

**Cosumnes Sub-Basin SGMA Work Group**  
**April 19 – 9-12 PM**  
**LOCATION: HERALD FIRE HALL - 12476 IVIE RD., HERALD CA**

**AGENDA**

Welcome and Introductions – 10 minutes

- Meeting Overview
- Agenda Review

General Updates – 30 minutes

- GSA filing status
- GSA boundary adjustments
- Report out on unmanaged areas workshop
- Update from neighboring subbasins
- Prop 1 Status
- Other

Framework Agreement – 90 minutes

- Review Working Group member comments to-date on previously drafted sections
- Continue review/drafting governance, roadmap, cost-share sections
- Take stock of sections still to address
- Confirm ongoing vetting needs/approach within each GSA

Technical Advisory Committee – 40 minutes

- Discuss/confirm Technical Advisory Committee (TAC) Terms of Reference
- Confirm TAC participants, meeting schedule
- Consider TAC initial topics
  - Neighboring basin modeling efforts
  - Prop. 1 development

Next Steps – 10 minutes

- Meeting schedule

Adjourn

**Collaborative Work Group  
Meeting Summary #6 April 19, 2017**

**Meeting-At-A-Glance:**

- Eligible GSAs continue to make progress towards filing to meet SGMA June 30, 2017, deadline. Sacramento County hearing set for April 11; City of Galt on May 2.
- Eligible GSAs reviewed working draft framework agreement. Initial drafts sections seem to be on point, with GSAs asked to provide specific edits within two weeks. Early discussions on governance suggest emerging preference for equal representation across GSAs, super-majority for most decision-making. Further dialogue needed to confirm governance approach, consider cost-sharing options.
- Strong support for establishing Technical Advisory Committee (TAC); TAC discussions in service of larger Working Group, which is to review and approve recommended actions. TAC participation among GSAs important though level of expertise may vary. Water Forum to prepare draft Terms of Reference describing TAC functions and participation.

**BACKGROUND**

The Water Forum convened the Cosumnes Sub-basin SGMA Work Group to continue discussions related to implementation of the Sustainable Groundwater Management Act (SGMA). The Work Group, comprising seven eligible Groundwater Sustainability Agencies (GSAs), met April 19, 2017, at the Herald Fire Protection District hall, to discuss the following:

- General updates
- Framework Agreement – focus on governance and decision making in the working group
- Technical Advisory Committee – focus on attendees and proposed questions

The meeting was attended by the following participants: Mike Wackman, Omochumne-Hartnell Water District; Mark Clarkson, City of Galt; Forrest Williams, Sacramento County; Leo Van Warmerdam and John Mulrooney, Galt Irrigation District; Rick Wohle, Clay Water District; Damon Wyckoff and Gene Mancebo, Amador Water Agency; Amanda Watson and Herb Garms, Sloughhouse Water District; Tom Gohring, Lilly Allen and John Lowrie, Water Forum; and Bennett Brooks and Julia Golomb with the Consensus Building Institute. L. Allen drafted the meeting summary.

**DISCUSSION – KEY THEMES**

Below is a summary of key themes discussed and next steps agreed to at the meeting. This summary is not intended to be a meeting transcript. Rather, it focuses instead on the main points covered during the group's discussions.

## **General Updates**

### **Filing Status**

Participants began the meeting discussing current and intended GSA filing status and coverage of “Uncovered Areas.” Seven entities have or are expected to file as GSAs for the Cosumnes Subbasin. Specific updates included the following:

- Sloughhouse RCD, Omochumne-Hartnell Water District, Galt Irrigation District, Clay Irrigation District, and Amador County Groundwater Management Authority, have all filed with the state to become a GSA. Clay’s application is still under review by the state and not yet posted to the state’s website. Galt Irrigation District filing is intended to cover the uncovered areas inside their district (previously referred to as “white spaces”).
- Galt City Council has directed the city to file as GSA for all city land, including its treatment plan west of the city. It is not filing at this time for land within its sphere of influence. A hearing is set for May 2.
- Sacramento County intends to file for a GSA for any remaining uncovered spaces within the subbasin. T. Gohring noted that the Board of Supervisors intends to hold a board workshop April 11<sup>th</sup> to discuss options for representing water users in the uncovered area. The County is also working with the Water Forum to organize outreach to users in uncovered areas.
- North Delta Water Agency could potentially file for a sliver of land in the southwest corner of the subbasin. It is not yet known whether it will file. They were not present at the meeting.

Participants will continue to provide updates at the monthly Working Group meetings.

### **Report back from unmanaged areas workshop**

The Water Forum and GSAs convened a public workshop March 15, 2017 from 6:30-8pm. Between 35 and 40 members of the public attended as well as supervisor Natoli. Sloughhouse posted and held two public workshops with attendance between 35 and 80 people. There was an overall lack of knowledge about the law and following process. Broader outreach with strategic considerations is needed going forward.

### **Update from neighboring subbasins**

East San Joaquin subbasin - Expects to have 19-20 GSAs formed which will sign on to a JPA. A technical advisory working group is expected to finalize the GSP. Modeling for the subbasin is expected to contain Cosumnes subbasin. Water Forum staff will ask East San Joaquin to give a technical presentation to this group.

South American subbasin – SCGA and Sloughhouse RCD have more than one CEQA settlement meeting scheduled. Water Forum staff have asked Rob Schawartz to develop a scope for one GMP for three subbasins (North, SCGA, Cosumnes) with a goal of presenting this at the first Technical Advisory Committee meeting.

### **Prop 1 status**

The City of Galt will sign and submit the necessary approval to finalize the CASGEM process which is an important qualification for eligibility. J. Lowrie noted that its unlikely to see much from DWR on this grant before August 1. Many members of the group noted how important it is to have a

strong proposal submitted by August 1, 2017. J. Golomb noted that there would likely be flexibility to change or amend tasks after the grant is awarded.

### Framework Agreement

J. Lowrie lead a discussion around the draft framework agreement which focused on:

- Review comments
- Review new language
- Brainstorm cost-share approach

Many stakeholders agreed that the basin should strive for one GSP as a cost saving measure, with the opportunity open incorporate multiple if needed.

- Clearly state the Working Group's goal of developing a SGMA-compliant GSP.
- Broaden language around decision-making to:
  - Emphasize that the group will strive for full consensus at all times.
  - Underscore the desire for broad support of decisions among all GSA entities.
  - Note the importance of the group moving forward and avoiding gridlock in an effort to meet critical deadlines, such as the Prop. 1 grant application deadline.
  - Make clear the importance for constituents to be fairly represented in decision-making.
- Explicitly acknowledge management zones including and beyond the existing JPA.
- A new section on Cost Share informed by the Working Group's discussion at its April meeting. This language has not yet been reviewed by the Working Group and, as such, represents a work-in-progress intended to spark discussion among parties.

As noted in the earlier version, this framework is intended to guide the Working Group's near-term discussions and, in particular, enable action over the next 6-12 months to support the technical work needed to begin characterizing the subbasin. To the extent this framework proves helpful, it is possible parties may wish to use this to guide discussions beyond the near-term timeframe. Eventually, this framework is expected to be replaced by an MOU, MOA, JPA or some other document intended to more formally codify parties' roles and responsibilities, governance, funding, outreach and implementation approaches.

### Technical Advisory Committee

L. Allen will continue to review GSA boundary lines and highlight issues to affected parties. A. Watson noted that Sloughhouse is having conversations with DWR about boundary issues related to Bulletin 118 and is working towards resolution. Amador County is also aware of and working through issues related to minor boundary adjustments with Sloughhouse.

### Wrap-Up and Next Steps:

B. Brooks noted that the Work Group should anticipate monthly meetings between now and July 1, 2017, to ensure sufficient progress on a framework agreement and other near-term tasks. The next Working Group meeting is Wednesday, April 19, from 9-12 p.m.

For questions regarding this meeting summary, please contact T. Gohring or L. Allen at the Water Forum.

To: Cosumnes Subbasin SGMA Working Group Members  
From: CBI and Water Forum Staff  
Date: April 12, 2017  
Re: Draft Framework Agreement

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Attached is an updated Draft Framework Agreement being developed to support the Cosumnes Subbasin SGMA Working Group. The latest version has been updated to reflect the following:

- Post-March meeting input from individual Working Group members. Below is a summary of the handful of issues raised by individual participants since the March meeting; all changes in the draft are marked in underline/strikethrough:
  - Replacing the term “Governance Structure” for “Collaboration Structure” to emphasize the near-term focus of this work.
  - Clarifying that, while the intention is to create a single GSP, the parties have the option to collectively decide at a later point to pursue coordinated GSPs if that is considered advantageous to facilitate implementation.
  - Noting one GSA’s concerns regarding the decision-making approach (consensus-seeking with a fallback of a supermajority) discussed at the March meeting. Further discussion on this topic is needed.
  - Underscoring the need to identify potential management areas as part of the GSP development process.
  - Indicating that the study area is distinct from and larger than the plan area itself.
- A new section on the Technical Advisory Committee (TAC) consistent with discussion at the March Working Group meeting. A detailed description of the TAC is also provided.
- A new section on Collaboration Structure informed by the Working Group’s discussion at its March meeting. This has not yet been reviewed by the Working Group and, as such, represents a work-in-progress intended to spark discussion among parties.
- A new section on a *Roadmap* for developing a GSP. This section is intended to reflect emerging directions and ideas surfaced at Working Group meetings to-date, as well as incorporate cross-cutting themes from CBI’s assessment interviews with the eligible GSAs. It also is informed by relevant SGMA milestones and deadlines.
- One section (Cost Share) has yet to be discussed with the Working Group. A separate discussion paper has been prepared synthesizing the issues raised in earlier discussions with Working Group members and approaches being adopted elsewhere in the state.

As noted in the earlier version, this framework is intended to guide the Working Group’s near-term discussions and, in particular, enable action over the next 6-12 months to support the technical work needed to begin characterizing the subbasin. To the extent this framework proves helpful, it is possible parties may wish to use this to guide discussions beyond the near-term timeframe. Eventually, this framework is expected to be replaced by an MOU, MOA, JPA or some other document intended to more formally codify parties’ roles and responsibilities, governance, funding, outreach and implementation approaches.

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This draft, prepared by the Water Forum and the Consensus Building Institute at the direction of the Cosumnes Subbasin Working Group, is a work-in-progress intended to spark discussion among parties and propel and track progress. It has not yet been endorsed by the Working Group. This document is intended to support discussion at the 4/19/17 Cosumnes SGMA Working Group meeting and is not for broad distribution.

**Cosumnes Subbasin SGMA Working Group**  
**Draft Framework Agreement – Working Outline**  
*(As of 4/12/17; changes since the 3/15/17 Working Group*  
*in underline/strikethrough or included as comments)*

**Purpose**

The purpose of this Framework Agreement is to outline and confirm the interim process the parties (outlined in the following section) will use to work collaboratively to begin developing a Groundwater Sustainability Plan for the Cosumnes Subbasin.

This agreement is intended to guide the parties' deliberations over the next 6-12 months, though it may be used over a longer time period if beneficial. Prior to 2022, this agreement is to be replaced by an MOU, MOA, JPA or other vehicle intended to more formally codify governance, funding, outreach and implementation approaches.

This agreement is not effective until endorsed by all parties. The intention is to have a final draft of this framework agreement completed by mid-May 2017 to support formal adoption by all parties' governing bodies prior to July 1, 2017.

This agreement may be amended or revised with the agreement of all parties. Parties also have the right to withdraw from this agreement with sufficient notice and discussion. Financial obligations incurred prior to withdrawal, if any, are to be honored.

**Overarching Approach**

Under California law, SGMA requires the Cosumnes Subbasin to form a groundwater sustainability agency or agencies (GSAs) by June 30, 2017, and have a groundwater sustainability plan (GSP) in place by 2022.

The following agencies (referred to as the parties in this agreement) have either filed or expressed their intention to file with the state to form a GSA within the Cosumnes Subbasin: Omochumne-Hartnell Water District; Sloughhouse Resource Conservation District; Galt Irrigation District; Clay Irrigation District; City of Galt; Amador County (Joint Powers Authority pending); and Sacramento County. Parties to the agreement may change based on pending governance decisions for the currently unmanaged areas within the subbasin.

These parties commit to working cooperatively with the goal of developing a single integrated GSP<sup>1</sup> to foster plan effectiveness, coordination and efficiencies. Parties recognize that the GSP may include distinct management areas to foster implementation and monitoring by each GSA

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<sup>1</sup> Nothing in this Framework Agreement precludes the GSAs from making a collective decision at a later point to pursue coordinated GSPs (as opposed to a single integrated GSP) if that is considered advantageous to facilitate implementation.

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within its respective jurisdiction. The exact structure of any management areas will be determined as the GSP is developed. Parties also recognize that the development of a comprehensive GSP for the defined subbasin (i.e., plan area) will require analysis of information and data from a broader geographic study area.

Parties further recognize the importance of engaging stakeholders and the broader public in discussions related to GSP development and implementation and commit to putting in place a transparent and inclusive process to foster the consideration of the beneficial uses and users of groundwater in the basin.

Finally, parties will work to identify an entity to take the lead on administrative aspects related to near-term GSP development.

#### Guiding Principles

Parties agree to the following principles to inform and guide Working Group deliberations, foster constructive discussions, promote a clear and shared set of expectations, and encourage collaboration.

- ***Craft a GSP that respects local jurisdictions while building subbasin-wide approach.*** Parties are committed to working together to develop an integrated and effective GSP, while respecting each GSA's interest and expertise to oversee implementation within its unique jurisdiction or distinct planning areas.
- ***Recognize mutual interdependence.*** Parties recognize the value of both the agricultural and urban sectors in supporting a vibrant region and will work to foster dialogues that acknowledge and build on this interdependence. This includes acknowledging past contributions towards sustainable groundwater management while maintaining a forward-looking dialogue.
- ***Commitment to collaborate.*** All parties agree to work together in a constructive manner to meet SGMA requirements based on a locally driven approach. No one is to benefit at the expense of others, and all parties agree to negotiate in good faith – communicating their interests, honoring commitments and acting consistently across different forums.
- ***Strive for consensus.*** SGMA demands close collaboration and coordination among the GSAs if the subbasin is to develop a credible and effective GSP. Parties will strive for consensus throughout the process. The definition of consensus spans the range from strong support or neutrality to abstention to “I can live with it.” Disagreements will be seen as problems to be resolved rather than battles to be won.
- ***Rely on credible process.*** To foster effective dialogues, parties agree to mutually support a transparent and inclusive process where parties: (1) have a voice through balanced representation and effective meeting protocols; (2) commit to rely on credible data and clear criteria to inform decision-making; and (3) commit to resolve differences

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but include mechanisms to avoid impasse. Additionally, the convening/facilitation team is to work in service of all parties.

- **Build progress through incremental agreements.** Participants will use preliminary agreements on issues as the basis for progress towards final agreement. The Working Group will revisit preliminary agreements when new information emerges and again when finalizing overall recommendations.
- **Support effective and efficient processes.** Parties are committed to building off existing structures and past work, where practicable, to leverage past investments and make the best use of everyone's time and resources.
- **Accommodate uncertainties.** Parties recognize that actions both within and outside the sub-region may impact GSP development and even affect basin boundaries. Parties agree to work adaptively to track and accommodate for such uncertainties.

#### Collaborative Protocols

The facilitator/convening team will work with participants to create a problem-solving environment through the following collaborative protocols:

- **Broad participation**
  - Strive to attend meetings consistently; we need everyone at the table
  - Contribute your thoughts, but share time so everyone can participate
  - Seek opportunities to share your perspectives and understand the perspectives of others
  - Listen hard to what others are saying; we need to figure out together what are the better ways forward
- **Honest but respectful engagement**
  - Be as honest, fair and candid as possible (we need to understand what each other is thinking), but engage professionally
  - Respect ideas offered by others; all ideas and points of view have value
  - If you hear something you do not understand, ask questions to clarify
  - If you hear something you do not agree with, help people understand your concerns
  - Avoid personal comments; refrain from characterizing other's remarks
- **Forward-looking dialogue**
  - Creative thinking and problem-solving are essential to success; try to think about problems in a new way
  - Seek to integrate ideas across participants; marry a concern with a solution
  - Focus on issues, not personalities

#### Near-Term Cost-Share Options

- See separate discussion document

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**Near-Term Collaboration Structure**

To support effective deliberations that foster informed dialogue and broadly supported actions, the parties agree to the following near-term collaboration structure:

- The parties will establish a Working Group to guide near-term, collaborative development of the subbasin's GSP. The Working Group will consist of up to 2 representatives from each GSA to foster equal participation among the parties.
- Consistent with the Guiding Principles outlined above, the parties will strive to reach full consensus on all actions under discussion. If full consensus is not possible, decisions will require a super-majority (at least 5 out of 7) of the GSAs to ensure there is broad support among the parties.
- The following decisions will require only a simple majority (4 out of 7): [Pending].
- If and when votes are needed, each GSA will have one vote only to ensure equal voice among the parties.

**Roadmap for Developing a Groundwater Sustainability Plan**

- To be discussed at April meeting

**Technical Support**

To support well informed decisions, the parties will establish a Technical Advisory Committee (TAC) to provide input and recommendations to the Working Group on technical aspects of groundwater sustainability plan development and, later on, implementation. The TAC works in service of the Cosumnes Subbasin SGMA Working Group. A separate Terms of Reference has been developed for the TAC.

**Stakeholder Outreach and Engagement**

To foster the consideration of the beneficial uses and users of groundwater in the subbasin, the parties agree to the following:

- Parties are committed to an inclusive and transparent process that proactively seeks the engagement and input of potentially impacted parties as identified in SGMA. Parties will work to develop protocols for public engagement, both at public workshops and during regular Working Group meetings.
- Parties will work collectively to develop an agreed-upon outreach plan, but each GSA is responsible for guiding efforts within their respective jurisdictions.
- Parties recognize the value in developing shared messages to ensure consistency; joint participation in outreach efforts is encouraged to foster consistency in message and concretely demonstrate the parties' coordinated effort.
- Parties recognize the need to conduct outreach in the near-term to better understand additional representation needs (e.g., environmental, tribal, other) beyond the signatories to this agreement. Parties commit to revisit the near-term collaboration structure, as necessary, to account for public feedback.

**Comment [BB1]:** The language below reflects the approach discussed at the March meeting. Since then, however, one party has expressed concerns regarding the decision-making fallback structure outlined here. This issue needs further discussion at the April meeting to better understand each party's interest and concerns as it relates to the collaboration structure.

**Deleted: Governance**

**Comment [BB2]:** Is there a need to establish a quorum?

**Comment [BB3]:** The Working Group needs to consider whether there are any decisions that require only a simple majority.

**Deleted: governance**

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**Media Contacts**

- To be drafted (if seen as necessary)

WORKING DRAFT

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## **Framework Agreement Near-Term Cost-Share Options**

**Task:**

Identify near-term funding options to cover costs associated with early GSP plan preparation tasks. These costs are expected to focus primarily on conducting the technical work needed to submit a Proposition 1 grant-funding request, as well as securing technical consultants to begin work on characterizing basin sustainability.

**Working Group Feedback To-Date:**

Discussions with the Working Group to-date and feedback from the assessment interviews with the eligible GSAs have highlighted the following perspectives and considerations:

- Interviewees did not generally have well formed views on funding strategies.
- There was strong interest in drawing on Zone 13 funds to cover costs associated with GSP development.
- Several individuals suggested the need to come up with an “equitable” approach to drive funding. No strategy garnered particularly strong support but ideas suggested for shaping cost-share included: acreage or water usage; ability to pay; minimum contributions by all.
- Cost-share contributions should be in service of activities that benefit all parties and not a subset of the parties; cost-share arrangements should distinguish between overall GSP budget (pooled funds) and individual GSA budgets.
- Several individuals noted the funding-potential disparity among the eligible GSAs and suggested it would not be viable to seek equal funding from all parties. Other concerns centered on ensuring any cost-share approach doesn't unduly burden agriculture.
- At least one entity raised the possibility of tiered decision-making authority for near-term technical work based on funding contribution.
- All parties are interested in identifying an interim vehicle to serve as the entity for pursuing and receiving near-term grant funding. Criteria cited for identifying an interim vehicle include: ability to access and manage grants in the immediate near-term; experience with contracting; credibility among the parties; sufficient staffing; clear terms of reference; efficient use of resources; viable across counties. More discussion is needed to consider the viability of SSCAWA or a yet-to-be-defined entity as that vehicle.

It is worth noting that Water Forum staff mentioned during the February Working Group meeting that it may be in a position to use its Zone 13 funds to cover 80-90% of the required 50% local match for Prop 1 funds.)

**Strategies Identified Elsewhere:**

A review of SGMA-related charters and agreements developed or under consideration elsewhere offer a range of cost-share approaches. The list below is intended to represent a sampling of approaches based on our review of a subset of these ongoing SGMA dialogues. Our list should not be considered comprehensive as we do not have access to or were unable to review all materials under discussion. We encourage Working Group members to bring other cost-share examples to inform our discussions.

- **EXAMPLE 1: Kings County (MOU)**
  - Participants: Alta Irrigation District, the Consolidated Irrigation District, the Fresno Irrigation District, the County of Fresno, the County of Tulare, the City of Fresno, the City of Clovis and the Kings River Conservation District.
  - Each party shall bear all costs it incurs with respect to its activities under this MOU, including costs related to Alternatives in which they wish to participate prior to their implementation. Costs incurred in connection with this MOU for the joint benefit of all Parties shall be borne equally by the Parties with [designated entity: Kings River Conservation District] acting as fiscal agent for such expenses. The other Parties shall promptly contribute their respective shares of any such costs upon receipt of a request from [designated entity] together with an accounting thereof.
- **EXAMPLE 2: Kern River (MOU)**
  - Participants: City of Bakersfield, Kern Delta Water District, Kern County Water Agency
  - Unless agreed to otherwise, each Party's participation in this MOU is at its sole cost and expense.
- **EXAMPLE 3: Vina Sub-basin (MOU)**
  - Participants: Butte County, Rock Creek Reclamation District and the City of Chico
  - Unless agreed to otherwise, each Party's participation in this MOU is at its sole cost and expense.
- **EXAMPLE 4: Turlock (MOU)**
  - Participants: Certain members of the Turlock Groundwater Basin Association
  - The post-SGMA MOU does not imply any financial commitment of the Parties above and beyond what is already stipulated in the existing Turlock Groundwater Basin Association MOU of 2001.

- **EXAMPLE 5: Santa Ynez River Vally (MOU)**
  - Participants: City of Buellton, the Santa Barbara Water Agency and the Santa Ynez River Water Conservation District
  - The voting Parties each shall bear the costs incurred with respect to activities under this MOA to participate on the GSA Committee and its proceedings and related matters. Costs incurred to retain consultants to assist with development of the GSP and perform related studies as approved by the GSA Committee and to implement the GSP shall be borne by the voting Parties in equal portions, unless otherwise agreed to by the voting Parties. The Parties may consider levying a charge pursuant to the Act. There are several vehicles to capture costs for implementing SGMA pursuant to §10730 et seq. of the Act. The County Water Agency, as an ex-officio member, is only responsible for its own costs to attend and participate on the GSA Committee and is not responsible for any other costs contemplated in this MOA or related to the CMA GSA or GSP.
  
- **EXAMPLE 6: Indian Wells Valley Groundwater Authority (Draft JPA)**
  - Participants: City of Ridgecrest, County of Inyo, County of Kern, County of San Bernadino, and Indian Wells Valley Water District plus two associate members (U.S. Department of the Interior, US Navy Naval Air Weapons Station China Lake)
  - In order to provide the needed capital to initially fund the Authority, the General Members shall each provide an initial contribution of \$15,000 due upon their execution of this Agreement. To the extent the Authority is able to secure other funding sources in the future, and to the extent permitted by law, the Authority shall reimburse the initial contributions on a proportionate basis. Notwithstanding the equal amount of initial funds contributed by each of the General Members, the parties intend for future funding contributions to be allocated on a fair, proportional basis (e.g., irrigated acreage, groundwater pumping, population, and/or number of wells).
  
- **EXAMPLE 7: Salinas Valley GSA (JPA)**
  - Participants: City of Salinas; South County Cities; GSA-eligible Agencies; Disadvantaged Communities / Small Public Water Systems; CA Public Utilities Regulated Water Companies; Agriculture (4 seats, representing diverse interests and geographies); Environment; Public Member
  - The GSA will be a self-funded agency and needs to develop a funding structure. The GSA will pursue grants and other funding opportunities to help offset the local costs associated with implementing SGMA. The GSA governing board will be able to assess fees consistent with existing laws for public agencies. The County and cities will offer staff in-kind donations until the GSA is self-sufficient. Member agencies will contribute funds for one to two years, until the GSA is self-sufficient and able to levy fees and taxes. Monterey County will provide the largest share of the start-up costs.

# Technical Advisory Committee to Cosumnes Subbasin Working Group

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## **DRAFT Terms of Reference**

*V.1; as of 3/31/2017; Shared for Working Group Review on 4/3/2017*

The draft below, prepared by the Water Forum and the Consensus Building Institute at the direction of the Cosumnes Subbasin Working Group, is a first-cut, work-in-progress intended to spark discussion among parties and propel progress.

Consistent with Working Group guidance, this draft is intended to reflect emerging directions and ideas surfaced at Working Group meetings to-date. It also integrates ideas from SGMA-related discussions elsewhere in the state, consistent with Working Group direction to the Water Forum and CBI to “help us to not reinvent the wheel.”

### **Charge**

The purpose of the Technical Advisory Committee (TAC) is to provide input and recommendations to the Cosumnes Subbasin Working Group on technical aspects of groundwater sustainability plan development.

The Technical Advisory Committee will review and/or provide recommendations to the Working Group on groundwater-related issues that may relate to the technical aspects of:

#### Near-Term

- Supporting development of a Prop. 1 application for the Cosumnes Subbasin including:
  - Providing guidance on a draft SOQ/RFP for needed technical support
  - Reviewing SOQ/RFP responses and preparing recommendation for Working Group review and action
  - Working with Water Forum staff to provide necessary oversight and guidance to selected technical consultant; identify issues for discussion with Working Group
- Meeting with TACs from neighboring subbasins to understanding modeling approaches and identify possible opportunities for cross-basin coordination

#### Longer-Term (up until 2022)

- Development of the GSP
- Sustainability goals and objectives
- Best management practices
- Monitoring programs
- Modeling scenarios
- Inter-basin coordination activities
- General technical advisory

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## **Working Group Oversight**

The Technical Advisory Committee (TAC) works in service of the Cosumnes Subbasin Working Group. Accordingly, Water Forum staff will seek Working Group confirmation of Technical Advisory Committee tasks. Similarly, Technical Advisory Committee recommendations will be forwarded to the Working Group for review, revision and confirmation.

## **Technical Advisory Committee Composition, Staffing and Logistics**

The Technical Advisory Committee consists of representatives from each groundwater sustainability agency in the Cosumnes subbasin. The criteria for Technical Advisory Committee members are to:

- Offer relevant technical background and expertise
- Have familiarity with the Cosumnes groundwater subbasin
- Work collaboratively with others
- Commit time needed for ongoing discussions
- Maintain group size to support focused deliberations

Each GSA may name one representative and one alternate. The primary representative is encouraged to attend as frequently as possible to maintain continuity. When unable to attend, the representative is expected to brief the alternate on issues under discussion.

The Water Forum will provide staff to support TAC deliberations and be responsible for developing agendas and all relevant discussion materials. From time to time, others with relevant expertise may be asked to provide briefings to the TAC.

The TAC will meet, as needed, either by phone or in-person. Discussions will be facilitated, as needed.

## **Funding**

GSAs are responsible for covering the costs associated with their representative's and alternate's participation. Any potential cost-shares associated with outside technical consultants will be discussed with and decided by the Cosumnes Subbasin Working Group.

## **Timeline**

The Technical Advisory Committee is expected to meet during the course of GSP development. Meeting frequency will vary. Water Forum staff will set a meeting schedule well in advance to foster full participation. The role of the TAC during implementation will be determined when the Working Group discusses longer-term planning.

## **Decision Making**

To inform Working Group decision-making, the Technical Advisory Committee will provide written recommendations. The recommendations will identify areas of agreement and disagreement. The Technical Advisory Committee will strive to reach consensus on its recommendations. The definition of consensus spans the range from strong support to neutrality, to abstention, to "I can live with it." When unable to reach consensus on recommendations, the Technical Advisory Committee will outline the areas in which it does not agree, providing some explanation to inform Working Group decision-making.

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This draft document, prepared by the Water Forum and the Consensus Building Institute at the direction of the Cosumnes Subbasin Working Group, is a working draft intended to spark discussion among parties and propel progress. This document is intended to support discussion at the 4/19/17 Cosumnes SGMA Working Group meeting and is not for broad distribution.

The Technical Advisory Committee may request that one or more members present its recommendations to the Working Group, including areas of agreement and disagreement, consistent with Technical Advisory Committee deliberations. Alternatively, the Technical Advisory Committee may ask Water Forum staff to present to the Working Group.

### **Process & Participation Agreement**

Technical Advisory Committee deliberations are grounded in the principles of joint fact-finding, which call on all parties to jointly pool their respective knowledge to foster the deepest possible understanding of issues under discussions. Participants commit to share all relevant expertise and data in support of Technical Advisory Committee work.

More broadly, Technical Advisory Committee members commit and agree to abide by the Process and Participation Agreements outlined in the Working Group's Framework Agreement.

### **Communication & Media**

The Water Forum will serve as primary contacts for all communication, outreach and media.

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.