

APPENDIX 6-A
Northern Sacramento Valley Inter-basin
Coordination Report

Northern Sacramento Valley Inter-basin Coordination Report

Antelope | Bowman | Butte | Colusa | Corning | Los Molinos | Red Bluff | Sutter |
Vina | Wyandotte Creek | Yolo

Table of Contents

<i>Glossary of Acronyms</i>	1
<i>1. Introduction & Background</i>	2
<i>2. Intent & Purpose</i>	3
<i>3. Evolution of Inter-basin Coordination Efforts</i>	4
<i>4. Inter-basin Coordination Framework</i>	6
<i>4.1. Inter-basin Coordination Groups</i>	7
<i>5. Conclusion and Next Steps</i>	8
<i>Appendices</i>	9

Glossary of Acronyms

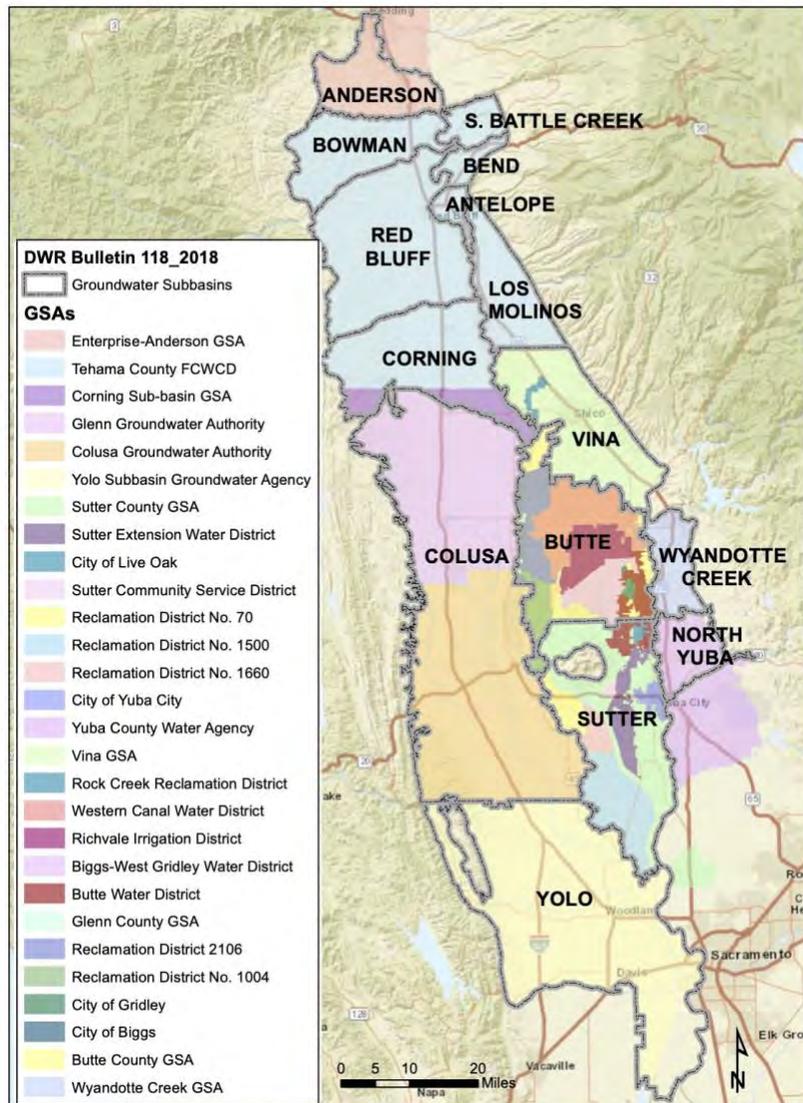
- **CBI** – Consensus Building Institute [\[link\]](#)
- **DWR** – California Department of Water Resources
- **GSA** – Groundwater Sustainability Agency
- **GSP** – Groundwater Sustainability Plan
- **MOU** – Memorandum of Understanding
- **NCWA** – Northern California Water Association
- **NSV IRWM**– Northern Sacramento Valley Integrated Regional Water Management
- **PMAs** – Projects and Management Actions
- **SGMA** – Sustainable Groundwater Management Act
- **SMC** – Sustainable Management Criteria

1. Introduction & Background

The content of the report is the result of staff recommendations resulting from regional inter-basin coordination staff meetings in the Northern Sacramento Valley (2020-2021). The content will be presented to inform discussions among Groundwater Sustainability Agencies (GSAs) and gather public input through existing public venues, such as advisory committees, groundwater commissions, and GSA Board meetings.

Inter-basin coordination is critical in the Northern Sacramento Valley as GSAs develop and implement Groundwater Sustainability Plans (GSPs). Since groundwater subbasins in the Northern Sacramento Valley are hydrologically interconnected, water management decisions and actions in subbasins (i.e., groundwater pumping and processes affecting recharge, water demand, and supply including climate change) could change aquifer conditions. Understanding and accounting for these processes is important towards achieving sustainability in all subbasins.

Figure 1. Map of the Northern Sacramento Valley



Inter-basin coordination is described in the GSP Regulations in [Article 8](#). Under the regulations, GSAs must describe how they coordinate with adjoining subbasins to demonstrate implementation will not adversely affect adjoining subbasins. The Department of Water Resources (DWR) is required to evaluate whether a GSP adversely affects the ability of an adjacent basin to implement their GSP or impedes achievement of sustainability goals in an adjacent basin (Water Code 17033(c)).

Coordination among GSAs can be formalized in different ways and inter-basin agreements are voluntary. [Appendix A](#) describes components of Sec 357.2.

Inter-basin coordination discussions among staff representatives from 11 subbasins (Antelope, Bowman, Butte, Colusa, Corning, Los Molinos, Red Bluff, Sutter, Vina, Wyandotte Creek, and Yolo), with facilitation support from the Consensus Building Institute (CBI) began during the summer of 2020. While efforts have focused on these subbasins, coordination will occur, as warranted, with other neighboring subbasins (Anderson and North Yuba).

Initial stages of inter-basin coordination efforts (May-December 2020) were closely aligned with the GSP Regulations in [Article 8](#) components and delineated in Section 3 *Evolution of Inter-basin Coordination Efforts*. After an initial attempt to compile technical information to better understand basin conditions at respective boundaries, staff realized differing timelines for the completion of Basin Setting content in each subbasin meant there would not be sufficient time during initial GSP development to fully characterize or address major inconsistencies. Therefore, the goal for regional inter-basin coordination shifted towards establishing a framework for long-term inter-basin coordination and dialogue (post GSP submittal in 2022). Informal coordination discussions among staff and consultants between neighboring subbasins continued during the GSP development process.

This report outlines the intent and purpose of inter-basin coordination in the Northern Sacramento Valley. It describes the process followed and materials developed throughout the process. It also outlines foundational elements, referred to as “key pillars,” of a framework for sustained coordination through GSP implementation.

2. Intent & Purpose

Inter-basin coordination efforts in the Northern Sacramento Valley are focused on establishing a foundation and guidelines for sustained inter-basin coordination through GSP implementation, following the initial submittal of GSPs by January 31, 2022. GSAs intend to:

1. *Establish a framework allowing for continued dialogue and a venue to address issues and discrepancies during the implementation of the GSPs;*
2. *Coordinate on consistent messaging and communicate shared expectations at a regional level;*
3. *Demonstrate regional coordination efforts and outcomes; and*
4. *Leverage existing agreements and arrangements in the region (e.g., Northern Sacramento Valley Integrated Regional Water Management (NSV IRWM), the Six County Memorandum of Understanding among Butte, Colusa, Glenn, Tehama, Shasta, and Sutter).*

The proposed deliverable from this effort is the development of a common approach and draft language for incorporation into each subbasin's GSP. This narrative describes the facilitated effort as well as the framework and scope for long-term coordination during plan implementation. The public will have opportunities to weigh in and provide input on the proposed framework through each subbasin's existing public venues, such as advisory committees, groundwater commissions, and GSA board meetings.

3. Evolution of Inter-basin Coordination Efforts

Inter-basin coordination efforts, facilitated by the Consensus Building Institute (CBI) began in summer 2020 among Subbasin staff from Antelope, Bowman, Butte, Colusa, Corning, Los Molinos, Red Bluff, Vina, and Wyandotte Creek subbasins to identify priorities and resources available for inter-basin coordination. Soon after, staff representatives from the Sutter and Yolo subbasins joined the meetings. To date, CBI has facilitated nine inter-basin coordination meetings with staff and periodically with technical consultants from the subbasins. Subbasin staff and/or CBI communicated regular updates to GSA Boards and advisory committees in each of the subbasins regarding the status of inter-basin coordination activities [[Access Webpage Here](#)].

Initial stages of inter-basin coordination efforts were closely aligned with the GSP Regulations in [Article 8](#):

1. **General information** of subbasins, plans and agencies participating in the coordination agreement,
2. **Technical information** including consistent and coordinated data or methodology for inter-basin boundary flows and stream-groundwater interactions at basin boundaries, and information on sustainable management criteria and monitoring that would confirm that no adverse impacts of implementing the GSPs would result to any party to the agreement,
3. A description of the **process for identifying and resolving conflicts** between Agencies that are parties to an inter-basin coordination agreement.

Reference: Sections 10727.2, 10733, and 10733.2, Water Code.

The goal at the initial stage was to compile general and technical information identified by DWR in a consistent manner to establish an accurate basis of comparison and to identify any significant inconsistencies that may need to be addressed or resolved. This included developing a series of information-sharing documents and outreach materials, summarized below.

1. **Inter-basin Coordination Directory**– This document provides an updated and centralized directory with contact information for GSA managers, technical consultants, and facilitators in the various subbasins. This document seeks to facilitate communication among the various representatives leading GSP development [[Access Here](#)].
2. **Technical Information-Sharing Template**– This template was developed among the managers and technical consulting teams to compile and compare information on modeling tools and water budget results for inter-basin flows, stream-aquifer interactions, and hydro-geologic conditions in the subbasins. Potentially, this document could be used to compile information about Sustainable Management Criteria and Monitoring Networks [[Access Draft Template Here](#)]. The first output from the technical information-sharing template summarizes the highlights of compiled model information across the subbasins [[Access Here](#)].
3. **Outreach Presentation**–This PowerPoint presentation provides updates on inter-basin coordination activities to the various SGMA public venues (GSA boards, advisory committees, etc.) and an overview of the scope and timeline of inter-basin coordination efforts. This presentation is continuously updated

after each inter-basin coordination staff meeting for use in consistently communicating with GSA Boards/advisory committees and the public throughout the region [[Access Here](#)].

4. **Outreach Factsheet**– The inter-basin coordination factsheet aims to support public outreach and information sharing in the various subbasins. This two-page flier or factsheet summarizes why regional coordination is important under SGMA, who is involved in ongoing efforts, what the coordination priorities are, and includes a table with links to each subbasin’s website for additional subbasins’ specific information [[Access Here](#)].
5. **Inter-basin Coordination Webpage**– Butte County hosts a webpage to provide the most up-to-date information on inter-basin coordination efforts in the Northern Sacramento Valley. The webpage provides an overview of the scope and makes available documentation and results of the inter-basin coordination work, including meeting agendas, summaries, and outputs [[Access Here](#)].
6. **Meeting Summaries**–CBI develops meeting summaries after each regional inter-basin coordination staff meeting to summarize key discussion themes, action items, and next steps. These summaries are publicly available on the inter-basin coordination webpage [[Access Here](#)].

After an initial attempt to compile technical information, staff realized the broad aspirations were not feasible during the initial stages of GSP development. The process of compiling and comparing modeling outputs from the diverse regional hydrological models required a significant amount of time, resources, and varying levels of data. Further, subbasins were at different stages of GSP development and GSAs were facing tight timelines, competing priorities, and capacity limitations to meet the regulatory deadline. While communication on a neighbor-to-neighbor basis on technical components was encouraged through GSP development, subbasin staff representatives realized more robust technical analysis and coordination between and among subbasins was not possible until initial plans (including water budgets) were more fully developed or after adoption of the initial GSPs.

Following reflection from the separate inter-basin efforts and priorities moving forward, subbasin staff recommended shifting the focus of regional coordination meetings to establishing a framework for long-term inter-basin coordination and dialogue following GSP submission in January 2022. To do so, subbasin staff identified desired outcomes in the short-term (during initial GSP development), mid-term (first 5-year update), and long-term (GSP Implementation through 2042) [[Access Here](#)]. This approach recognizes adoption of the 2022 GSPs as an initial step in sustainable groundwater management, not the final step. Subbasin staff acknowledged while model outputs may not match perfectly, the main objective is to identify and acknowledge significant discrepancies, understand why those differences exist, and evaluate to the extent they need to be reconciled. Inter-basin coordination has been characterized as “a marathon not a sprint,” and current efforts will serve to pave the path for long-term collaboration. Further, GSAs can take advantage of annual reporting and five-year GSP updates to identify and address discrepancies. Lastly, subbasin staff representatives acknowledge public participants are interested in inter-basin coordination efforts and concerns from some subbasins can easily affect others. Subbasin staff understand the need to share and educate the public on what is in the various GSPs, and the SGMA requirements for inter-basin coordination. Staff will continue to provide updates and gather GSA Board and public input related to the direction of current efforts and desired priorities, shared concerns, and possible ideas for inter-basin coordination during GSP implementation.

4. Inter-basin Coordination Framework

This section outlines the foundational pillars that comprise the framework for inter-basin coordination under SGMA between and among subbasins in the Northern Sacramento Valley. These pillars build upon a long-standing history of regional collaboration and embody a commitment for continued coordination, collaboration, and communication for successful groundwater management in the region. Honoring the individual authorities of the GSAs, these pillars represent a menu of options neighboring subbasins can draw upon, based on individual or neighboring subbasins' needs and challenges. GSA Boards can decide which of these options they would like to support and implement, acknowledging circumstances may change over time.

Pillars	Scale(s)	Timing
1. Information-sharing <ol style="list-style-type: none"> Inform each other on changing conditions (i.e., surface water cutbacks, land use changes, policy changes that inform groundwater management) Share annual reports and interim progress reports Share data and technical information and work towards building shared data across and/or along basin boundaries (e.g., monitoring data, water budgets, modeling inputs and outputs, and Groundwater Dependent Ecosystems) 	<ul style="list-style-type: none"> Neighbor-to-neighbor Coordination groups [Refer to section 4.1 below] 	<ul style="list-style-type: none"> Ongoing (GSP Development) Near-term (5-year update) Long-term (GSP implementation)
2. Joint analysis & evaluation <ol style="list-style-type: none"> Evaluate and compare contents of GSPs with a focus on establishing a common understanding of basin conditions at boundaries Identify significant differences, uncertainties, and potential issues of concern related to groundwater interaction at the boundaries Engage in analysis and evaluation of SMCs between GSPs to assess impacts and identify significant differences and possible impacts between subbasins that could potentially lead to undesirable results 	<ul style="list-style-type: none"> Neighbor-to-neighbor Coordination groups [Refer to section 4.1 below] 	<ul style="list-style-type: none"> Near-term (5-year update) Long-term (GSP implementation)
3. Coordination on mutually beneficial activities <ol style="list-style-type: none"> Communicate, coordinate, and collaborate on mutually beneficial activities, which could include joint monitoring, joint reporting, regional modeling, and other efforts to address data gaps at subbasin boundaries Collectively pursue funding and collaborate on mutually agreed upon projects and management actions that provide benefits across boundaries Leverage existing collaboratives (NSV IRWM, NCWA etc.) 	<ul style="list-style-type: none"> Neighbor-to-neighbor Coordination groups Regional: NSV IRWM, NCWA Groundwater Task Force 	<ul style="list-style-type: none"> Ongoing (GSP Development) Near-term (5-year update) Long-term (GSP implementation).
4. Coordinated communication and outreach <ol style="list-style-type: none"> Coordinate and collaborate on regional-scale public engagement and communication strategies that promote awareness on groundwater sustainability, enhance public trust, and maintain institutional knowledge Maintain list of GSP/subbasin staff contacts and websites 	<ul style="list-style-type: none"> Regional: NSV IRWM and NCWA Groundwater Task Force 	<ul style="list-style-type: none"> Ongoing (GSP Development) Near-term (5-year update) Long-term (GSP implementation)
5. Issue-resolution process <ol style="list-style-type: none"> Establish and follow an agreed-upon process for identifying and resolving conflicts between GSAs by the first five-year update [Refer to Appendix D for more details and discussion prompts on issue resolution processes] 	<ul style="list-style-type: none"> Neighbor-to-neighbor Coordination groups 	<ul style="list-style-type: none"> Near-term (5-year update) Long-term (GSP implementation).

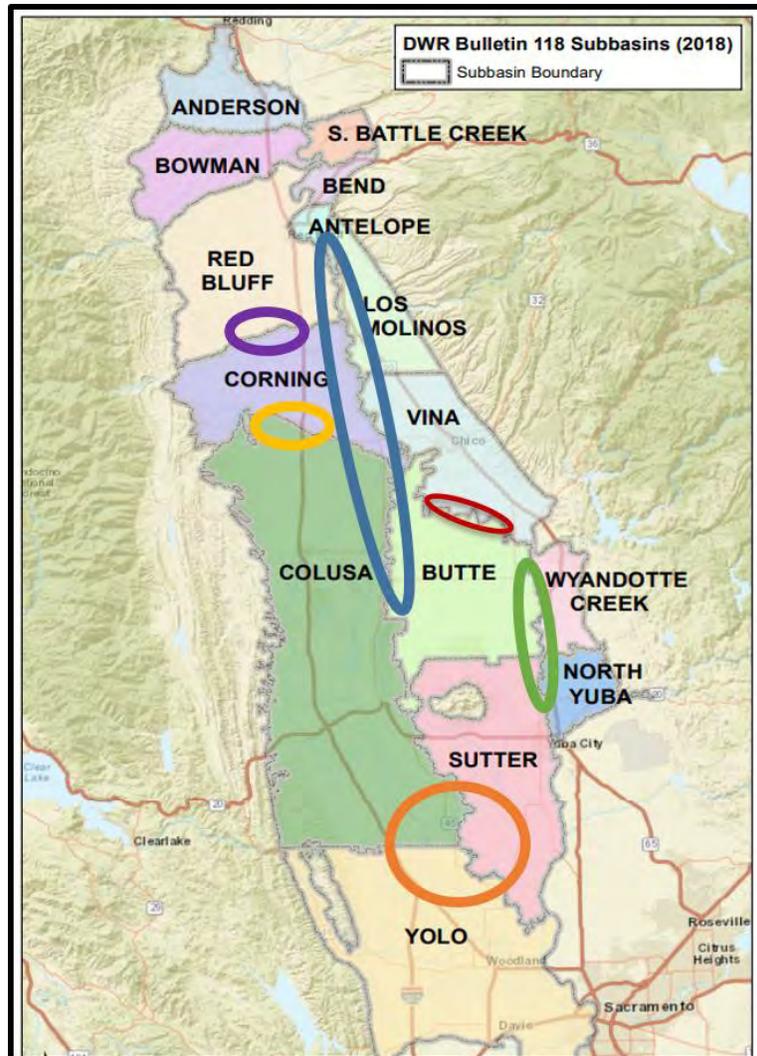
4.1. Inter-basin Coordination Groups

Inter-basin coordination efforts, as outlined in the pillars above, would require resources and technical support. Subbasin staff recommend organizing inter-basin coordination priorities by specific subbasin boundaries. One suggested approach identifies specific “Coordination Groups” (see Figure 3 and list below). Some of these groups are pairs and others include multiple subbasins around a river boundary.

1. **Feather River Corridor**- Butte, Wyandotte Creek, North Yuba, Sutter
2. **North Sacramento River Corridor**- Antelope, Los Molinos, Red Bluff, Corning, Vina, Butte, Colusa
3. **South Sacramento Corridor**- Colusa, Sutter, Yolo

Neighbor to Neighbor, examples:

4. **Stony Creek**- Corning, Colusa
5. **Thomes Creek**- Red Bluff, Corning
6. **Butte/Vina**- Vina, Butte



5. Conclusion and Next Steps

In sum, this report outlines a framework for inter-basin coordination for sustainable groundwater management in the Northern Sacramento Valley. The inter-basin coordination framework describes a menu of options for ongoing communication and collaboration around substantive issues over the twenty-year implementation of SGMA.

The pillars and other content from this report could be used by GSAs to support GSP development and implementation in a number of ways. This inter-basin coordination report could be included as an Appendix to the GSP and could be updated on a yearly basis. Individual subbasins can incorporate sections of the report into the body of the GSP, depending upon specific boundary conditions at adjoining subbasins. Finally, subbasins could draw on the inter-basin coordination framework if they would like to consider entering into one or more voluntary inter-basin agreements during GSP implementation.

The content of the report is the result of staff recommendations resulting from regional inter-basin coordination staff meetings. Staff will present the framework as a supporting document to guide and inform discussions with the GSA Boards and other existing public venues, such as advisory committees or groundwater commissions. GSAs in turn will discuss the menu of options for inter-basin coordination outlined in this report to determine their priorities and desired approach to draw on the inter-basin coordination framework in their individual GSPs. Lastly, Subbasin staff will come together to share input received and determinations from their respective GSAs.

Subbasin staff acknowledge that while this report builds upon a long-standing history of regional collaboration, this is just the beginning of inter-basin coordination efforts under SGMA. Therefore, this framework and inter-basin coordination activities will be continually refined throughout GSP implementation.

Appendix A: GSP Emergency Regulations, Article 8: Interagency Agreements §357.2

§ 357.2. Inter-basin Agreements (access [here](#))

Two or more Agencies may enter into an agreement to establish compatible sustainability goals and understanding regarding fundamental elements of the Plans of each Agency as they relate to sustainable groundwater management. Inter-basin agreements may be included in the Plan to support a finding that implementation of the Plan will not adversely affect an adjacent basin's ability to implement its Plan or impede the ability to achieve its sustainability goal. Inter-basin agreements should facilitate the exchange of technical information between Agencies and include a process to resolve disputes concerning the interpretation of that information. Inter-basin agreements may include any information the participating Agencies deem appropriate, such as the following:

- (a) General information:
 - (1) Identity of each basin participating in and covered by the terms of the agreement.
 - (2) A list of the Agencies or other public agencies or other entities with groundwater management responsibilities in each basin.
 - (3) A list of the Plans, Alternatives, or adjudicated areas in each basin.
- (b) Technical information:
 - (1) An estimate of **groundwater flow across basin boundaries**, including consistent and coordinated data, methods, and assumptions.
 - (2) An estimate of **stream-aquifer interactions** at boundaries.
 - (3) A **common understanding of the geology and hydrology** of the basins **and the hydraulic connectivity** as it applies to the Agency's determination of groundwater flow across basin boundaries and description of the different assumptions utilized by different Plans and how the Agencies reconciled those differences.
 - (4) **Sustainable management criteria and a monitoring network** that would confirm that no adverse impacts result from the implementation of the Plans of any party to the agreement. If minimum thresholds or measurable objectives differ substantially between basins, the agreement should specify how the Agencies will reconcile those differences and manage the basins to avoid undesirable results. The Agreement should identify the differences that the parties consider significant and include a plan and schedule to reduce uncertainties to collectively resolve those uncertainties and differences.
- (c) A description of the **process for identifying and resolving conflicts** between Agencies that are parties to the agreement.
- (d) Inter-basin agreements submitted to the Department shall be posted on the Department's website.

Note: Authority cited: Section 10733.2, Water Code.

Reference: Sections 10727.2, 10733, and 10733.2, Water Code.

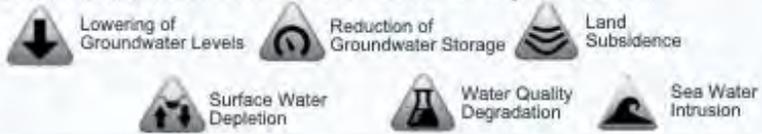
Appendix B: Inter-basin Coordination Fact Sheet

Northern Sacramento Valley | Sustainable Groundwater Management Act
Regional Coordination Between Subbasins

Antelope | Bowman | Butte | Colusa | Corning | Los Molinos | Red Bluff | Sutter | Vina | Wyandotte Creek | Yolo

**Sustainable
Groundwater
Management
Act**

What is SGMA? California enacted the Sustainable Groundwater Management Act (SGMA) in 2014 to better manage groundwater over the long term. Sustainability is achieved by avoiding significant and unreasonable conditions for the six "sustainability indicators."



Why is regional coordination important? In the Sacramento Valley, inter-basin coordination is critical as Groundwater Sustainability Agencies (GSA) develop their Groundwater Sustainability Plans (GSP). Since groundwater subbasins in the Northern Sacramento Valley (NSV) are hydrologically interconnected, water management decisions and actions in one subbasin (e.g. groundwater pumping) and processes like climate change could change aquifer conditions and affect flows to other subbasins. Understanding and accounting for these processes is key to achieve sustainability in all subbasins.

Who is involved in ongoing efforts?

Collaborative efforts have begun among representatives from 11 subbasins (Antelope, Bowman, Butte, Colusa, Corning, Los Molinos, Red Bluff, Sutter, Vina, Wyandotte Creek, Yolo), with facilitation support from the Consensus Building Institute. While efforts have focused on the subbasins mentioned, coordination will occur, as warranted, with other neighboring subbasins (Anderson and North Yuba).

What are the coordination priorities?

Groundwater Sustainability Agencies are working together to establish a foundation for open and transparent inter-basin coordination and communication by developing tools to:



SHARE & COMPILE INFORMATION IN A CONSISTENT WAY



OUTLINE A PROCESS TO IDENTIFY & RESOLVE ISSUES



DOCUMENT COORDINATION EFFORTS



Learn More & Get Involved



Receive Updates

Sign up for your GSA's interested parties list.



Contact Your GSA

Talk to your GSA representative



Attend Meetings

Attend public workshops, Advisory Board, and GSA Board meetings

Subbasin	GSA(s)	Website
Antelope	Tehama County Flood Control and Water Conservation District (FCWCD)	Website
Bowman	Tehama County FCWCD	Website
Butte	Biggs West Gridley WD, Butte County, Butte WD, City of Biggs, City of Gridley, Colusa Groundwater Authority, Glenn County, RD 1004, RD 2106, Richvale ID, Western Canal WD	Website
Los Molinos	Tehama County FCWCD	Website
Red Bluff	Tehama County FCWCD	Website
Corning	Corning Sub-basin GSA, Tehama County FCWCD	Website
Colusa	Glenn Groundwater Authority; Colusa Groundwater Authority	Websites (Glenn) (Colusa)
Sutter	Butte WD, City of Live Oak, Sutter Community Service District, Sutter County, Sutter Extension Water District, RD 70, RD 1660, RD 1500, City of Yuba City	Website
Vina	Rock Creek Reclamation District, Vina GSA	Websites (Vina) (RCDC)
Wyandotte Creek	Wyandotte Creek GSA	Website
Yolo	Yolo Subbasin Groundwater Agency	Website



Find more information about regional inter-basin coordination at:

ButteCounty.net/waterresourceconservation/Sustainable-Groundwater-Management-Act/Inter-basin-Coordination

APPENDIX C

Memorandum of Understanding Four County (Butte, Colusa, Glenn, and Tehama Counties) Regional Water Resource Coordination, Collaboration, and Communication

Memorandum of Understanding

Four County (Butte, Colusa, Glenn, and Tehama Counties) Regional Water Resource Coordination, Collaboration, and Communication

1. BACKGROUND

The counties of Butte, Colusa, Glenn, and Tehama share common surface water and groundwater resources. Based on these common resources, local water resource managers understand that regular coordination, collaboration, and communication can result in an improved water resource understanding at both the county and regional level.

2. PURPOSE

The purpose of this document is to establish the mutual understandings of the four counties with respect to their voluntary joint efforts toward regional coordination, collaboration, and communication.

3. GOALS

The goals of the Four County Memorandum of Understanding (MOU) are:

- 2.1. To foster coordination, collaboration and communication between the four counties on water-related issues, to achieve greater efficiencies, and enhance public services.
- 2.2. To provide a framework for the management and disbursement of funding associated with activities pursued jointly under this MOU.
- 2.3. To improve competitiveness for State and Federal grant funding.

4. DEFINITIONS

4.1. Four County. Participants including the counties of Butte, Colusa, Glenn, and Tehama, with representation by the following:

- Butte County: Department of Water and Resource Conservation
- Colusa County: Department of Planning and Building
- Glenn County: Department of Agriculture
- Tehama County: Flood Control and Water Conservation District

4.2. Project Manager. A project manager will be determined by the Counties signatory to this MOU for any given project regardless of funding source to meet the goals set forth in this MOU.

5. MUTUAL UNDERSTANDINGS

5.1. Participation. Signatories to this MOU constitute the current participants. Participation is strictly on a voluntary basis and may be

terminated at any time without recourse. Neighboring counties who share water resources common to the participating counties and who are engaged in similar activities will be invited to be signatory to this MOU. Signatories aspire to work collaboratively with other regional programs and technical outreach efforts.

5.2. Activities. Efforts pursued under this agreement will remain consistent with and will not exceed the current authority for any individual participating county. Efforts will include the study and investigation of water resources common to participants, monitoring and reporting, information dissemination and sharing between counties and with other county departments, public outreach and education, and other activities at the agreement and direction of individual county governing bodies.

5.3. County Funding. Counties are not required to commit funding associated with activities completed under this MOU. It is understood that activities under this MOU may result in the more efficient use of existing and future department funding resulting from improved collaboration and coordination.

5.4. External Funding. Signatories will work collaboratively in pursuit of external funding associated with common interest activities based on voluntary participation and agreement. When required, a mutually agreed upon County representative will serve as the Project Manager for activities completed under a contract with an external funding source. Existing county contracting mechanisms will be utilized where available for contractual and invoicing purposes between participating counties. Nothing in this MOU precludes individual counties from the individual pursuit, contracting and completion of work from an externally funded source regardless of a real or perceived regional interest.

5.5. Decision-making. Consensus will be sought when the need for a decision arises.

5.6. Non-binding nature. This document and participation under this MOU are nonbinding, and in no way suggest that a county may not continue its own activities as each county is expected to continue its own policies and procedures and undertake efforts to secure project funding from any source. A county may withdraw from participation at any time.

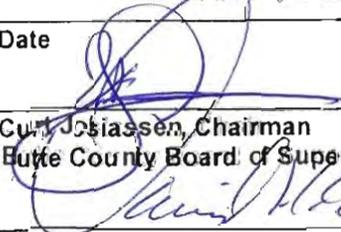
5.7. Termination. Because the MOU will require periodic review and updating for use into the future, it is envisioned that the joint efforts of those involved will be ongoing in maintaining a living document. Thus this document will remain as a reflection of the understandings of the participants. Individual signatories of this MOU may terminate their involvement at any time with no recourse.

6. SIGNATORIES TO THE MEMORANDUM OF UNDERSTANDING

We, the undersigned representatives of our respective counties, acknowledge the above as our understanding of how the Four County Coordination, Collaboration, and Communication MOU will be implemented.

MAR 14 2006 APPROVED JAN 24 2006

Date


Curt Jobiassen, Chairman
Butte County Board of Supervisors

 2/28/06
Approved As To Form:
Bruce Alpert, Butte County Counsel

6. SIGNATORIES TO THE MEMORANDUM OF UNDERSTANDING
We, the undersigned representatives of our respective counties, acknowledge
the above as our understanding of how the Four County Coordination,
Collaboration, and Communicative MOU will be implemented.

Date

April 4, 2006

Christy Scofield

Christy Scofield, Chairperson
Colusa County Board of Supervisors

Henry Rodegerdts

Approved As To Form:
Henry Rodegerdts, Colusa County Counsel

EXHIBIT B
PAGE 3 OF 3

6. SIGNATORIES TO THE MEMORANDUM OF UNDERSTANDING

We, the undersigned representatives of our respective counties, acknowledge the above as our understanding of how the Four County Coordination, Collaboration, and Communication MOU will be implemented.

12-13-05
Date
[Signature]
Vice Chairman, Tehama County Flood Control
And Water Conservation District

Approved As To Form:
by *[Signature]*
County Counsel, Tehama County

Date
By Board Chair

County
Approved As To Form:
County Counsel

Date
By Board Chair

County
Approved As To Form:
County Counsel

Date
By Board Chair

County
Approved As To Form:

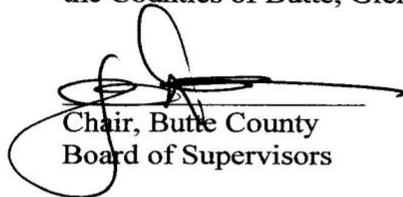
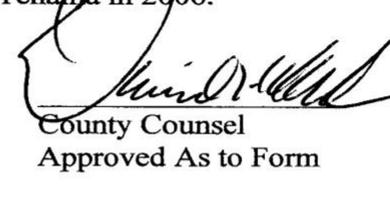
**FOUR COUNTY MEMORANDUM OF UNDERSTANDING
ADDENDUM ONE:**

Statement of Principles Regarding Water Related Programs and Projects

In recognition that certain activities related to water resources do not recognize jurisdictional boundaries and require regional solutions, the parties identified in the Four County Memorandum of Understanding hereby agree to adhere to the following Statement of Principles Regarding Water Related Programs and Projects:

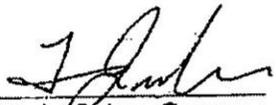
1. Programs and projects related to groundwater level and water quality monitoring shall be conducted in a cooperative manner and related data shall be shared between the participants to prevent negative impacts to our constituents.
2. Environmental documents associated with water projects and programs will automatically be circulated to all four counties for review and comment.
3. Incidents of abnormal water level or water quality readings will be immediately communicated to all participating counties resulting in a collaborative review and dissemination of related information.
4. Project and program related information will be disseminated on a regional basis through the independent county websites, augmented by regional public outreach meetings.
5. The parties will work cooperatively to acquire grant funding to conduct aquifer studies that further identify the linkages of the common groundwater resources.
6. Efforts pursued under this agreement will remain consistent with and will not exceed the current authority of any participating county.

We, the undersigned representatives of our respective counties, agree to adhere to the conditions of **Addendum One to the Four County MOU: Statement of Principles Regarding Water Related Programs and Projects**. The original MOU was signed by the Counties of Butte, Glenn, Colusa and Tehama in 2006.

 _____ Chair, Butte County Board of Supervisors	_____ Date	 _____ County Counsel Approved As to Form	_____ Date
---	---------------	--	---------------

_____ Chair, Glenn County Board of Supervisors	_____ Date	_____ County Counsel Approved As to Form	_____ Date
--	---------------	--	---------------

_____ Chair, Tehama County Board of Supervisors	_____ Date	_____ County Counsel Approved As to Form	_____ Date
---	---------------	--	---------------


Vice-Chair Colusa County
Board of Supervisors

4-17-07
Date

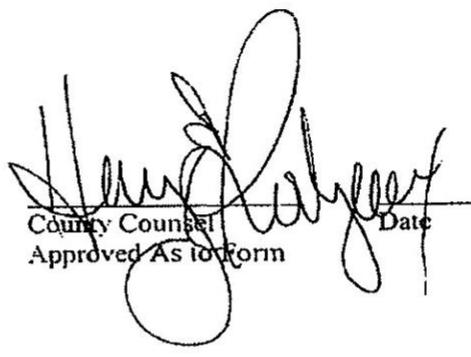

County Counsel
Approved AS to form
Date

EXHIBIT A
PAGE 2 OF 2

**FOUR COUNTY MEMORANDUM OF UNDERSTANDING
ADDENDUM ONE:**

Statement of Principles Regarding Water Related Programs and Projects

In recognition that certain activities related to water resources do not recognize jurisdictional boundaries and require regional solutions, the parties identified in the Four County Memorandum of Understanding hereby agree to adhere to the following Statement of Principles Regarding Water Related Programs and Projects:

1. Programs and projects related to groundwater level and water quality monitoring shall be conducted in a cooperative manner and related data shall be shared between the participants to prevent negative impacts to our constituents.
2. Environmental documents associated with water projects and programs will automatically be circulated to all four counties for review and comment.
3. Incidents of abnormal water level or water quality readings will be immediately communicated to all participating counties resulting in a collaborative review and dissemination of related information.
4. Project and program related information will be disseminated on a regional basis through the independent county websites, augmented by regional public outreach meetings.
5. The parties will work cooperatively to acquire grant funding to conduct aquifer studies that further identify the linkages of the common groundwater resources.
6. Efforts pursued under this agreement will remain consistent with and will not exceed the current authority of any participating county.

We, the undersigned representatives of our respective counties, agree to adhere to the conditions of **Addendum One to the Four County MOU: Statement of Principles Regarding Water Related Programs and Projects**. The original MOU was signed by the Counties of Butte, Glenn, Colusa and Tehama in 2006.

Chair, Butte County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

[Signature]

Chair, Glenn County
Board of Supervisors

4/3/2007

Date

[Signature]

County Counsel
Approved As to Form

3/26/07

Date

Chair, Tehama County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

**FOUR COUNTY MEMORANDUM OF UNDERSTANDING
ADDENDUM TWO:
Adding Sutter County to the Four County MOU**

In recognition that certain activities related to water resources do not recognize jurisdictional boundaries and therefore require regional solutions, the parties identified in the original Four County Memorandum of Understanding: Counties of Butte, Colusa, Glenn and Tehama are hereby joined by Sutter County in the regional efforts discussed in the Four County MOU and the Statement of Principles Regarding Water Related Programs and Projects as discussed in Addendum One to the Four County MOU.

We, the undersigned as representative of our respective counties, agree to adhere to the conditions of the **Four County Memorandum of Understanding; Addendum One to the Four County MOU: Statement of Principles Regarding Water Related Programs and Projects. And Addendum Two: Adding Sutter County to the Four County MOU.**

The original MOU was signed by the Counties of Butte, Glenn, Colusa and Tehama in 2006. Through approval of this addendum, Sutter County makes the same commitment to regional cooperation and coordination that is outlined in the original MOU.

<u>Bill Connelly</u> Chair, Butte County Board of Supervisors	<u>05 MAY 2009</u> Date	<u>Bruce L. Alpert</u> County Counsel Approved As to Form	_____ Date
_____ Chair, Glenn County Board of Supervisors	_____ Date	_____ County Counsel Approved As to Form	_____ Date
_____ Chair, Tehama County Board of Supervisors	_____ Date	_____ County Counsel Approved As to Form	_____ Date
_____ Chair, Colusa County Board of Supervisors	_____ Date	_____ County Counsel Approved As to Form	_____ Date

**FOUR COUNTY MEMORANDUM OF UNDERSTANDING
ADDENDUM TWO:
Adding Sutter County to the Four County MOU**

In recognition that certain activities related to water resources do not recognize jurisdictional boundaries and therefore require regional solutions, the parties identified in the original Four County Memorandum of Understanding: Counties of Butte, Colusa, Glenn and Tehama are hereby joined by Sutter County in the regional efforts discussed in the Four County MOU and the Statement of Principles Regarding Water Related Programs and Projects as discussed in Addendum One to the Four County MOU.

We, the undersigned as representative of our respective counties, agree to adhere to the conditions of the **Four County Memorandum of Understanding; Addendum One to the Four County MOU: Statement of Principles Regarding Water Related Programs and Projects. And Addendum Two: Adding Sutter County to the Four County MOU.**

The original MOU was signed by the Counties of Butte, Glenn, Colusa and Tehama in 2006. Through approval of this addendum, Sutter County makes the same commitment to regional cooperation and coordination that is outlined in the original MOU.

Chair, Butte County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

Chair, Glenn County
Board of Supervisors

Date

County Counsel
Approved As to Form

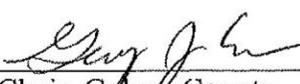
Date

Chair, Tehama County
Board of Supervisors

Date

County Counsel
Approved As to Form

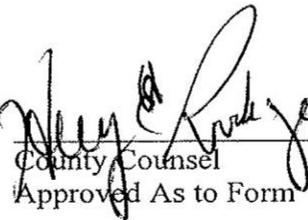
Date



Chair, Colusa County
Board of Supervisors

5/5/09

Date



County Counsel
Approved As to Form

Date 3/9/09

**FOUR COUNTY MEMORANDUM OF UNDERSTANDING
ADDENDUM TWO:
Adding Sutter County to the Four County MOU**

In recognition that certain activities related to water resources do not recognize jurisdictional boundaries and therefore require regional solutions, the parties identified in the original Four County Memorandum of Understanding: Counties of Butte, Colusa, Glenn and Tehama are hereby joined by Sutter County in the regional efforts discussed in the Four County MOU and the Statement of Principles Regarding Water Related Programs and Projects as discussed in Addendum One to the Four County MOU.

We, the undersigned as representative of our respective counties, agree to adhere to the conditions of the **Four County Memorandum of Understanding; Addendum One to the Four County MOU: Statement of Principles Regarding Water Related Programs and Projects. And Addendum Two: Adding Sutter County to the Four County MOU.**

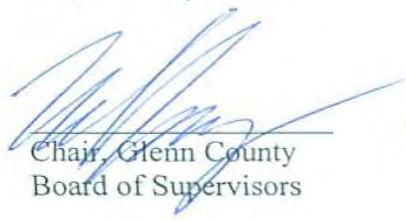
The original MOU was signed by the Counties of Butte, Glenn, Colusa and Tehama in 2006. Through approval of this addendum, Sutter County makes the same commitment to regional cooperation and coordination that is outlined in the original MOU.

Chair, Butte County
Board of Supervisors

Date

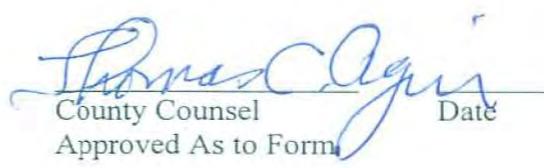
County Counsel
Approved As to Form

Date



Chair, Glenn County
Board of Supervisors

5/21/09
Date



County Counsel
Approved As to Form

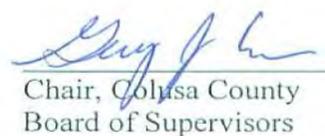
Date

Chair, Tehama County
Board of Supervisors

Date

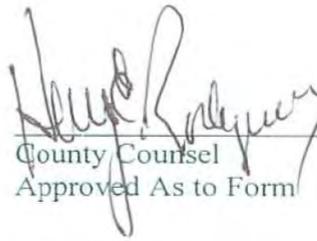
County Counsel
Approved As to Form

Date



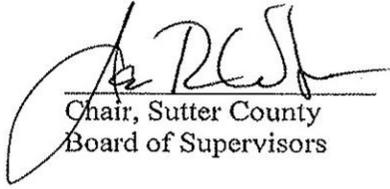
Chair, Colusa County
Board of Supervisors

5/5/09
Date



County Counsel
Approved As to Form

5/5/09
Date



Chair, Sutter County
Board of Supervisors

Date

William J. Vanasek

County Counsel
Approved as to Form

4/14/09

Date

**FOUR COUNTY MEMORANDUM OF UNDERSTANDING
ADDENDUM TWO:
Adding Sutter County to the Four County MOU**

In recognition that certain activities related to water resources do not recognize jurisdictional boundaries and therefore require regional solutions, the parties identified in the original Four County Memorandum of Understanding: Counties of Butte, Colusa, Glenn and Tehama are hereby joined by Sutter County in the regional efforts discussed in the Four County MOU and the Statement of Principles Regarding Water Related Programs and Projects as discussed in Addendum One to the Four County MOU.

We, the undersigned as representative of our respective counties, agree to adhere to the conditions of the **Four County Memorandum of Understanding; Addendum One to the Four County MOU; Statement of Principles Regarding Water Related Programs and Projects. And Addendum Two: Adding Sutter County to the Four County MOU.**

The original MOU was signed by the Counties of Butte, Glenn, Colusa and Tehama in 2006. Through approval of this addendum, Sutter County makes the same commitment to regional cooperation and coordination that is outlined in the original MOU.

Chair, Butte County Board of Supervisors	Date	County Counsel Approved As to Form	Date
Chair, Glenn County Board of Supervisors	Date	County Counsel Approved As to Form	Date
<i>Dorise Rouse</i> Chair, Tehama County Flood Control & Water Conservation District	6-23-09 Date	County Counsel Approved As to Form	Date
Chair, Colusa County Board of Supervisors	Date	County Counsel Approved As to Form	Date

**FOUR COUNTY MEMORANDUM OF UNDERSTANDING:
ADDENDUM THREE
Expression of a Commitment to Begin An
Integrated Regional Water Management Planning Process
Within the Counties of Butte, Colusa, Glenn, Tehama and Sutter**

Through adoption of this addendum, the signatories agree to begin a regional water management planning process pursuant to the Four County MOU, geographically covering the area of Butte, Colusa, Glenn, Tehama and Sutter Counties. The planning process shall utilize and incorporate existing plans and processes. The California legislature has recently adopted new criteria associated with the Integrated Regional Water Management Planning process. This new legislative criteria requires that acceptance and approval of the composition of all Integrated Regional Water Management Planning Areas be completed prior to accepting public funding associated with IRWMP grant funds. All IRWMP planning Regions and Plans must comply with the requirements as set forth in the Final Regional Acceptance Process Program Guidelines.

We, the undersigned as representative of our respective counties, agree to adhere to the conditions of **The Four County Memorandum of Understanding; Addendum One to the Four County MOU: Statement of Principles Regarding Water Related Programs and Projects; Addendum Two: Adding Sutter County to the Four County MOU; Addendum Three: Expression of a Commitment to Begin An Integrated Regional Water Management Planning Process Within the Counties of Butte, Colusa, Glenn, Tehama and Sutter.**

Bill Connelly
Chair, Butte County
Board of Supervisors

05 MAY 2009
Date

Bruce A. Alpert
County Counsel
Approved As to Form

Date

Chair, Glenn County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

Chair, Tehama County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

[Signature]
Chair, Colusa County
Board of Supervisors

5/5/09
Date

[Signature] 5/5/09
County Counsel
Approved As to Form

Chair, Sutter County
Board of Supervisors

Date

County Counsel
Approved as to Form

Date

**FOUR COUNTY MEMORANDUM OF UNDERSTANDING:
ADDENDUM THREE
Expression of a Commitment to Begin An
Integrated Regional Water Management Planning Process
Within the Counties of Butte, Colusa, Glenn, Tehama and Sutter**

Through adoption of this addendum, the signatories agree to begin a regional water management planning process pursuant to the Four County MOU and geographically covering the area of Butte, Colusa, Glenn Tehama and Sutter Counties. The planning process shall utilize and incorporate existing plans and processes. The California legislature has recently adopted new criteria associated with the Integrated Regional Water Management Planning process. This new legislative criteria requires that acceptance and approval of the composition of all Integrated Regional Water Management Planning Areas be completed prior to accepting public funding associated with IRWMP grant funds. All IRWMP planning Regions and Plans must comply with the requirements as set forth in the Final Regional Acceptance Process Program Guidelines.

We, the undersigned as representative of our respective counties, agree to adhere to the conditions of **The Four County Memorandum of Understanding; Addendum One to the Four County MOU: Statement of Principles Regarding Water Related Programs and Projects; Addendum Two: Adding Sutter County to the Four County MOU; Addendum Three: Expression of a Commitment to Begin An Integrated Regional Water Management Planning Process Within the Counties of Butte, Colusa, Glenn, Tehama and Sutter.**

Chair, Butte County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date


Chair, Glenn County
Board of Supervisors

5/21/09

Date


County Counsel
Approved As to Form

Date

Chair, Tehama County
Board of Supervisors

Date

County Counsel
Approved As to Form

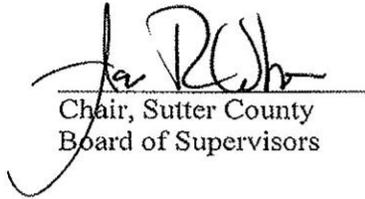
Date

Chair, Colusa County
Board of Supervisors

Date

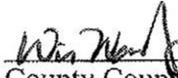
County Counsel
Approved As to Form

Date



Chair, Sutter County
Board of Supervisors

Date



County Counsel
Approved as to Form

4/14/09

Date

**FOUR COUNTY MEMORANDUM OF UNDERSTANDING:
ADDENDUM THREE
Expression of a Commitment to Begin An
Integrated Regional Water Management Planning Process
Within the Counties of Butte, Colusa, Glenn, Tehama and Sutter**

Through adoption of this addendum, the signatories agree to begin a regional water management planning process pursuant to the Four County MOU and geographically covering the area of Butte, Colusa, Glenn, Tehama and Sutter Counties. The planning process shall utilize and incorporate existing plans and processes. The California legislature has recently adopted new criteria associated with the Integrated Regional Water Management Planning process. This new legislative criteria requires that acceptance and approval of the composition of all Integrated Regional Water Management Planning Areas be completed prior to accepting public funding associated with IRWMP grant funds. All IRWMP planning Regions and Plans must comply with the requirements as set forth in the Final Regional Acceptance Process Program Guidelines.

We, the undersigned as representative of our respective counties, agree to adhere to the conditions of **The Four County Memorandum of Understanding; Addendum One to the Four County MOU: Statement of Principles Regarding Water Related Programs and Projects; Addendum Two: Adding Sutter County to the Four County MOU; Addendum Three: Expression of a Commitment to Begin An Integrated Regional Water Management Planning Process Within the Counties of Butte, Colusa, Glenn, Tehama and Sutter.**

Chair, Butte County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

Chair, Glenn County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

George Russell

Chair, Tehama County
Flood Control & Water
Conservation District

6-23-09

Date

County Counsel
Approved As to Form

Date

**FOUR COUNTY MEMORANDUM OF UNDERSTANDING:
ADDENDUM FOUR
Expression of a Commitment to Begin An
Integrated Regional Water Management Planning Process
Within the Counties of Butte, Colusa, Glenn, Tehama, Sutter and Shasta**

Through adoption of this addendum, the signatories agree:

1. Shasta County shall join the parties involved in the original Four County Memorandum of Understanding (MOU) and Addendum Two;
2. Signatories to the MOU and its addenda shall be called the Northern Sacramento Valley Integrated Regional Water Management Planning Group; and,
3. Begin a regional water management planning process pursuant to the Four County MOU, geographically covering the area of Butte, Colusa, Glenn, Tehama, Sutter and Shasta Counties. The planning process shall utilize and incorporate existing plans and processes. The California legislature has recently adopted new criteria associated with the Integrated Regional Water Management Planning process. This new legislative criteria requires that acceptance and approval of the composition of all Integrated Regional Water Management Planning Areas be completed prior to accepting public funding associated with IRWMP grant funds. All IRWMP planning Regions and Plans must comply with the requirements as set forth in the Final Regional Acceptance Process Program Guidelines.
4. The signatories to the MOU and its addenda reaffirm the provisions of section 5.6 of the MOU that the MOU and its addenda and participation under the MOU and its addenda are nonbinding.

We, the undersigned as representative of our respective counties, agree to adhere to the conditions of **The Four County Memorandum of Understanding; Addendum One to the Four County MOU: Statement of Principles Regarding Water Related Programs and Projects; Addendum Two: Adding Sutter County to the Four County MOU; Addendum Three: Expression of a Commitment to Begin An Integrated Regional Water Management Planning Process Within the Counties of Butte, Colusa, Glenn, Tehama and Sutter; Addendum Four: Expression of a Commitment to Begin An Integrated Regional Water Management Planning Process Within the Counties of Butte, Colusa, Glenn, Tehama, Sutter and Shasta.**

Bill Connelly
Chair, Butte County
Board of Supervisors

APR 13 2010
Date

Russell
County Counsel
Approved As to Form

4.9.10
Date

Chair, Glenn County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

Chair, Tehama County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

Chair, Colusa County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

Chair, Sutter County
Board of Supervisors

Date

County Counsel
Approved as to Form

Date

Chair, Shasta County
Board of Supervisors

4/27/10

Date

County Counsel
Approved as to Form

5/6/10

Date

Chair, Glenn County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date

Chair, Tehama County
Board of Supervisors

Date

County Counsel
Approved As to Form

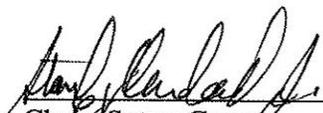
Date

Chair, Colusa County
Board of Supervisors

Date

County Counsel
Approved As to Form

Date



Chair, Sutter County
Board of Supervisors

4/20/10
Date



County Counsel
Approved as to Form

4/13/10
Date

Chair, Shasta County
Board of Supervisors

Date

County Counsel
Approved as to Form

Date

Appendix D: Issue Resolution Process for Discussion Purposes

This document aims to guide discussions and provide pertinent information as subbasins consider inclusion of an issue resolution process in the Northern Sacramento Valley inter-basin coordination framework. These discussions will take place in the period leading up to the first five-year GSP update.

Discussion Prompts

1. *What are potential benefits/challenges or concerns of including an issue/dispute resolution process in the inter-basin coordination framework?*
2. *What are shared expectations between and among subbasins?*
3. *What are the GSAs preferences for addressing conflicts if/when they arise?*

Background

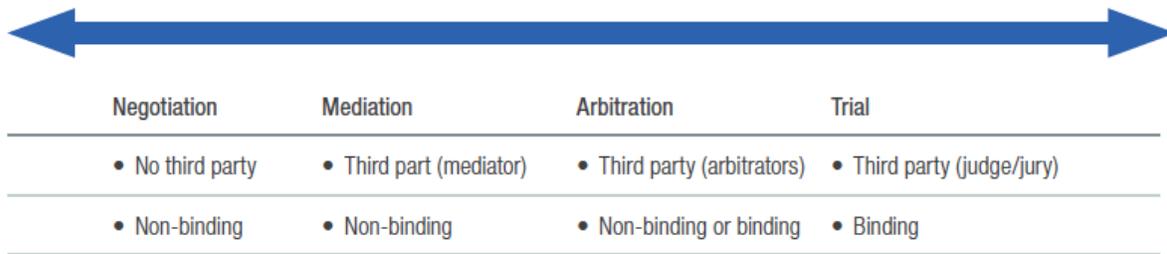
The Groundwater Sustainability Plan Regulations in [Article 8](#) recommend including a “description of a process for identifying and resolving conflicts between Agencies” as a part of inter-basin coordination (Sections 10727.2, 10733, and 10733.2, Water Code). A [recent study](#) by Tara Moran, Janet Martinez, and William Blomquist, part of Stanford University’s Water in the West found that the ability of interagency coordination “to solve complex challenges will be contingent on the ability of these organizations to effectively prevent and manage conflicts before they arise and to resolve these conflicts equitably and efficiently when they do.” (Moran, Martinez, and Blomquist, 2021). Further, given how likely it is for disagreements at a local level to occur during SGMA implementation, the study suggests investing in establishing issue resolution processes before disagreements arise. Meanwhile, deferring their development could complicate the resolution process in times of conflict. Given these recommendations, consider the following questions for reflection and discussion.

Purposes of issue resolution processes

There are many options to identify and resolve issues that involve different parties, goals/objectives, and resources. Ideally, issue resolution processes are thoughtfully designed and tailored to specific contexts. **The broader goal for such a process can be to meet the agencies’ long-term needs, considering local dynamics, desired outcomes, and expected uses.** Goals can include keeping things simple and efficient, maintaining relationships, ensuring quality of the process, fostering participation and community engagement, etc.

The figure below shows different types of dispute resolution processes. In some cases, agencies draft clauses that outline a tiered approach. They often begin with negotiation, which gives the parties control over the process and outcomes. Then, mediation, which brings in a neutral third-party (mediator) to facilitate the discussion and help parties work towards resolving issues. Often, negotiation and mediation lead to “non-binding” outcomes, non-enforceable by courts. Parties could opt to move towards arbitration or litigation, which are controlled by a third party (arbitrator or judge/jury) and can lead to binding and non-binding outcomes (Moran, Martinez, and Blomquist, 2019).

Figure 2. The spectrum of dispute resolution process. Modified from Amsler et al. (2020a).



From Moran, Martinez, and Blomquist, 2019

Examples

1. Example from Moran, Martinez, and Blomquist, 2019

Box 2. A Draft Dispute Resolution Clause.

The blue text notes indicate how each of the preceding five questions are incorporated into the dispute resolution language.

In the event that any dispute [Q1: Provides instruction on what disputes can be addressed. Additional process goals, while not explicit should be subject to discussion.] arises among the Members relating to (i) this Agreement, (ii) the rights and obligations arising from this Agreement, (iii) a Member proposing to withdraw from membership in the Agency, or (iv) a Member proposing to initiate litigation within the Basin or the management of the Basin, the aggrieved Member or Members proposing to withdraw from membership shall provide written notice to the other Members of the controversy or proposal to withdraw from membership [Q2: Provides instruction on who can initiate and participate in the process.]. Within forty-five (45) days after such written notice, the Members shall attempt in good faith to resolve the controversy through informal negotiation [Q3: Describes a series of processes for dispute resolution, beginning with negotiation. Also includes a timeline for process stages.]. If the Members cannot agree upon a resolution of the controversy within forty-five (45) days from the providing of written notice specified above, the dispute shall be submitted to mediation prior to commencement of any legal action or prior to withdrawal of a Member proposing to withdraw from membership. The mediation shall be no less than a full day (unless agreed otherwise among the Members) and the cost of mediation shall be paid in equal proportion among the Members [Q4: Provides instruction on who will pay for dispute resolution processes.]. The mediator shall be either voluntarily agreed to or appointed by the Superior Court upon a suit and motion for appointment of an impartial mediator [Q3a: Provides a clear process for choosing an impartial mediator.]. Upon completion of mediation, if the controversy has not been resolved, any Member may exercise all rights to bring a legal action relating to the controversy or withdraw from membership as otherwise authorized pursuant to this Agreement. The Agency may, at its discretion, participate in mediation upon request by a stakeholder [to be defined by the parties to the Agreement] concerning a dispute alleged by the stakeholder concerning the management of the Basin or rights to extract groundwater from the Basin, with the terms of such mediation to be determined in the sole discretion of the Member Directors [Q2: Allows third-party participation in the dispute resolution process.].

Note: This above dispute resolution clause is not intended to serve as an endorsement or illustration of effective practice.

2. Example from Butte Subbasin Cooperation Agreement

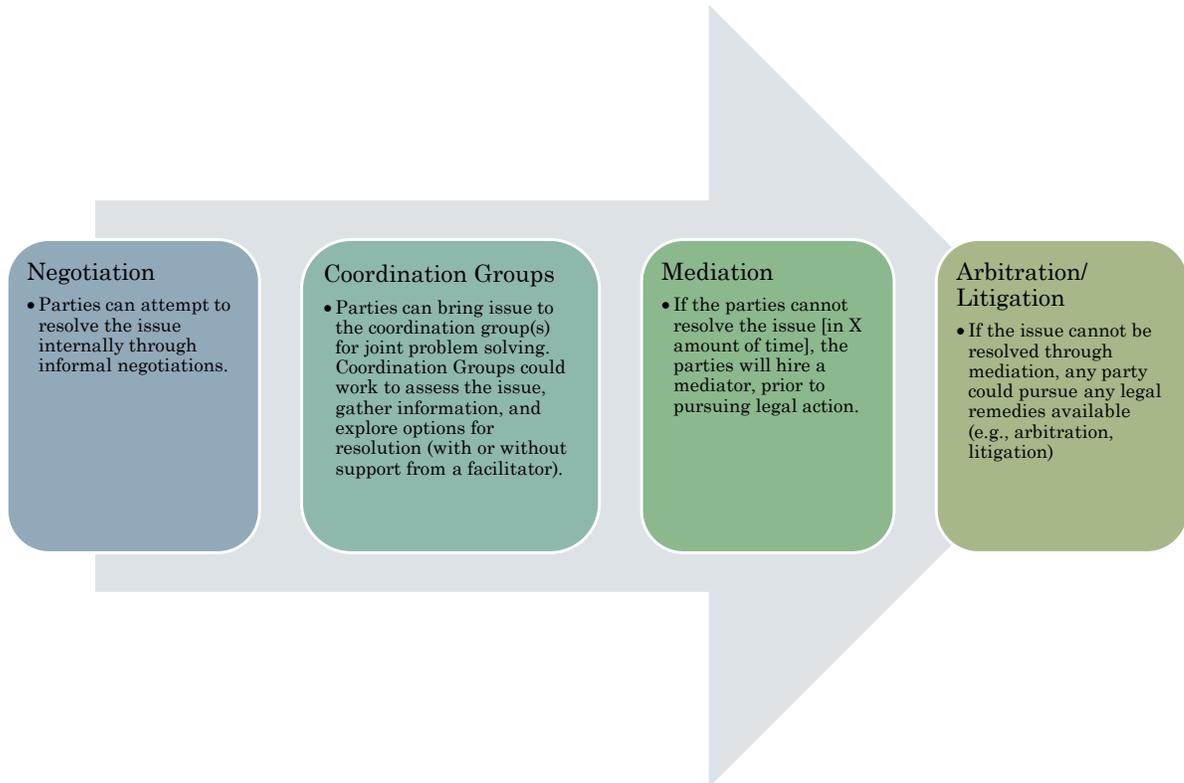
Note: This example doesn't provide much specificity. However, acknowledges shared intent to resolve disputes.

ARTICLE 9. DECISION-MAKING AND DISPUTE RESOLUTION

9.1. Decision-making Authority. Topics where the Members desire coordinated decision-making will be considered by the Advisory Board, and the Member Directors will strive for unanimous recommendations that will be presented to each Member's governing body for consideration. Such topics include, but are not limited to, development and implementation of the GSP, and associated financial arrangements. When unable to reach unanimous recommendations, the Advisory Board will outline the areas in which it does not agree, providing some explanation to inform the respective GSAs' governing bodies. Despite the recommendations of the Advisory Board, ultimate decision-making authority for topics considered by the Advisory Board resides with each Member's governing body.

9.2. Dispute Resolution. It is the desire of Members to informally resolve all disputes and controversies related to this Agreement, whenever possible, at the least possible level of formality and cost. If a dispute occurs, the disputing Members shall meet and confer in an attempt to resolve the matter. If informal resolution cannot be achieved, the matter will be referred to the Advisory Board for resolution. The Advisory Board may engage the services of a trained mediator or resort to all available legal and equitable remedies to resolve disputes.

Possible Process in the Northern Sacramento Valley



Worksheet: Key Questions and Considerations for Issue Resolution Process

The questions below could be used to guide the development of a specific issue resolution process in the context of inter-basin coordination in the Northern Sacramento Valley by the first 5-year GSP update. These questions could help to clarify the level of specificity that subbasins would find beneficial and mutually agreeable when/if conflict occurs.

Adapted from Moran, Martinez, and Blomquist, 2019

<p>1) What are the process goals?</p> <ul style="list-style-type: none"> a) Consider what disputes the process aims to address – all disputes arising at basin boundaries or only a subset? b) Consider inclusivity and transparency of the process, cost efficiency for parties and the GSA(s), timeframes, and other factors important to your agency(ies). c) Other potential objectives include dispute prevention, enhanced relationships, procedural and substantive fairness, legal compliance, durability of resolution and organizational improvement. 	
<p>2) Who can initiate and participate in the dispute resolution process?</p> <ul style="list-style-type: none"> a) Consider what parties can initiate the dispute resolution process – is it only parties to the agreement or can external parties invoke it? There are pros and cons to both choices, so discussing this in advance will ensure thoughtful consideration. 	
<p>3) What processes are used to make decisions related to dispute resolution and what information is necessary?</p> <ul style="list-style-type: none"> a) What is the process for selecting a mediator, facilitator, lawyer or other impartial party? b) Consider including a range of processes beginning with internal negotiations and escalating based on clear timelines. 	
<p>4) Who pays for the dispute resolution process?</p> <ul style="list-style-type: none"> a) Consider who will pay for the mediator, facilitator, lawyer or other impartial party. Will it be paid for by the disputing parties, the GSA(s) or through a state-funded program? b) How could you assess whether the outcome of the dispute resolution process was successful? 	

Other Resources

- Dutton, A. SGMA Updates, Coordination Considerations, and Potential Next Steps, Cosumnes Subbasin Working Group. February 21, 2018. http://cosumnes.waterforum.org/wp-content/uploads/2018/02/EKI_Cosumnes_TAC_meeting_2018-02-21.pdf
- Moran T., Martinez, J., and Blomquist W. Dispute Resolution Processes: Thinking through SGMA Implementation. Water in the West. Fall, 2019. <https://waterinthewest.stanford.edu/publications/dispute-resolution-processes-thinking-through-sgma-implementation>
- Moran T. Basin-scale Coordination is Key to SGMA's Success: Thoughts on DWR's Draft GSP Regulations. March 1, 2016. Stanford University. Water in the West. <https://waterinthewest.stanford.edu/news-events/news-press-releases/basin-scale-coordination-key-sgma%E2%80%99s-success-thoughts-dwr%E2%80%99s-draft-gsp>
- [Moran et al.](#) Dispute Resolution Clauses in Interorganizational Coordination Agreements: A Comparative Analysis. 2021. pending publication.
- Butte County. 2017. Technical Collaboration on Interconnected Subbasins to Advance Sustainable Groundwater Management: Assessment of Interconnected Subbasins. Available at: <https://www.buttecounty.net/wrcdocs/Reports/SpecialProjects/InterbasinGWFlow/InterbasinSBAassessment-FINAL.pdf>
- Butte County. 2017. Inter-basin Groundwater Flows Fact Sheet. Available at: <https://www.buttecounty.net/wrcdocs/Reports/SpecialProjects/InterbasinGWFlow/FactSheet.pdf>
- Buck, Christina. 2017. Butte County Inter-Basin Groundwater Flows Presentation, <https://www.buttecounty.net/wrcdocs/Reports/SpecialProjects/InterbasinGWFlow/NSVBoardAssessment20170615.pdf>