

Draft CHARTER *(2/10/2009)*

Dry Creek Advisory Group

Russian River Instream Flow & Restoration

1) Purpose and Goals

The primary purpose of the Dry Creek Advisory Group is to inform efforts to implement the Biological Opinion in the Dry Creek watershed. To this end, the goals of the group are to:

- Work collaboratively and negotiate in good faith with other group members who represent interests in the Dry Creek watershed and agencies responsible for implementing the biological opinion.
- Develop common understanding on current and future instream and habitat enhancement in Dry Creek and provide recommendations on other related projects and work.
- Make recommendations on issues brought before the Advisory Group for discussion and comment.

2) Membership

The Advisory Group consists of members that represent the following interests:

- Creek-side property owners, both agriculture and rural residential
- Agriculture representing growers with grapes and other crops, a wide variety of tenures, acreages and perspectives
- Scientific/technical experts on habitat, fisheries, geomorphology
- Local environmental interests
- Representatives of key interest groups who serve the Dry Creek Valley
- Agencies: National Marine Fisheries Service, California Department of Fish & Game, U.S. Army Corps of Engineers, and the Sonoma County Water Agency

Additional stakeholders may join the Dry Creek Advisory Group after its initial formation with the concurrence of other members. Member organizations may change their individual representatives if necessary by notifying the project manager or facilitator.

3) Structure

The primary decision-making body for implementing the Biological Opinion is the National Marine Fisheries Service, which mandates the Biological Opinion, and the Sonoma County Water Agency, responsible for implementing the Biological Opinion, in consultation with the Corps and California Department of Fish & Game (the RRIFR team).

The Dry Creek Advisory Group is a consensus-seeking body that will make recommendations that address issues related to implementing the Biological Opinion in the Dry Creek watershed. These recommendations will reflect the decision and agreement of Advisory Group members. The Advisory Group will have assistance from a facilitator and project manager.

The Dry Creek Advisory Group will not grapple with Russian River flow and estuary management issues; a separate stakeholder group will concentrate on these issues.

4) Roles and Responsibilities

Dry Creek Advisory Group

The Dry Creek Advisory Group will develop recommendations on issues related to implementing the Biological Opinion in Dry Creek. The RRIFR team will join other stakeholders on the Advisory Group to discuss and seek consensus on issues raised in the group. The Advisory Group will document its recommendations for the RRIFR team's consideration during implementation.

- Organizations and governmental agencies participating in the Dry Creek Advisory Group will select one formal designee to represent

them. The designee will represent the views of the organization that selected them to participate in the process.

- Advisory Group members will attend meetings consistently and, if unable to attend any session, will send an alternate also chosen by their participating group. However, use of alternates is not encouraged as this can interfere with the continuity of discussion and decision-making.
- Advisory Group members will make a good faith effort to achieve consensus to produce recommendations with the strongest support possible.
- Members will regularly communicate information about the process to their organizations or agencies, as well as to the individual constituencies and communities they represent. Members will present their constituent members' views on the issues being discussed.
- The Advisory Group will make decisions in accordance with the rules set out in Decision Making below.
- Advisory Group members will arrive at each meeting fully prepared to discuss the issues on the agenda. Preparation would include reviewing meeting summaries, technical information, and draft documents distributed in advance of each meeting.
- Members will develop a problem-solving approach in which they consider the interests and viewpoints of all group members, in addition to their own, and be willing to engage in respectful, constructive dialogue with other members of the working group.
- Members will negotiate in good faith with other Advisory Group members.

Conveners

The Sonoma County Water Agency is convening the Dry Creek Advisory Group. The convener will sponsor Advisory Group meetings and garner necessary funding to support the Advisory Group. The Sonoma County Water Agency is providing in-kind staff support to manage the effort and is contracting with the Center for Collaborative Policy, California State University, Sacramento, to facilitate Advisory Group meetings.

Advisory Group Project Manager

The Sonoma County Water Agency will provide a project manager for the Advisory Group. The project manager will interface with the technical team and facilitator to ensure that meetings are efficient and work is completed in a timely fashion. The project manager will assist in quality control confirming that written recommendations reflect stakeholder agreement. Finally, the project manager will facilitate any public and media outreach.

Technical Team

Numerous technical specialists and consultants will be working to implement the Biological Opinion over the course of many years. Representatives of the technical team will participate in meetings when the Advisory Group calls upon their expertise to inform its discussions. Representatives will also attend meetings periodically to listen to Advisory Group deliberations, which can inform the team's work and decision making.

Work Groups or Subcommittees

The Advisory Group can form subcommittees or work groups to assist with its work of developing recommendations. Members of the subcommittee or work group need not be members of the Advisory Group. The subcommittees may develop recommendations or proposals for the full Advisory Group's consideration.

Facilitator

In cooperation with all stakeholders, the facilitator from the Center for Collaborative Policy would design Advisory Group meetings and guide the overall process toward achieving its mutually agreed-upon purpose and goals.

The facilitator will:

- Formulate the agenda and desired outcomes for meetings based on input of stakeholders and facilitate those proceedings.
- Identify and synthesize points of agreement and disagreement for the written meeting summaries.
- Assist in building consensus among members both in the group and through individual communication.
- Ensure compliance with all meeting guidelines and this charter.

- Serve as a confidential communication channel for members, alternates, and observers who wish to express views privately because they do not feel comfortable doing so in front of the large group.
- Advocate for a fair, effective, and credible process, but remain impartial with respect to the outcome of the deliberations.

5) Decision-Making

- 1) **Consensus as the Fundamental Principle:** The group shall strive for consensus (agreement among all participants) in all of its decision-making. Working toward consensus is a fundamental principle.
- 2) **Definition of “Consensus”:** Consensus means that all group members either fully support or can live with the decision and believe that their constituents can as well. In reaching consensus, some group members may strongly endorse a particular proposal while others may accept it as "workable." Others may be only able to “live with it.” Still others may choose to “stand aside” by verbally noting a disagreement, yet allowing the group to reach a consensus without them if the decision does not affect them or compromise their interests. Any of these actions still constitutes consensus.
- 3) **Less than 100% Consensus Decision Making:** The group is consensus seeking and shall not limit itself to strict consensus if 100% agreement among all participants cannot be reached after all interests and options have been thoroughly identified, explored, and discussed. Less-than-consensus decision-making shall not be undertaken lightly. If, after full exploration, the Advisory Group cannot come to 100% agreement, the group would document its areas of agreement and disagreement for the RRIFR team to consider as it moves forward with the activities necessary to implement the Biological Opinion.
- 4) **Decision Outcomes.** All reports and products of the group will reflect the outcome of stakeholder discussions.

6) Meeting Guidelines

The group will use the following standing guidelines to establish a productive protocol for meetings and may modify them as appropriate.

The Advisory Group agrees to:

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

During the meetings, Advisory Group members agree to:

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

7) Meeting Schedule

The Advisory Group will agree on a meeting date that is manageable for its members. This charter will be changed to reflect this meeting time.

8) Work Plan

The Advisory Group will establish its work plan annually and, at the end of each year, decide whether it wishes to continue.

9) Communication

Meeting Summaries

Summaries will be provided following each Advisory Group meeting and posted on the web.

Media and External Parties

The Advisory Group is encouraged to develop common statements for periodic public release. Suggested text for such statements may be developed by staff and facilitators or may be offered by a group member.

Members are asked to speak only for their organization or themselves when asked by external parties, including the media, about the Advisory Group's progress, unless there has been an Advisory Group formal adoption of a statement, concepts, or recommendations.

Stakeholders will refer media inquiries to _____ and reserve freedom to express their own opinions to media representatives.

Participants should be careful to present only their own views and not those of other participants of the stakeholder group. The temptation to discuss someone else's statements or position should be avoided.

Staff will be available to provide presentations of the group's work at meetings, conferences or other venues. Members are strongly encouraged to provide or arrange presentations about the group's work wherever feasible to increase awareness.

Advisory Group members will provide periodic updates to elected officials who are interested in the process. Advisory Group members may also decide to brief other decision makers at strategic points on key outcomes and decision.

Conditional Endorsements: Advisory Group members represent organizations and, in some cases, may not be able to make final commitments without conferring first with their organization. In this case, agreements will be considered conditionally endorsed, pending organizational confirmation.

10) Public Forum

The “Public Forum” is the term used to describe the general public and broad range of organizations that seek information about the Dry Creek Advisory Group process either by attendance at meetings or through other means of communication.

Strategies for reaching this larger audience include:

- Public comment time at Advisory Group meetings allowed in a flexible and inclusive manner rather than limited to a single period.
- Interactive communication through the RRIFR website with full publication of work products, reports, public meeting materials and other resources.
- A master mailing list assembled through public inquiries, meeting attendance lists and website sign-ins.
- Multi-media materials created by member organizations to assist members in updating constituent and other community groups on planning activities and to inform local and regional media of milestone achievements.
- Additional efforts to identify and communicate with Environmental Justice communities throughout the region.
- Other public participation strategies as developed by the Advisory Group

11) Open Process

- All meetings are open to the public.
- Advisory Group agendas will be sent out in advance of the meetings and posted on the Sonoma County Water Agency RRIFR web site. At each meeting, the public will be given an opportunity to comment.
- Members of the public are expected to adhere to the above meeting guidelines.

12) Amendments to this Charter

The Advisory Group may use its decision-making procedure, identified above, to adopt changes to this Charter.