

CHARTER: Oxnard Subbasin and Pleasant Valley Basin Facilitated Process

Core Stakeholder Group approved September 29, 2020

PURPOSE AND GOAL

This document states the process agreements for the Oxnard Subbasin and Pleasant Valley Basin Facilitated Process.

The goal of the facilitated process is to develop consensus among a broad range of stakeholders and interested parties on water resources management related to implementing the Sustainable Groundwater Management Act (SGMA) in the Oxnard Subbasin and Pleasant Valley Basin of Ventura County.

The Fox Canyon Groundwater Management Agency (GMA) will convene and participate in a Core Stakeholder Group, representative of groundwater users and managers in the basins, to develop recommendations for the GMA Board to consider adopting. The Core Stakeholder Group will explore and discuss a range of issues, draw upon the best available science, consider and integrate to the extent possible all points of view and public input, and strive for consensus recommendations. The Consensus Building Institute (CBI) will provide impartial facilitation services, currently funded by the California Department of Water Resources.

TRANSPARENCY AND DOCUMENTATION

All meetings will be open to the public, and materials would be available on the web. A project web site will serve the group: <http://fcgmasustainability.org/>.

CBI will capture meeting discussions and agreements in high level meeting summaries. The first segment of the summary will capture the key outcomes and serve as talking points to brief constituents. The meeting summary will document agreements and summarize key discussions to lay the foundation for future meetings.

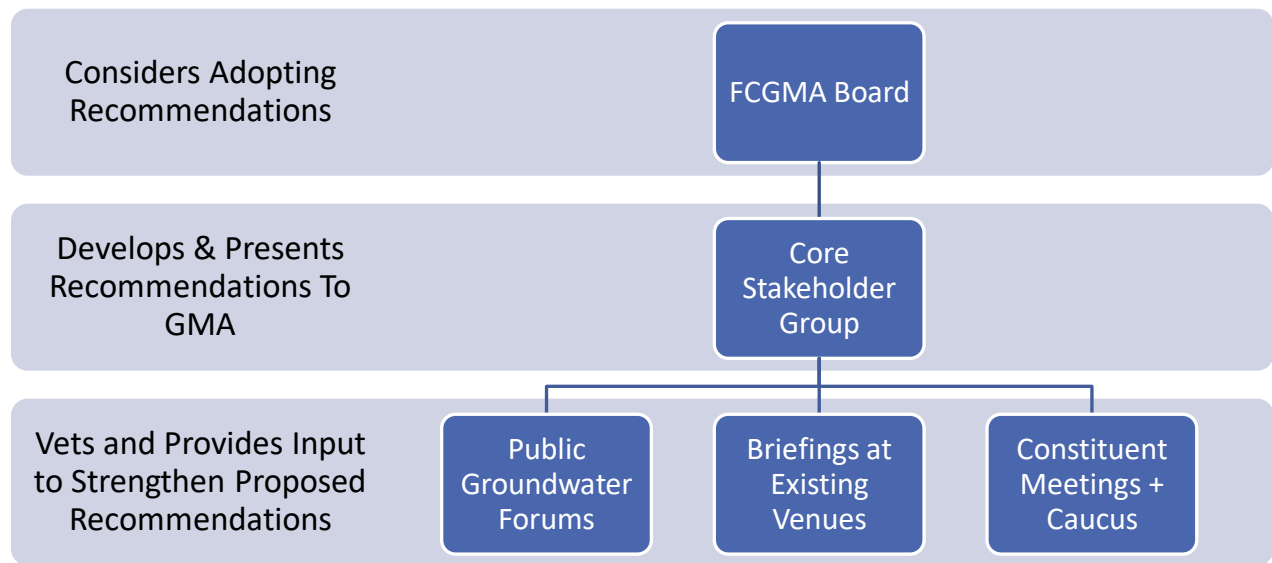
CBI will work with Core Working Group to document its policy recommendations, and the Core Stakeholder Group will present its recommendations directly to the GMA Board, outlining areas of agreement and when unable to reach agreement, options with supporting information for board consideration.

ISSUES UNDER CONSIDERATION

The facilitated process will grapple with the range of issues necessary to address regional water resources management as well as allocation. CBI will be responsible for developing the Core Stakeholder Group work plan in cooperation with members of the Core Stakeholder Group and GMA staff.



FACILITATED PROCESS STRUCTURE



The Fox Canyon GMA Board is the ultimate decision maker on any recommendations related to groundwater management in the Oxnard Subbasin and Pleasant Valley Basin. The GMA Board will consider adopting recommendations that the Core Stakeholder Group develops.

The Core Stakeholder Group will work together to develop consensus recommendations for the GMA's consideration. The Core Stakeholder Group members will vet recommendations early and often with constituents, via briefings with existing boards and organizations, and in public groundwater forums or workshops designed for this purpose. The broader public and interested parties will also be able to attend

and contribute at both the GMA Board and the Core Stakeholder Group as well. However, public workshops and briefings at existing venues will occur at key milestones to share information and solicit feedback on proposed recommendations under development.

ROLES AND RESPONSIBILITIES

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

The GMA would have a multi-faceted role in the facilitated process.

GMA as Convener: The GMA will sponsor the Core Stakeholder Group and public forum meetings, garner necessary funding to complete activities associated with the facilitated process, and provide in-kind staff support to manage this effort. The GMA has signed an agreement with the California Department of Water Resources to secure facilitation services with the Consensus Building Institute via Stantec.

GMA Board as Final Decision Maker: The Fox Canyon GMA Board is the ultimate decision maker on any recommendations related to groundwater management in the Oxnard Subbasin and Pleasant Valley Basin. The GMA Board will consider adopting recommendations that the Core Stakeholder Group develops.

GMA Representation: The GMA will have a representative participate in the Core Stakeholder Group. The goal is for negotiated outcomes to be inclusive of GMA interests. The GMA representative must be able to communicate the interests of the agency and the board to the best of his or her ability. The representative must be able to negotiate directly on the issues under discussion on behalf of the GMA.

Staff Support to Core Stakeholder Group: A staff member, other than the GMA representative, will conduct staff work in support of the facilitated process and stakeholder group. One role will be technical: staff might make technical presentations on GMA policies or the groundwater sustainability plans. GMA staff will also work with the facilitation team on project management, including developing a work plan, organizing meeting locations (when in-person meetings are allowed), and logistics. GMA technical staff would be able to advise the Core Stakeholder Group, but not weigh in on final decisions. It's important to note that GMA staff will likely also be advising the GMA board and executive team.

CORE STAKEHOLDER GROUP

The Core Stakeholder Group will negotiate and present policy recommendations for GMA Board adoption.

The Core Stakeholder Group will be made up of 12-18 stakeholders that represent the range of interests and beneficial users in groundwater management, consistent with the Sustainable Groundwater

Management Act. Collectively, the group must reflect the diversity of groundwater interests. Individuals might represent multiple interests, and interests can have more than one representative.

- + Agriculture: different crop type / water demand; landowner / renter; packer-shipper
- + Disadvantaged Communities: City of Oxnard has substantial portion of its residents who meet the state’s criteria
- + Environmental: community-based or nonprofit organizations
- + Governmental: federal, county, cities
- + Public Interest and Public Resource: disadvantaged communities, small water systems
- + Water Resources Management: FCGMA, Pleasant Valley County Water District, United Water Conservation District

This Core Stakeholder Group will play a primary role negotiating policy recommendations and briefing key constituents to share information and solicit feedback along the way. The Core Stakeholder Group will develop talking points and materials for group members to share with others to solicit feedback. Group members will present feedback received during group meetings. The Core Stakeholder Group commits to integrating feedback into proposals and recommendations.

AGENDA PLANNING COMMITTEE

The facilitators may request 2-3 stakeholder group members along with the GMA staff support or technical advisor meet briefly prior to each meeting to help plan the agenda.

ORGANIZATIONAL REPRESENTATIVES AND INDIVIDUAL MEMBERS

CORE STAKEHOLDER GROUP COMPOSITION

Primary / Alternate

Alden Broome	Broome Ranches, Guadalupe Mutual Water Company, Director at Zone Mutual
Arne Anselm	FCGMA
Candace Meneghin	Friends of the Santa Clara River
Dan Detmer	United Water Conservation District
E.J. Remson	The Nature Conservancy
Greg Lewis	Duda Farm Fresh Foods / OPV Ag Growers Group
Ian Prichard	Camrosa Water District (Also a GSA)
James Dubois	Driscolls / OPV Ag Growers Group
Jared Bouchard	Pleasant Valley County Water District

John Mathews	
Jennifer Tribo	City of Ventura
John Krist	Farm Bureau of Ventura County
Jurgen Gramckow	Marathon Land & Southland Sod Farms
Martin Gramckow	
Lucie Munoz-McGovern	City of Camarillo
Rosemarie Gaglione	City of Oxnard
Terri L. Ferro	Seacoast Farms

NEW MEMBERS

If individuals emerge who wish to participate in the Core Stakeholder Group and the individual's interests already have representation, the facilitator will encourage the person to meet with their interest group representatives and channel their input through those representatives. If the Core Stakeholder Group determines that a new member has an interest that is lacking representation, the group will make a recommendation, using its decision-making rule, to the facilitator and GMA board to add a new member.

AD HOC COMMITTEES

The Core Stakeholder Group may form ad hoc committees to develop detailed proposals for consideration. The Core Stakeholder Group will set the charge or purpose, timeline, and deliverables for each ad hoc committee. Members of the Core Stakeholder Group can participate in committees as can others who have expertise or interest in the subject matter. CBI recommends forming a project development committee early in the process. CBI might also request that several form a committee to advise on the engagement plan development and implementation.

TECHNICAL / SCIENTIFIC ADVISORS

The Core Stakeholder Group may decide to identify a technical advisor to answer group inquiries and questions and help document recommendations on groundwater and water resources technical issues and policy. All Core Stakeholder Group members would collectively agree to the technical advisor. (CBI understands that individual members may also consult their own technical experts to advise on substantive content.) The Core Stakeholder Group would carefully consider the input of technical advisors, factoring guidance into agreements and decision making. However, technical / scientific advisors would not participate in formal decision making.

LEGAL COUNSEL

Core Stakeholder Group members will represent their own interests in the facilitated process and consult with their respective legal teams as needed. The Core Stakeholder Group will also form a legal ad hoc committee to integrate legal guidance into the process when needed, consistent with its ad hoc committee process. Attorneys will participate in the legal ad hoc committee as needed.

FACILITATOR

CBI will provide impartial facilitation services for this effort. The primary role of the facilitator is to work with all the parties to ensure the process is credible, fair, and effective. The facilitator will organize the process, developing a work plan and designing meetings and guiding the group toward its desired outcomes. The facilitator will remain impartial toward the content of the issues and disputes under discussion.

The facilitators will also develop a public engagement plan and oversee public workshops in consultation with Stantec.

The facilitator will:

- Formulate the agenda and desired outcomes for the sessions, including developing an overarching work plan.
- Identify and synthesize points of agreement and disagreement.
- Assist in building consensus among participants.
- Work with members to ensure Process and Participation Agreements are followed.
- Serve as a confidential communication channel for participants.
- Assure a fair, effective, and credible process, but remain impartial with respect to the outcome of the deliberations.

CBI will coordinate with the GMA as the process conveners on project management, logistics coordination, and board briefings.

If a participant has a concern about bias, neutrality, or performance of the facilitator, s/he should raise the concern first with the facilitator and then the Core Stakeholder Group or DWR / Stantec Contract Manager Craig Moyle [Craig.Moyle@stantec.com Tel: 916-418-8248] and GMA Executive Officer Jeff Pratt.

PROCESS AGREEMENTS

To conduct a successful process, the parties agree to the procedures that the group will use as well as define individual behaviors or ground rules.

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 in group meetings. Good faith also requires that parties not make commitments they do not intend to follow through with, and that parties 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 stakeholders. Everyone who is joining in the facilitated process is doing so because s/he has a stake in the issue at hand. For the process to be successful, all the parties agree to validate the issues and concerns of the other parties 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. To resolve these issues, participants need to think creatively and explore options for resolution.

Everyone agrees to focus on the present and future, and not dwell on the past. Individual perceptions of the past change over time. While the past informs everyone's thinking and perspectives, the past cannot be changed. The purpose of this effort is to problem solve today about how to address the issues and concerns for tomorrow.

Everyone agrees that preliminary agreements are the basis for progress. Participants will use preliminary agreements on issues as the basis for progress towards final agreements. The Core Stakeholder Group will share and refine proposals with constituents and the public and then incorporate feedback to negotiate preliminary agreements. The group will revisit preliminary agreements when new information emerges and again when formalizing a final package of agreements if multiple issues are tied together.

Agreements stand even if staff / representatives change. If an organization changes its representatives, organizations or stakeholders commit to a thorough debriefing of new representatives including with the facilitator. New representatives agree to uphold previous agreements reached.

Everyone agrees to inform their leadership and constituents about the outcome of the facilitated discussions. Meeting scheduling will allow for participants to inform and seek advice from their leadership, attorneys, and scientific advisors about the discussions and negotiated outcomes. Participants can express conditional support to an agreement, but will need to solicit input and support in their organization before reaching final agreement.

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 facilitated process. Participants are encouraged to turn off cell phones and focus on the issue at hand. Every effort will be made to accommodate the schedule of the participants. The facilitator will coordinate the meeting schedule.

Everyone agrees that parties can, at any time, request a caucus to meet with other organizational or interest group members. During the course of a meeting, participants may find it helpful to meet

privately with other organizational or interest group members, to consult with constituents outside of the meeting or to talk privately with other meeting participants or even the facilitator. Participants or the facilitator can request a caucus. Participants agree to use caucuses as a tool to move agreements forward and explore topics of concern. The facilitator may attend and consult with parties during caucus discussions.

WORKING AGREEMENTS FOR PARTICIPATING IN MEETINGS

Given Covid-19, the Core Stakeholder Group will initiate this process meeting online.

All Ideas and Points of View Have Value: All ideas have value in this setting. We are looking for innovative ideas. 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: Help others understand you and work 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 participant thinks something. Rather, ask – can you explain that a bit more or talk about why that is important to you?

Honor Time and Be Patient in the Online Environment

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

DECISION MAKING

The Core Stakeholder Group in the facilitated process will be consensus-seeking, striving to reach outcomes that all stakeholder group members can at least “live with.” The definition of consensus spans the range from strong support to neutrality, to abstention, to “I can live with it.”

The Core Stakeholder Group will develop recommendations for the GMA board to consider adopting.

The Core Stakeholder Group is striving for consensus, as defined above, and departure will not be taken lightly. When unable to reach consensus, the group may set aside an issue and keep working on other topics before revisiting or identify a small subcommittee to consider all the perspectives discussed and develop a proposal for the full group’s consideration.

In the absence of consensus, the Core Stakeholder Group will vote to assess whether a recommendation has sufficient support to present to the GMA Board for consideration. For a recommendation to have adequate support, two-thirds of the Core Stakeholder Group membership would need to vote in support and support would be necessary across different interest groups.

Voting

Two-thirds vote affirmatively: 10 out of 15 members vote yes		
<i>The 10 affirmative must include:</i>		
<i>2 of 3</i>	Municipal Water Suppliers 2 or 3 city members	1. City of Camarillo 2. City of Oxnard 3. City of Ventura
<i>4 of 6</i>	Agriculture 4 of 6 agricultural members	4. Broome Ranches, Guadalupe Mutual Water Company 5. Driscolls / OPV Ag Growers Group 6. Duda Farm Fresh Foods / OPV Ag Growers Group 7. Farm Bureau of Ventura County 8. Marathon Land & Southland Sod Farms 9. Seacoast Farms
<i>2 of 4</i>	Non-municipal Water Agencies 2 of 4	10. FCGMA 11. Camrosa Water District (Also a GSA) 12. Pleasant Valley County Water District 13. United Water Conservation District
<i>1 of 2</i>	Environmental 1 of 2	14. The Nature Conservancy 15. Friends of the Santa Clara River

Upon reaching an outcome, the Core Stakeholder Group will document its consensus recommendations and outline any areas of disagreement to inform the GMA Board’s decision making. This process of documenting agreements and disagreements and associated pros and cons would help the GMA board benefit from the Core Stakeholder Group’s deliberations.

The Core Stakeholder Group will present its recommendations or outcomes directly to the GMA board. It is important to note that GMA staff would be advising the GMA board on its vote on the Core Stakeholder Group’s recommendations.

PUBLIC ENGAGEMENT PLAN, COMMUNICATION, AND THE MEDIA

CBI would design an engagement plan, in collaboration with the Core Stakeholder Group, to ensure an intentional plan for broader feedback throughout the process. Engaging stakeholders effectively will be vital to this effort. CBI would plan focused public engagement activities in the lead-up to key milestones

to share information and solicit input on proposed recommendations. The Core Stakeholder Group would then incorporate this feedback into its proposed recommendations before presenting them to the GMA board. CBI would also likely work with the GMA to establish an independent project website to host all materials.

MEDIA

Collaborative members reserve freedom to express their own opinions to media representatives, but not the opinions of others. The temptation to discuss someone else's statements or position should be avoided. Participants can refer media inquiries to group members for individual comments.

If contacted by the press or an external party concerning the discussions, participants are asked to:

- Point out that they are not speaking on behalf of the group
- Present their views only and conscientiously refrain from expressing, characterizing or judging the views of others
- Avoid using the press as a vehicle for negotiation.

The facilitator will avoid speaking with the media.

CHARTER AMENDMENTS

The Core Stakeholder Group can amend its charter following its decision-making guidelines. Once changes are incorporated, the Group will brief the GMA Board who will consider adopting the refined charter.