the Board to consider in its decision-making processes.

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### Criteria for Advisory Committee Membership

[WAC](#) Members must:

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- Serve as a strong, effective advocate for the interest group represented
- Work collaboratively with others
- Commit time needed for ongoing discussions
- Collectively reflect diversity of interests within the stakeholder group they represent

**Deleted:** Complete any required Brown Act trainings by all applicable deadlines

As part of membership, members agree to:

- Arrive at each meeting fully prepared to discuss the issues on the agenda. Preparation may include reviewing meeting summaries, technical information, and draft documents distributed in advance of each meeting
- Present their constituent members' views on the issues being discussed and be willing to engage in respectful, constructive dialogue with other members of the group
- Develop a problem-solving approach in which they consider the interests and viewpoints of all group members, in addition to their own
- Keep their constituencies informed about the deliberations and actively seek their constituents' input

### Management Committee

The Management Committee comprised of staff from each Member of the Agency are responsible for administering the [WAC](#) which includes:

- Maintaining a current roster of [WAC](#) members
- Working with Agency Board to fill [WAC](#) vacancies, as needed
- Preparing agendas for [WAC](#) meetings
- Noticing all meetings in accordance with the Brown Act
- Staffing all meetings, recording minutes and developing and distributing meeting summaries
- Working with [WAC](#) and the Agency Board to develop annual work plans and schedules for [WAC](#) meetings
- Facilitating the process of incorporating [WAC](#) recommendations in staff reports into Board

- packets
- Ensuring that the records for [WAC](#) member Brown Act Training are filed and updated as required
- Maintaining a record of all meeting materials

**Facilitator**

As resources allow, a third-party facilitator may provide impartial facilitation services for [WAC](#) meetings. The facilitator’s primary responsibility is to ensure an open process where [WAC](#) member interests are heard and thoughtfully considered. To this end, the facilitator works on behalf of the process and the members contributing to [WAC](#) efforts. Specific facilitator responsibilities include:

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- Supporting the Management Committee in developing and distributing Committee agendas and relevant materials
- Advocating for a fair, effective, and credible process, but remain impartial with respect to the outcome of the deliberations
- Applying collaborative, mutual-gain negotiation methods that foster openness and identify areas of preliminary and final consensus agreement for advice and recommendations to the Board
- In the absence of consensus, helping to identify areas of agreement and disagreement
- Checking in with members as needed to ensure all issues are identified and explored
- Coordinating with Management Committee members to ensure accurate, impartial documentation of meetings and agreements (i.e. meeting summaries and recommendation reports)
- Ensuring all members uphold the tenets of the charter

**Membership**

Composition of the [WAC](#) is intended to represent the beneficial uses and users of groundwater identified in SGMA. [WAC](#) members only fill one seat on the AC and may not serve concurrently on the Agency Board or on the Management Committee. Members must live or work within the Wyandotte Creek [Subbasin](#) or represent an organization with a presence in the Wyandotte Creek [Subbasin](#).

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The Agency Board will appoint representatives to the [WAC](#). The following represents a draft, proposed list of possible [WAC](#) representation:

- Cal Water - Oroville (1)
- South Feather Water and Power (1)
- Tribal representative(s)
- Agricultural groundwater user(s)
  - Two (2) at-large members
  - One (1) Groundwater Pumpers Advisory Committee (GPAC) member. In the event that the GPAC dissolves, this position will transition to an at-large position
- At-large domestic well users(s)
- At-large environmental representative(s)
- At-large business association representative(s)

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The Agency Board may appoint other interests representing beneficial users and uses of groundwater as per Water Code Section 10723.3.

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### Member Appointment

The Agency Board will appoint at-large members to fill AC seats. Interested individuals from the community or organizations may apply to the Agency Board, specifying in the application the seat(s) that the applicant intends to be considered for.

The Agency Board encourages candidates with experience and familiarity with groundwater and its groundwater management. The Agency Board will also give preference to applicants who have the backing of multiple organizations or individuals, have experience working with diverse community-based groups and can represent the interests of disadvantaged populations or interests that are otherwise under-represented on the Advisory Committee.

### Application Timeline

Following Agency formation, the Agency Board will establish a timeline and process for appointment of the initial AC using the application process for the at-large seats on the AC and appointing the non-at-large seats as presented by the respective governing bodies of those non-at-large seats. In subsequent years, at-large applicants will submit applications for vacant at-large seats when they become vacant. The Agency will post blank applications on its website.

### Advisory Committee Member Terms

The initial AC appointments will include approximately half of the seats with three-year terms ending in December 2022 and the remaining seats with two-year terms ending in December 2021. Following initial [Committee member](#) Committee appointment, all terms will be two years in length, ending in December. Appointees are not term-limited; however, at-large members would be required to apply for open seats each term. If a vacancy occurs for a seat before the end of the term, the Board will appoint a new individual to complete the term (using the application process for the at-large seats).

The Agency Board can remove an [WAC](#) member if the member fails to attend three consecutive meetings or if the [WAC](#) member no longer meets the criteria for [WAC](#) membership. If deemed necessary by the Board, alternates may be appointed by the Agency Board.

## **Decision Making and Recommendations to the Agency Board**

To inform Agency Board decision-making, the [WAC](#) will provide written recommendations to the Agency included in Management Committee reports.

Any [WAC](#) member(s) who disagree with a recommendation made by the [WAC](#) to the Agency should provide an alternative that attempts to meet the interests they are representing as well as the interests of other members. The Committee will strive for consensus; however, if unanimous agreement among participants cannot be reached after all interests and options have been thoroughly identified, explored, and discussed, the [WAC](#) shall not limit itself to strict consensus. When unable to reach consensus on advice or recommendations, the [WAC](#) will outline the areas of disagreement and provide an explanation about such disagreements to inform the Agency Board for decision-making processes.

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Pursuant to Agency Board direction, the Management Committee will develop annual work plan(s) and schedule(s) for WAC meetings. The WAC will adopt a charter describing the purpose, operating principles and ground rules of the WAC. This charter will be subject to approval by the Agency Board of Directors.

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The Agency Board will consider WAC recommendations when making decisions. If the Agency Board does not agree with the recommendations of the WAC, the Agency Board shall state the reasons for its decision.

In order to conduct business (e.g. make and advance a recommendation to the Board), a quorum of the WAC seated must be present. A simple majority of WAC members constitutes a quorum. In the event a quorum is not reached, the WAC meeting may proceed to allow an opportunity for the public to received information and provide comments to the Management Committee.

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## Process Agreements and Ground Rules

To conduct a successful collaborative process, WAC members will work together to create a constructive, problem solving environment. To this end, members agree to the following process agreements which the WAC will use, and to ground rules which will guide individual and group behavior.

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### Process Agreements

1. Everyone agrees to negotiate in good faith. All participants agree to participate in decision making, to act in good faith in all aspects of this effort and to communicate their interests during meetings. Good faith also requires that members not make commitments they do not intend to follow through with, and that members act consistently in the meetings and in other forums where the issues under discussion in these meetings are also being discussed.
2. Everyone agrees to address the issues and concerns of the participants. Everyone who is joining in the WAC is doing so because s/he has a stake in the issue at hand. For the process to be successful, all the members agree to validate the issues and concerns of the other members and strive to reach an agreement that takes all the issues under consideration. Disagreements should be viewed as problems to be solved, rather than battles to be won.
3. Everyone agrees to inform and seek input from their constituents about the outcome of the facilitated discussions. To the extent possible, scheduling will allow for members to inform and seek input from their constituents, and others about discussions.
4. Everyone agrees that members can meet with other organizational or interest group members. WAC members may find it helpful to meet with other organizations or interest group members and to consult with constituents outside of the meeting so the member is better able to communicate community concerns on the issues at hand.
5. Everyone agrees to attend all of the meetings to the extent possible. Continuity of the conversations and building trust are critical to the success of the WAC.

Management Committee member(s) and / or the facilitator will coordinate the WAC meeting schedule.

### **Ground Rules**

1. Use Common Conversational Courtesy: Treat each other with mutual respect as you discuss and deliberate groundwater issues. Members are encouraged to turn off cell phones and focus on the issue at hand.
2. All Ideas and Points of View Have Value: The goal is to achieve understanding. Simply listen, you do not have to agree. If you hear something you do not agree with or you think is "silly" or "wrong," please remember that the purpose of the forum is to share ideas.
3. Be Honest, Fair, and as Candid as Possible: Put your interests forward, help others understand you and listen actively in order to understand others.
4. Avoid Editorials: It will be tempting to analyze the motives of others or offer editorial comments. Please talk about your own ideas and thoughts. Avoid commenting on why you believe another participant thinks something.
5. Honor Time, Be Concise and Share the Air: Help ensure an inclusive discussion by being cognizant of time constraints, stating your views clearly and concisely, and sharing the air so others can participate as well.
6. Think Innovatively and Welcome New Ideas: Creative thinking and problem solving are essential to success. "Climb out of the box" and attempt to think about the problem in a new way.
7. Invite Humor and Good Will: Don't hesitate to bring levity and humor to the process when warranted.

### **Amendments**

The [VAC](#) can recommend future changes to the charter. The Agency Board may amend the charter when needed using its decision-making procedure.