



Appendix A

Memorandum of Understanding

Memorandum of Understanding Southern Sierra Regional Entity (Date of Signing) 2009

This Memorandum of Understanding (MOU) is entered into by and among the members of the Planning Committee with regard to the formation of the Southern Sierra Integrated Regional Water Management Plan (IRWMP). The overarching vision of the IRWMP is to meet the integrated water needs of the people and watersheds of the South Sierra IRWMP region now and into the future. The IRWMP will be developed in three phases: 1) a formation (launch) phase to develop and submit an application to the California Department of Water Resources (DWR) for a Planning Grant; 2) a planning phase to develop the Southern Sierra IRWMP and; 3) an implementation phase to implement the plan. The Southern Sierra Regional Water Management Group (hereinafter referred to as the “Southern Sierra Planning Committee” or “Planning Committee”) will be realized through this MOU for the purpose of phases one and two of the IRWMP.

1 Purpose

This MOU is a statement of mutual understanding among the Planning Committee members to acknowledge the intentions of the parties and provide for cooperative action regarding:

- The roles and responsibilities of the parties in IRWMP formation, including the sources of funds and in-kind technical assistance
- The structure that will be used to exchange information with the Southern Sierra Planning Committee, Coordinating Committee, and other interested parties, and the public to provide for technical review and public support for formation of the IRWMP.
- The general work plan that Southern Sierra stakeholders will complete to form the IRWMP.

1.1 Duration of this Memorandum of Understanding

This MOU will remain in effect from the date of signing for 3 years or until replaced by another form of agreement by the Southern Sierra IRWMP Planning Committee.

1.2 Southern Sierra Preamble from the IRWMP

This IRWMP is not intended to, and it does not, impose legally binding requirements on the entities that adopt or participate in the IRWMP. The IRWMP’s purpose is to summarize the process and the plan developed by the Southern Sierra Region stakeholders to meet their common goals of achieving sustainable water supplies and uses, improved water quality, environmental stewardship, efficient urban development, protection of agriculture, and a strong economy.

Although the IRWMP refers to many legally binding statutory and regulatory provisions—such as general plans, zoning ordinances, water quality plans, and various permits, licenses, and approvals; its purpose in doing so is to ensure that the IRWMP is consistent and compatible with those existing legal obligations. Rather than adding to or modifying the present legal and regulatory environment, the IRWMP is intended to streamline and improve

the stakeholders' ability to operate and succeed within that environment. Thus, the IRWMP provides guidance to, but does not impose any mandates upon, the water agencies, land use agencies, local governments, watershed organizations and others who adopt the IRWMP.

2 Background

2.1 IRWMP Formation

The Southern Sierra Planning Committee intends to launch an IRWMP Planning process, which will culminate in submitting a Planning Grant Proposal to DWR soon after final guidelines are released.

2.2 IRWMP Adoption

Any organizations, agencies or individuals that support the Southern Sierra IRWM Plan may adopt it. These include such organizations as water agencies, conservation groups, agriculture representatives, businesses, tribal groups, land use entities, and local, state, federal agencies and private entities with an interest in the Southern Sierra.

Southern Sierra IRWMP Geographic Boundaries

The Southern Sierra IRWMP boundaries will include the foothills and mountain headwaters regions of the Kern, Tule, Kaweah, Kings, and San Joaquin watersheds. These watersheds cover the Sierra Nevada portion of Madera, Fresno, Tulare, and Kern Counties. The primary boundary includes the Sierra Nevada Ecosystem Project (SNEP) boundaries, but is adapted to sync with neighboring IRWMP efforts.

- To the east, the Southern Sierra IRWMP boundary is defined by the Sierra Nevada crest.
 - Rationale: Waters flowing to the west from the Sierra crest are source waters for foothill uses and management. Precipitation falling west of the crest drain the western slope of the mountain range and are connected hydrologically with the Tulare and San Joaquin basins.
- To the north, the Southern Sierra IRWMP is defined by the Upper San Joaquin watershed.
 - Rationale: The upper San Joaquin River basin is split between Fresno and Madera Counties, but the river is managed across counties. The issues on either side of the county line are similar, but contrast sharply with downstream users in intensive agricultural areas outside of the Sierra Nevada Region. The San Joaquin watershed shares many of the same issues with watersheds further south in the region.
- To the west, the Southern Sierra IRWMP is considering a boundary including the foothill areas of the region's watersheds.
 - In the Kings River Area, the SSIRWMP boundary extends the District boundaries of the Tri Valley, Orange Cove, Hills Valley Water Districts east of the towns of Orange Cove, Orosi and East Orosi. East of the City of Fresno, the boundary extends to the boundaries of the Fresno Metropolitan Flood Control District, the International Water District and the Garfield Water District.
 - Rationale: This boundary was negotiated with the Upper Kings River Forum Regional Water Management Group to match UKRF boundaries.

- In the Kaweah Delta area, the SSIRWMP boundary extends to the Kaweah reservoir or the 600-foot contour in the Kaweah River Drainage. Further, the boundary follows the RWQCB Irrigated Lands Program and generally follows surface water-ground water usage boundaries. In the aquaculture/Lewis/Avocado area, the boundary will be the 600' elevation contour and squared to section lines; the agriculture north of Elderwood will be in the KDRWMP. In Davis Valley, the Westside has small, irrigated lands while the east and the north are rangeland. The boundary will follow section lines in these areas. In Dry Creek, the boundary will follow land use: irrigated lands will be part of the KDWMG and grazing land will be in the SSIRWMP. In Mehrten Valley, the 600' contour will be the guide, most of the valley will be in KDRWMP. In Yokohl Valley, most of the western valley will be in the KDRWMP while the eastern portion of the valley will be in the SSIRWMP. In Round Valley, east of Lindsay, the KDRWMP will include a few small areas east of the ILP, the boundary will again be based on land use and squared to the section lines.
 - Rationale: This boundary was negotiated with the Kaweah Delta Water Conservation District Regional Water Management Group to match KDWCD boundaries.
- In the Tule River Area, the SSIRWMP boundary includes the Tule River Indian Reservation and down to approximately the 600-foot contour in all forks of the Tule and squared to section lines. The Deer Creek Tule River Authority planning area will follow irrigated lands while the SSIRWMP will follow rangeland.
 - Rationale: This boundary was negotiated with the Deer Creek-Tule River Authority Regional Water Management Group to match that region's planning boundaries.
- To the south, the Southern Sierra IRWMP boundary is defined by the Tulare-Kern County line.
 - Rationale: the Kern watershed's water resources will be managed by both SSIRWMP and Kern County Water Agency IRWMP. The two entities will work collaboratively in the watershed across the county boundary.

2.3 Planning Horizon

The Southern Sierra planning and implementation horizon is approximately thirty years into the future, in the range of 2038-2040. However, many Southern Sierra discussions and actions will be guided by a longer time horizon of up to fifty years into the future.

2.4 Joining and Leaving the Southern Sierra IRWMP Planning Committee

Any water stakeholder organization may join the Southern Sierra IRWMP as part of the Planning Committee (see below for description). Water stakeholders could include, but are not limited to such organizations as: water agencies, conservation groups, agriculture representatives, businesses, tribal groups, land use entities, and local, state, federal agencies and private entities with an interest in the Southern Sierra. A group who wants to join the Southern Sierra IRWMP should notify the Planning Committee of their intent to join and sign this MOU to signify their good faith effort to join.

Any entity who would like to discontinue their participation in the Southern Sierra IRWMP may do so at any time. This MOU is non-binding and non-regulatory. The Southern Sierra IRWMP Planning Committee only asks that any member who wants to leave, notify the rest of the Planning Committee at which point they will no longer be a member of the Planning Committee of the Southern Sierra IRWMP.

3 Program Management Structure

3.1 Planning Committee

The Planning Committee is the decision-making body during the SSIRWMP formation process. In that context it will oversee and approve major programmatic decisions such as funding applications and performance measures. The Planning Committee will set the overall strategic direction for formation of the IRWMP. During the planning phase, the Planning Committee or its designated Work Groups will meet at least every other month.

3.1.1 Membership

The first Planning Committee membership will be comprised of those who sign this Memorandum of Understanding. These members will commit to approximately three years on the Planning Committee or until the SSIRWMP is complete.

The Planning Committee strives to ensure its membership represents a broad range of interests, including: water supply, water quality, environment/habitat, recreation, agriculture and ranching, resource management, hydropower, cities/counties, sanitation, other water resource management areas, economically disadvantaged local communities and individual local stakeholders interested and willing to participate. In order to cover these interests, members may include, but are not limited to: water agencies, resource agencies, conservation groups, tribes, agricultural and ranching interests, cities, counties, education organizations, disadvantaged community representatives, private landowners, and businesses.

Planning Committee membership will be comprised of those who sign this MOU before submission of the planning grant proposal. Planning Committee members must be committed to ensuring long-term ecosystem health of the areas watersheds, water supply, water quality, involvement of the local communities, especially disadvantaged communities; and the protection, preservation and restoration of natural resources of the Southern Sierra region; and agree to work constructively with others.

The Project Manager will check in with Planning Committee members on regular basis to reconfirm their intent to actively participate and their primary representative. This will not be binding or require the member to re-sign the MOU. This activity is merely intended to give the Project Manager and Planning Committee the most updated list of active Planning Committee members and primary and alternate representatives. Membership in the Planning Committee may change to accommodate evolving circumstances, such as changes in individual organizational capacity or participation.

Planning Committee members agree they will strive to support the Southern Sierra IRWMP through a variety of supporting activities, which may include in-kind contributions and/or funding.

3.1.2 Representation

Each member organization will identify their lead representative for the Planning Committee and will make their best effort to attend Planning Committee meetings to make decisions. Planning Committee members may choose to identify alternates but they are encouraged to have one representative attend the IRWMP Planning Committee meetings for consistency.

3.2 Coordinating Committee

The Coordinating Committee, appointed by the Planning Committee, is a smaller, representative group of the Planning Committee that meets between Planning Committee meetings to assist staff with process planning, recommendations for process modifications, communications, and other issues for which staff needs advice. The Coordinating Committee may also provide more consistent fiscal oversight in helping to manage the IRWMP with the fiscal sponsor. Ultimate decision-making still resides with the Planning Committee. Membership in the Coordinating Committee may change to accommodate evolving circumstances (such as changes in individual organizational capacity or participation history) by consensus of the Planning Committee. The Coordinating Committee meets every month during planning stages and then every other month thereafter. This schedule could change again during implementation planning.

The Coordinating Committee may play a role in developing substantive proposals and policy, at the request and subject to the approval of the Planning Committee, but has no decision-making authority.

4 Formation Funding

4.1 Funding

Funding for the launch and planning phases will come from grants. Southern Sierra IRWMP anticipates that financial support for the regional entity will ultimately come from projects funded through the Southern Sierra IRWMP, but during the formation period (the formation period will end with a planning grant from DWR or other organization) will come from a portion of the launch and planning grants.

The Planning Committee agrees they will strive to support the Southern Sierra IRWMP through variety of supporting activities during the formation period.

4.2 Fiscal Agent

Fiscal Agent for IRWMP Launch

Sequoia Riverlands Trust shall serve as Fiscal Agent for the Southern Sierra IRWMP Launch phase. Duties include administering grant funds, coordinating meetings for the Coordinating Committee and Planning Committee, making meeting notes and notices publicly available, maintaining a webpage where IRWMP documents can be accessed.

Fiscal Agent for Planning Grant

The Planning Committee will choose a Fiscal Agent for the Southern Sierra Planning Grant Proposal to DWR and the Planning Phase. This entity will have custody and responsibility for administering all funds of the Southern Sierra regional entity, including without limitation deposit and disbursement of said funds and accounting of all business transactions of the

regional entity. Fiscal oversight will still be performed by the Planning Committee and Coordinating Committee.

Any budget line item change over \$1,000 should be considered by the Coordinating Committee, as the fiscal oversight of the IRWMP.

Any budget line item change over \$10,000 must be reviewed and approved by the Planning Committee

Annual Financial Reporting

At the close of each calendar (or fiscal) year, the fiscal agent(s) and individual project partners shall provide a complete accounting of fiscal activity related to Southern Sierra IRWMP and associated projects to the Planning Committee.

5 Public Outreach and Participation

5.1 Planning Committee Meetings

The Planning Committee will meet at least every other month and schedule additional meetings if necessary to ensure effective planning of the SSIRWMP. All Planning Committee meetings are open to the public. Interested parties are welcome and encouraged to attend to share concerns about the Plan and learn about the IRWMP. Highlights from the Planning Committee meetings shall be distributed to the Southern Sierra Planning Committee and posted on the web for public viewing.

5.2 Public Forum / Interested Parties

The public forum refers to the general public and broad range of organizations interested in the Southern Sierra process that seek information about Southern Sierra activities either by attendance at meetings or through other means of communication. The Southern Sierra IRWMP maintains an interested party or stakeholder email list. Email list participants receive notice of all Southern Sierra meetings and all other announcements about the Southern Sierra planning process.

5.3 Public Noticing and Transparency

Southern Sierra meetings are noticed via an inclusive email list discussed above. In addition, Southern Sierra IRWMP will begin sending meeting announcements to all the public agencies involved in the process and encourage them to post Southern Sierra Planning Committee meetings on their web pages and to announce through agency noticing procedures. Planning Committee member entities are not responsible for compliance by Southern Sierra with public agency noticing requirements. The Southern Sierra IRWMP shall maintain a publicly accessible website displaying a calendar of meetings, agendas, meeting notes, list of participants, and when appropriate, a brief description of accomplishments, partners and overall mission of the IRWMP.

In preparation for Planning Committee meetings, which will involve decision-making, the Planning Committee will be noticed that there is a decision-making meeting 2 weeks in advance of the meeting. This notice can be by email with the agenda if available at that time.

5.4 Briefings and Outreach

Southern Sierra IRWMP stakeholders representing their own organizations regularly conduct briefings with local elected officials and other organizations interested in Southern Sierra or in which Southern Sierra IRWMP would like to extend its reach. Southern Sierra IRWMP periodically prepares briefings materials and makes presentations at conferences and meetings. Only the Project Manager or a designated representative may make public statements on behalf of the Southern Sierra IRWMP as an entity.

6 Planning Committee Decision Making

6.1 Decision Making Rule

6.1.1 Consensus as the Fundamental Principle

The Planning Committee shall base its decision-making on consensus (agreement among all members) in all of its decision-making. Working toward consensus is a fundamental principle of the Southern Sierra IRWMP process.

6.1.1.1 Definition of “Consensus”

In reaching consensus, some Planning Committee 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.

Since the IRWMP has no regulatory authority, any decisions it makes cannot regulate or force another entity against its will to take an action not in its interest. All decisions and projects will be made and developed under the consensus rule except as noted in Section 6.1.1.2 below.

6.1.1.2 Workgroups

Workgroups give input and recommendations to the Planning Committee. But all decisions will be approved by the Planning Committee as a whole.

6.1.1.2 Less than 100% Consensus Decision Making

The Planning Committee 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, discussed and considered. Less-than-consensus decision-making shall not be undertaken lightly. If, after full exploration and discussion, the Planning Committee cannot come to 100% agreement, it will use the less-than-consensus decision-making protocols as described below. For proposals or the Plan to be endorsed by the Planning Committee, it must pass the test identified in (a) below.

a) Broad Support of the Planning Committee Membership

The Plan or proposal must be endorsed by 75% of the total number of *active* members of the Planning Committee. (In other words, the Plan cannot be opposed by more than 25% of the total number of *active* members of the Planning Committee.) *Active* participation is defined in Section 6.1.1.3.

6.1.1.3 Definition of Active Participation by Planning Committee Members

Active participation means regular attendance at Planning Committee meetings; regular participation in at least one Work Group or ensuring that a designee of the Planning Committee member's organization participates in a Work Group under the Planning Committee member's close guidance; and reviewing planning and other written documents before discussions or decisions will be made. It is understood that occasionally Planning Committee members may need to miss a Planning Committee or Work Group meeting, or both meetings. If there is a question as to whether a Planning Committee member should be considered "active" for purposes of decision-making, the Coordinating Committee will make that determination by communicating with the member or determining whether the stakeholder is active or not based on recent participation.

7 **Revisions to the MOU**

Any revisions to this MOU must be made through the decision-making process outlined in the section above on decision-making.

Signature Page

Date: _____

Name (Signature) Print Name

Organization

Primary Representative:

Email: _____

Telephone: _____

Address: _____

Alternative Representative:

Email: _____

Telephone: _____

Address: _____

REFINEMENTS TO THE SSIRWMP M.O.U.

SOUTHERN SIERRA IRWMP

Adopted on May 10, 2012

The following materials are refinements and clarifications to the existing “Memorandum of Understanding, Southern Sierra Regional Entity,” originally dated 2009. The materials do not replace the M.O.U., they merely provide additional details to eliminate ambiguity, and additional protocols on a few important topics that were not yet addressed. Together they form the governing documents of the Southern Sierra IRWMP’s Regional Water Management Group.

1. Program Management Structure (Section 3)

3.3 Change of “Planning Committee” term to “Regional Water Management Group”

As of July 2012, the “Planning Committee” will be referred to as the “Regional Water Management Group” (RWMG). Per IRWM guidelines (August 2010, Section 4-A-1, Governance, page 19), the RWMG includes three or more local agencies, at least two of which have statutory authority over water supply or water management. These two agencies share decision-making authority with the other members of the RWMG. All other aspects of the Memorandum of Understanding apply.

3.4 Change of “fiscal agent” term to “grantee”

As of July 2012, the term “fiscal agent” will be replaced with “grantee,” for consistency with IRWM guidelines (August 2010), which defines “grantee” as the grant recipient (page 32).

3.5 Additional RWMG Roles and Responsibilities

Per the existing M.O.U., the RWMG will continue to oversee and approve major programmatic decisions, such as funding applications and performance measures, and will continue to set the overall strategic direction for formation of the IRWMP. Additionally, members of the RWMG will (1) review in advance of meetings and provide feedback on draft work products; (2) adopt final work products; (3) contribute expertise, data, and information to clarify discussions, eliminate false assumptions, and advance innovation; (4) communicate information to and from their agencies, organizations, and/or constituencies; and (5) act in a manner that will enhance trust among all participants.

3.6 Additional Coordinating Committee Roles and Responsibilities

Per the existing M.O.U., the Coordinating Committee will continue to assist staff with

process planning, recommendations for process modifications, communications, and other issues for which staff needs advice; may also continue to provide more consistent fiscal oversight; and may also play a role in developing substantive proposals and policy, at the request and subject to the approval of the Planning Committee. Additionally, the Coordinating Committee will help to prepare for RWMG meetings by reviewing and helping to develop meeting materials, and by reviewing draft work products, as needed.

3.7 Additional Membership Requirement

Members of the RWMG must be part of a public agency, an organization, a business, a California Native American Tribe, or other group that represents a public interest and has signed the M.O.U. The M.O.U. identifies the primary representative and alternate; to keep information up to date, members are required to submit a letter written on letterhead indicating if their primary representative or alternate changes. Alternates are encouraged to attend as much as possible to maintain continuity of the discussions. A single person may represent more than one agency, organization, business, Tribe, or other group, so long as they have documentation of their role from each entity they represent. The RWMG does not include individual members of the public. Individual members of the public who are interested in and concerned about the Southern Sierra IRWMP are requested to join the list of interested parties (see section 5.2.1).

5.2.1 Additional Information on Public Forum / Interested Parties

[This section augments the existing 5.2 Public Forum / Interested Parties]

All interested parties are welcome to attend and participate in RWMG meetings and other Southern Sierra IRWMP events. As specified in the existing M.O.U., the RWMG maintains a list of interested parties for the purpose of noticing meetings and other public events, and sharing news and information. The list may also be used to solicit feedback to the RWMG at appropriate times. The list includes individual members of the public, as well as members of agencies, organizations, businesses, Tribes, or other groups that have an interested in or are concerned about the Southern Sierra IRWMP but do not sign the Memorandum of Understanding.

3.8 Work Group Designation

The RWMG may choose to create work groups to advance specific tasks outside of RWMG meetings. The RWMG will specific a clear purpose for any work group and, as applicable, also specify the tasks or work products and corresponding timeline for the work group. All work groups will provide a status update on their activities at the RWMG meetings. All work products will be submitted in draft to the RWMG for adoption. While the work groups may make day-to-day decisions to advance their efforts, the work groups have no

final decision-making authority (see Section 6.1.1.2).

3.9 Roles and Responsibilities of the Facilitators

The facilitators will provide impartial guidance regarding the planning and implementation process, and will manage meetings on behalf of the RWMG. The facilitators are content-neutral, which means they will not advocate for particular policy or technical outcomes; the facilitators will, however, advocate for a fair, transparent, effective, and credible dialog and decision-making process, including helping the RWMG uphold the elements of the M.O.U. Specific duties include (1) designing the work plan and meeting agendas in partnership with the Project Manager, Coordinating Committee, and other RWMG members as needed; (2) providing guidance on process options and decisions; (3) reviewing and providing feedback on draft meeting materials; (4) overseeing the preparation of meeting summaries, including action items, key points of discussion, and agreements and decisions; (5) serving as a confidant for members who wish to express concerns about content or process privately. The facilitator is in service of the RWMG and will provide equal support to all its members.

2. Public Outreach and Participation (section 5)

5.5 Media Protocol

Per the existing M.O.U., the Project Manager or other designated representatives may make public statements on behalf of the Southern Sierra IRWMP as an entity. The first point of contact for media or external inquiries should be the Project Manager or other designated representatives. Additionally, if contacted by the media or an external party, or in other sessions outside the meeting, members will:

- a. Clarify that they are speaking only for themselves, not on behalf of the RWMG.
- b. Express concerns and support in ways that are consistent with their expressions in RWMG meetings.
- c. Represent other comments made in these meetings as general group concerns and support, rather than attributing statements to other people or characterizing the views of others.
- d. Avoid using the press as a vehicle for negotiation.

Members reserve the right to express their own opinion to the media, but not the opinions of others. Members can refer media inquiries to other group members, who then can speak for themselves. The RWMG may periodically develop and approve lengthier consensus statements to keep the public and media informed of its work and progress, and associated decisions and agreements.

3. RWMG Decision-Making (Section 6)

6.1.1.4 Clarification of Less than 100% Consensus Decision-Making

Decision-making in the absence of consensus will follow the protocol in the existing M.O.U. For clarification of section 6.1.1.2 (a), decisions or agreements must be endorsed by 75% of the total number of active members of the RWMG who are present at the meeting (including via telephone) when a decision is made. Per the existing M.O.U., meetings that include decisions will be noticed two weeks in advance of the meeting. For clarification of section 6.1.1.3, “regular attendance” means that the member has attended at least half of the RWMG meetings in the past year, or in the case of new members, that the member has attended at least half of the RWMG meetings since signing the M.O.U. The RWMG will maintain a current list of RWMG members, including their primary representative and alternate, and track meeting attendance. The requirement for participation in a work group is only applicable insofar as three or more work groups are active.

6.2 Protocol for Notifying Members of an Upcoming Decision

Per section 5.3, Public Noticing and Transparency, meetings that involve decision-making will be noticed two weeks in advance of the meeting. Members will be requested to acknowledge receipt of the email notifying them of the upcoming decision. If no acknowledgment is received, the facilitator(s) will follow-up by telephone to ensure the member is aware of the upcoming decision.

6.3 Multiple Entities Represented by a Single Individual

In some cases a single individual serves as the designated representative of more than one member entity. In order for the RWMG to have consensus on a decision, each of the member entities represented by the single individual must be in consensus.

If less than 100% consensus decision-making is involved, the single individual must choose a single entity to represent; any additional entity represented by that individual must send their alternate representative to take part in decision-making. All alternates are required to be fully briefed on the group’s historical deliberations and information and issues involved in the decision, to ensure continuity of the group’s discussions and a timely decision-making process. All decisions will be noticed in advance as specified in sections 5.3 and 6.2.

If less than 100% consensus decision-making is involved, and one of the entities represented by the single individual has a financial interest in the outcome (e.g., one of the entities represented by the single individual is applying to be the grantee for a planning or implementation grant), the single individual will be permitted to participate in discussions and decisions regarding the steps, criteria, and information used for making

the decision (e.g., selection of a grantee). In this regard, they help to shape the decision-making process as a whole. During the deliberation of the decision and final less than 100% decision-making, however, this individual will be requested to leave the room, and the entity that has a financial interest in the outcome will not be part of the less than 100% consensus decision-making. Additionally, none of the other entities represented by the single individual will be permitted to be part of the deliberation of the decision and final less than 100% decision-making. This is to avoid a situation where a secondary entity, even though it has no financial interest in the outcome, sends an alternate representative to support the selection of the single individual that typically represents them out of solidarity. To ensure that it has a voice in such a circumstance, any member entity typically represented by a single individual can decide to regularly send their alternate to the series of meetings leading up to a financial decision, and thus avoid relying on the single individual to represent them during that period of the RWMG's work. The RWMG will identify the appropriate number of meetings to attend early enough in the process to allow such participation.

4. Joint Fact-Finding (new section – section 8)

8 Joint Fact-Finding Protocol

The RWMG may choose to conduct joint fact-finding when it needs to make a decision regarding a complex scientific or technical issue, but cannot readily reach agreement on how best to proceed. Joint fact-finding provides an approach to building consensus and making informed decisions in the face of uncertainty. It involves a subset of RWMG members working with the consultant and subject-matter experts to frame the questions to be answered, interpret existing information, and generate recommendations. Joint fact-finding conducted by the RWMG will include the following steps:

1. The facilitator or RWMG member develops a short Issue Summary that identifies key issues and questions in enough detail to clearly communicate concerns to all members.
2. The RWMG identifies a few members to form a joint fact-finding work group on the designated topic. The work group identifies additional expertise needed to understand and address the topic, and invites mutually agreed-upon individual subject-matter experts to support the work group.
3. At its first meeting, the work group discusses how existing information applies to the issues and questions identified in the Issue Summary. Members identify areas where they are in consensus, and if possible, recommend to the RWMG how to move forward on the issues and questions identified. If the work group desires more information, it identifies the immediate next steps for gathering this. If the

desired information does not exist, the work group decides whether it can be generated in a timeframe that is consistent with the RWMG's work plan; if not, the work group agrees to continue its joint fact-finding effort and ultimately make a recommendation in the absence of ideal information.

4. At its second or subsequent meetings, the work group reviews new information and seeks consensus on what to recommend to the RWMG. If the work group makes a sincere effort but cannot reach consensus, it may provide more than one set of recommendations to the RWMG.
5. When recommendations are ready, the work group presents these to the RWMG and answers any substantive or procedural questions from RWMG members. The intent is to provide recommendations in an open, transparent, and educative way that supports informed decision-making. The RWMG in turn seeks consensus on what recommendation(s) to adopt. The RWMG may request the work group to conduct additional fact-finding and report back.
6. The final recommendation adopted by the RWMG is recorded in the Issue Summary, as well as the standard meeting summary that is made publicly available on the website.

During the joint fact-finding process, the work group will update the RWMG as to its progress during the RWMG's regular meetings.

Regional Water Management Group/Planning Committee

- IRWMP decision-making body
- Membership: water agencies, resource agencies, conservation groups, Counties, Tribes, etc. from geographic scope of IRWMP (open to those interested in water resources management)
- Decision-making: consensus-based with a default for supermajority vote with representation from major interests.
- Meetings open to the public

Coordinating Committee

- Provides recommendations and guidance to IRWMP staff and consultants for managing IRWMP, preparation for meetings, drafting proposed policies, and planning tools
- Membership: representation from major interests and geographic area of IRWMP. Must also be members of Planning Committee.
- Size: Keep this Committee at a small workable number. Suggest 8.
- Frequency of Meetings: Meets every month during Planning stages and every other month thereafter.
- Decision-making: No decision-making authority. Proposes ideas to the Planning Committee for decision-making.

Grantee (1 entity)

(DWR eligibility: Non-profit or public institution)

- Administration of grants and funds including contracting, reporting, invoicing
- Grants awarded to fiscal sponsor on behalf of the IRWMP
- Leader in region and for IRWMP
- Contractor with DWR

Legal Authority (3 entities)

(DWR criteria: 3 public agencies, 2 with authority over water.)

- One of three entities will be fiscal sponsor for DWR Planning Grant
- Members of Planning Committee/members of Coordinating Committee
- Decision-making: none, these entities will make consensus decisions as part of the Planning Committee.
- Frequency of meetings: none. Group members may be part of the Coordinating Committee to engage in IRWMP coordination.