



## Vina Groundwater Sustainability Agency DRAFT Advisory Committee Charter (version: 2/18/20)

### Purpose

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

The SHAC will review and/or provide recommendations to the GSA 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 SHAC will not be involved in the GSA's day to day operations, such as contracting, budgeting, etc.

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

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

SHAC meetings are subject to the Brown Act. The SHAC shall adopt a schedule and physical location for regular meetings, and meeting agendas shall be posted in accordance with the Brown Act.

Would the SHAC like to include language that addresses the impacts of extenuating circumstances such as with the current situation caused by COVID-19?

Suggested language for further discussion and refinement: *Under extenuating circumstances that preclude the SHAC from holding in-person meetings, SHAC meetings may be held via videoconference. However, all attempts will be made to hold in-person meetings, particularly when substantive discussions and/or formal recommendations are under consideration by the SHAC.*



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All SHAC meetings shall provide for public comment in accordance with the Brown Act, including non-agenda public comment and public comment on individual agenda items. Speakers will generally be limited to 3 minutes, but time may be adjusted based upon meeting circumstances. As needed, time limits may be placed on public comments to ensure the SHAC is reasonably able to address all agenda items during the course of the meeting. Special and emergency meetings need not provide for non-agenda public comment, but such comment may be allowed in the SHAC's discretion. Members of the SHAC are subject to all applicable conflict of interest laws including Government Code section 1090 and the California Political Reform Act. The Board shall adopt a conflict of interest code for the SHAC.

### Roles and Responsibilities

#### GSA Board of Directors

The Board commits to the value of the SHAC and will consider SHAC recommendations when making its policy decisions.

#### Stakeholder Advisory Committee

The role and responsibility of the SHAC is to solicit and incorporate community and stakeholder interests into recommendations on SGMA implementation in the Vina subbasin for the Board to consider in its decision-making process.

The criteria for SHAC members are to:

- 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

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.

- Would SHAC members like to include language establishing a protocol for SHAC members to suggest agenda topics?
- Would it be beneficial to have a standing item on the agenda for the purpose of SHAC members relaying input received from their interest groups and/or a standing item to suggest future agenda topics?
- Is it important or necessary to add this level of procedural detail to the charter?



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### Management Committee

- Maintain a current roster of SHAC members.
- Work with GSA Board to fill SHAC vacancies, as needed.
- Prepare agendas for SHAC meetings.
- Notice all meetings in accordance with the Brown Act.
- Staff all meetings, record minutes and develop and distribute meeting summaries.
- Work with SHAC and GSA Board to develop annual workplan and schedule for SHAC meetings.
- Facilitate the process of incorporating SHAC recommendations into Board packets.
- Provide options and ensure records for AC 1234 Ethics Training and Brown Act Training for SHAC members.
- Maintain a record of all meeting materials.

### Facilitator

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

- Support the Management Committee in developing and distributing SHAC agendas and relevant materials.
- Advocate for a fair, effective, and credible process, but remain impartial with respect to the outcome of the deliberations.
- Apply 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, help identify areas of agreement and disagreement.
- Check in with members as needed to ensure all issues are identified and explored.
- Coordinate with Management Committee to ensure accurate, impartial documentation of meetings and agreements (i.e. meeting summaries and recommendation reports).
- Ensure all members uphold the tenets of the charter.

What roles and responsibilities (if any) would benefit from further clarification in the Charter?

## Membership

Composition of the SHAC is intended to represent the beneficial uses and users of groundwater identified in SGMA. SHAC members may not serve concurrently on the GSA Board. Members must live or work with in the Vina subbasin or represent an organization with a presence in the Vina subbasin.



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The GSA Board will appoint a representative to the SHAC, for a total not to exceed 10 members. The following represents a draft, proposed list of possible SHAC representation:

- Cal Water (1)
- CSU Chico (1)
- Butte College (1)
- Agricultural groundwater users (3)
- At-large domestic well users (2)
- At-large environmental representative (1)
- At-large business representative (1)

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

### Member Appointment

The GSA Board will appoint At-large members to fill SHAC seats. Interested individuals from the community or organizations may apply to the GSA Board, designating in the application the seat that the applicant would intend to fill.

The GSA Board encourages candidates with experience and familiarity with groundwater and its management. The GSA Board will also give preference to applicants who have the backing of multiple organizations or individuals and/or have experience working with diverse community-based groups.

### Application Timeline

The GSA Board will establish a timeline and process for appointment of the initial SGAC following GSA formation. In subsequent years, applicants will submit an application for vacant seats. The GSA will post applications on its website.

### Stakeholder Advisory Committee Member Terms

SHAC member seats are 4-year terms. SHAC members are not term-limited. However, each term SHAC members must resubmit an application to the GSA Board.

SHAC members serve at the will of the GSA Board and may be removed by the Board with or without cause upon a super majority vote by the Board. SHAC members may also be removed from the Committee for failure to attend three consecutive meetings unless there are extenuating circumstances as determined by the GSA Board.

## **Decision Making and Governing Board Consideration**

To inform GSA Board decision-making, the SHAC will provide written recommendations that will be included in Management Committee reports. The recommendations will identify areas of agreement and disagreement. The SHAC will strive for consensus when possible, but reaching consensus is not



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necessary. Consensus means that everyone can at least live with a recommendation. When unable to reach consensus on recommendations, the SHAC will outline the areas in which it does not agree, providing some explanation to inform GSA Board decision-making.

Pursuant to GSA Board direction, the Management Committee will develop the annual work plan and schedule for SHAC meetings. The SHAC will adopt a charter describing its purpose, operating principles and ground rules that will be confirmed by the GSA Board of Directors.

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

- Would it be helpful to include language specifying that SHAC meeting agendas and meeting summaries will explicitly state when the SHAC is considering or making formal recommendations to the GSA Board?
- Would it be beneficial to include a section in the Charter on “Meeting Summaries?”

Suggested language for discussion and refinement: The Management Committee in coordination with the Facilitator, if applicable, develops meeting summaries memorializing discussion points, agreements, the range of opinions when consensus is not achieved, action items and next steps. Following SHAC meetings, meeting summaries will be distributed to the SHAC for review and comments after the Management Committee’s initial review. The Management Committee in coordination with the Facilitator, if applicable, incorporates into the meeting summary any and all comments received by SHAC members and prepares a draft final version for final review and approval at the subsequent SHAC meeting. The Management Committee/Facilitator then distributes the final, approved meeting summary to the SHAC. The final version of the meeting summary will also be used by the Management Committee to develop staff reports to the Vina GSA board.

## Process Agreements and Ground Rules

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

### Process Agreements

- ✓ 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



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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.

- ✓ Everyone agrees to address the issues and concerns of the participants. Everyone who is joining in the SHAC 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 will be viewed as problems to be solved, rather than battles to be won.
- ✓ 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.
- ✓ Everyone agrees that members can meet with other organizational or interest group members in accordance with the Brown Act. SHAC 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.
- ✓ Everyone agrees to attend all the meetings to the extent possible. Continuity of the conversations and building trust are critical to the success of the Advisory Committee. Members are encouraged to turn off cell phones and focus on the issue at hand. GSA staff or the facilitator will coordinate the meeting schedule.

### **Ground Rules**

- ✓ **Use Common Conversational Courtesy:** Treat each other with mutual respect as you discuss and deliberate groundwater issues.
- ✓ **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.
- ✓ **Be Honest, Fair, and as Candid as Possible:** Put your interests forward, help others understand you and listen actively in order to understand others.
- ✓ **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



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participant thinks something.

- ✓ 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.
- ✓ 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.
- ✓ Invite Humor and Good Will: Don’t hesitate to bring levity and humor to the process when warranted, as this often helps collaborative discussions.

### **Amendments**

The SHAC can recommend future changes to the charter. The Board may amend the charter when needed using its decision-making procedure.