

IMPERIAL IRWMP

Integrated Regional Water Management Plan

WATER FORUM AND REGIONAL WATER MANAGEMENT GROUP DRAFT CHARTER May 2010

Background

Imperial County and Imperial Irrigation District (IID) have proposed formation of an Imperial Regional Water Management Group (RWMG) and Imperial Water Forum (Water Forum) to undertake a collaborative, multi-stakeholder process to prepare and adopt an Imperial Integrated Regional Water Management Plan (IRWMP). The RWMG and Water Forum will identify water resources problems to be addressed, define IRWMP goals and objectives, review and develop water management strategies to resolve common issues related to the region's water supply, water quality, environmental stewardship, and flood management; and adopt an the IRWMP to provide a roadmap for the future. The IRWMP planning horizon is to the year 2047; but to define priority projects and actions that will to help the area qualify for grant funding, the IRWMP needs to be completed by Spring/Summer 2011. Pertinent background facts include:

- IID has rights and entitlements to Colorado River water that it manages for the benefit of the water users in its service area.
- Imperial County has the authority for management of groundwater and land use in the unincorporated areas of Imperial County consistent with its Imperial County General Plan.
- Incorporated Imperial Region (Cities) have authority over land use within their boundaries consistent with their general plans; obtain raw water from IID and own and operate municipal utilities (or have franchise agreements with private companies) to treat and purvey drinking water in their service areas; treat and dispose of wastewater; and some are required to develop Urban Water Management Plans consistent with state law. All of the Cities in the Imperial Region except the City of Imperial are disadvantaged communities (DACs) that can benefit through regional planning which supports procurement of grants to meet local needs.
- To comply with U.S. Environmental Protection Agency (USEPA) requirements and avoid termination of canal water service, residents in the IID service area who do not receive treated water service must obtain alternative water service for drinking and cooking from a state-approved provider. To avoid penalties that could exceed \$25,000 a day, IID strictly enforces this rule. Nearly 4,000 raw water service accounts are required by California Department of Public Health (CDPH) to have alternate drinking water service.
- Public agencies with responsibility and authority related to water resources as well as a number of non-governmental organizations, including agricultural, industrial, labor

and environmental groups, have vested interests in the sustainable management of water supplies available to the Imperial Region. These groups have expressed a need and desire to participate in planning for water supplies needed to sustain economic development.

- Consistent with state law,¹ California Department of Water Resources (CDWR) coordinates the statewide IRWMP program, provides guidelines for development of IRWMPs, manages grant funding, and approves regions through the Region Acceptance Process (RAP).
- IID, with support from Imperial County, prepared a Region Acceptance Process (RAP) document to define the Imperial Region and initiate the IRWMP process.² The Imperial Region has been accepted by CDWR (for map, see Attachment A).

Purpose of RWMG and Water Forum Imperial Region Charter

The purpose of this charter is to guide the interactions between the sponsoring agencies (IID, Imperial County) and stakeholders during development of the Imperial IRWMP. It defines:

- Program Organization and Operation
- Administrative Oversight and Technical Support
- Decision-making Process
- Development, Endorsement and Adoption of the IRWMP
- Values and Principles

Program Organization

The Regional Water Management Group (RWMG) and Water Forum are chartered to provide a management structure, a decision process and a mechanism for public involvement during production, endorsement and adoption of the Imperial IRWMP.

Water Forum

Purpose: Water Forum provides for stakeholder involvement and coordination. The purpose of the Forum is to provide primary input during development of the IRWMP. The collaboration goals of the Water Forum are to:

- Be representative of diversity of interests in the Imperial Region.
- Provide project, program and policy recommendations to the RWMG.
- Support data collection and assembly.
- Provide a conduit for information to and from respective groups.
- Identify issues, conflicts and problems to be addressed in the IRWMP.
- Establish Work Groups to address specific technical or policy issues.
- Develop goals and objectives of the IRWMP.

¹ Integrated Regional Water Management Planning Act of 2002, codified in Part 2.2 (commencing with §10530) of Division 6 of the California Water Code

² *Imperial IRWMP RAP* (April 2009), http://imperialirwmp.org/RAP%20FINAL%20revised_09_5_26.pdf

- Review and screen water management strategies for inclusion in the IRWMP.
- Review and comment on analysis results.
- Develop alternative solutions (projects, programs, policies).
- Develop and accept project, program, and policy evaluation and ranking criteria.
- Apply the accepted evaluation and ranking criteria to define IRWMP program, program, and policy priorities.
- Support public outreach and involvement activities.
- Review funding and long-term management/governance approaches that can be used to implement IRWMP projects.
- Review and provide input to the draft and final IRWMPs.
- Support adoption or endorsement of the final Imperial IRWMP by the stakeholder agencies and organizations.

Membership: The Water Forum is open to all stakeholders groups. The Water Forum will be comprised of designated representatives from public agencies and organized stakeholder groups (e.g., non-governmental organizations). Water Forum membership is to be inclusive to ensure broad representation and accommodate a diversity of perspectives. Recognizing that all members have other responsibilities, organizations are encouraged to designate an alternate member. Designated representatives and alternates should be prepared to commit the time needed to fully participate and represent their groups' interests and meet the responsibilities defined below. Member organizations whose participation has been solicited are listed in Attachment B. A final list of representatives and alternates will be developed and maintained in Attachment B to the Charter.

The Water Forum will incorporate new members, as needed, to be representative of the larger community regardless of ability to contribute financially to IRWMP development. New members will be incorporated into the governance structure by indicating their support for the IRWMP planning process through a resolution approved by their governing boards.

Roles and Responsibilities. Water Forum members will:

1. Attend Water Forum meetings or ensure alternative members' attendance – to be held no more often than monthly for the duration of the planning process.
2. Help identify, review, verify and critique data; and assumptions, analysis and methods used by the consultants and Program Management Team (PMT) to develop the IRWMP (for membership list and support team members see Attachment B).
3. Review and provide recommendations on policy and technical issues.
4. Participate in Work Groups as needed.
5. Develop content and text or provide other assistance to staff and facilitators, as needed.
6. Provide honest perspectives, representing their groups' interests while seeking to understand the perspective of others.

7. Assist in communicating Water Forum goals and objectives and work that is being done to the broader public, and to constituencies and/or communities represented by the individual members.
8. Seek consensus and agreement on proposals and/or recommendations to the RWMG.
9. Assist in identification of short- and long-term future events, trends and conditions that will impact and shape the IRWMP.
10. Coordinate adoption of the Final IRWMP by the elected bodies and endorsement by stakeholder organizations that they represent.

Regional Water Management Group

Purpose: To resolve conflicts and make decisions when Water Forum membership cannot attain consensus, and to achieve a unified political front for implementing regional water projects, program and policies.

Membership: The RWMG will be composed of elected representatives of the Imperial Region land use and water management agencies. The intent is to allow duly elected representatives to serve as the deliberative and negotiating body and as the final arbiter of decisions where necessary. Two IID Board members and two Imperial County Supervisors will be appointed by their respective groups. Three elected City Council members of Cities participating in the Water Forum will be appointed by consensus of the Cities. Members of the RWMG will be ex officio members of the Water Forum.

Roles and Responsibilities. The RWMG will:

1. Receive briefings, review Water Forum recommendations and endorse the following by consensus or vote:
 - Goals and objectives of the IRWMP.
 - Statements about institutional issues, technical problems, and areas of conflict (disagreement on facts, different perceptions of the issues, or desired outcome) that are to be addressed in the IRWMP.
 - Water management strategies for inclusion in the IRWMP.
 - Project, program, and policy evaluation and ranking criteria developed by the Water Forum.
 - Funding and long-term management/governance approaches to implement the IRWMP and projects (implementation plan).
 - Final IRWMP.
2. Coordinate and promote adoption of the final IRWMP by the elected bodies and endorsement by stakeholder organizations.

Program Management Team

Purpose: To provide effective and efficient coordination of the IRWMP process and logistical support to the RWMG, Water Forum and Work Groups.

Membership: At minimum, the PMT will be comprised of senior staff of IID and Imperial County, at least one senior staff member of one of the Cities, CDWR Regional Representative, Consulting Team Program Manager and Facilitator. PMT membership is presented in Attachment B, which will be updated, as needed.

Roles and Responsibilities: The PMT will:

1. Coordinate the activities of the RWMG and Water Forum.
2. Coordinate additional staff and consulting resources to develop the IRWMP.
3. Direct activities and tasks under the scope of work and integrate interests of public agencies and stakeholder groups.
4. Convene all meetings, prepare meeting materials, and arrange logistics.
5. Set milestones and review progress of work
6. Meet monthly or bi-monthly, as needed, to:
 - o Review and develop Water Forum agendas,
 - o Review and comment on meeting notes, and
 - o Provide direction to consultants.
7. Coordinate Work Group activities.
8. Manage internal and external communications, inform stakeholders and the public of the process for developing the IRWMP; and
9. Ensure that CDWR IRWMP requirements are met.

Work Groups

Purpose: Coordinate technical resources, agency staff and stakeholders to address specific issues or assignments and provide recommendations to the Forum.

Membership and Formation: Work groups will generally be formed as a specific action of the PMT or during full Water Forum meetings. When a group is formed, all forum members will be given an opportunity to indicate their willingness to participate. To ensure an acceptable range of perspectives on the work group, specific members or staff may be invited to serve on the group by the Facilitator. Nonmembers may be requested to participate as resource people.

Roles and Responsibilities: Work groups will be given specific tasks with identified work products and schedules for completion. Unless otherwise requested by the PMT or Water Forum, following completion of the tasks, these groups shall disband.

Program Operation

Meetings and Meeting Schedules

The RWMG and Water Forum will meet no more often than once a month for the duration of the planning process to complete the IRWMP. Meetings will vary by geographic location and Water Forum members will be asked to host meetings at an appropriate location.

Meetings are open to the public. The Water Forum will hold some meetings as public workshops for the broader public to review and comment on draft documents.

Special meetings and/or workshops will be held as necessary by work groups.

Attendance

Given the volume of information to be considered and the short time frame for completion, regular attendance by each member or designated alternate is essential.

Ground Rules

The RWMG and Water Forum will utilize standing ground rules regarding meeting protocol, which they may modify them as appropriate, as follows:

The members agree to:

- Listen and discuss openly issues with others who hold diverse views.
- View disagreements as problems to be solved rather than battles to be won.
- Refrain from ascribing motives or intentions to other participants.
- Respect the integrity and values of other participants.
- Use conversational courtesy - no taunts or derisory comments.
- Keep pagers and mobile phones silent during meetings, and return calls during breaks.
- Appreciate humor but do not engage in humor at the expense of others.
- Honor time.

Communication

1. Meeting announcements, draft agendas and advance materials will be posted on the Imperial IRWMP web site (<http://imperialirwmp.org/>) and sent out at least seven (7) days before each RWMG or Water Forum meeting.
2. Agendas and minutes will be prepared for PMT conference calls or meetings, and for RWMG, Water Forum and work group meetings to document actions, decisions, areas of consensus, and as needed areas of disagreement where further discussion is needed.
3. Staff, Consultant Project Manager and Facilitator will make presentations on RWMG and Water Forum progress, process and work products at meetings, conferences. To increase awareness of the IRWMP, Water Forum members are strongly encouraged to arrange presentations about the RWMG and Water Forum planning efforts.

4. The PMT may prepare brochures and public information pieces targeted to laypersons to convey specific messages and to communicate to nontechnical persons the purpose, intent, progress and results of the IWRMP.
5. Outside of the RPMG and Water Forum, members are to speak only for themselves when asked about RWMG or Water Forum progress unless there has been adoption of concepts or recommendations by the full body.
6. Adopted concepts or recommendations may be released along with statements of the RWMG or Water Forum agreed to by the full group. Suggested text for such statements will be developed by Staff, Consultant Program Manager, and/or Facilitator or may be offered by a group member.

Other

Changes may be made to this Charter at the concurrence of the members and sponsors, utilizing the Charter decision-making process.

Administrative Oversight and Technical Support

Staff resources and contact information are listed in Attachment B.

Roles and Responsibilities. IID will:

1. Act as contract administrator and fiscal agent for administration of consulting resources.
2. Prepare RWMG and Water Forum meeting notes for review and approval.
3. Develop publicity and public affairs materials and maintain the Imperial IRWMP Web site.
4. Serve as a clearinghouse for information.
5. Serve as a stakeholder (one of many voices) during the meeting process.
6. Coordinate production of draft and final work products.
7. Transmit findings and make them available to the public as appropriate.

Roles and Responsibilities. Consultant Program Manager will:

1. Provide and coordinate technical resources.
2. Coordinate the PMT.
3. Coordinate work groups formed by the PMT and Water Forum.
4. Use RWMG and Water Forum data, information, concerns, proposals and/or recommendations to develop interim work products and the draft and final IRWMP.
5. Develop text, generate work products, and prepare briefing materials and presentations.
6. Coordinate review of stakeholders' comments on draft work products.
7. Support the PMT in reconciling comments.

8. Provide and update project timelines and schedules to help manage assignment deadlines.
9. Prepare and revise, as needed, a work plan and schedule for the overall RWMG and Forum process.

Roles and Responsibilities. Facilitator, serving as a professional neutral, will:

1. Manage dialogue in RPMG and Water Forum meetings and oversee the provisions of this charter.
2. Design, implement and refine an effective consensus-seeking process.
3. Encourage full participation, promote mutual understanding and cultivate shared responsibility at RWMG and Water Forum meetings, as necessary.
4. Ensure that all points of view held by RWMG and Water Forum members are heard and that the interests of each member's constituencies are considered.
5. Contribute structure and process to interactions among RWMG, Water Forum and PMT and among each group's members so that they are able to function effectively and make quality decisions.
6. Act as a content neutral party in terms of the outcome of RWMG and Water Forum work products. Options or other pro-active initiatives put forth by the facilitator will represent a best effort to reflect the discussions of the RWMG and Forum.
7. Provide assistance to members requesting help with interpersonal communications.
8. Develop, revise and enforce ground rules.

Decision-making Process

When using a collaborative, consensus-seeking approach, a decision-making process is needed for purposes of negotiation and resolving conflicts. The independent agencies that are participating give up none of their powers or authorities and are the ultimate deciders of the direction their respective organizations will take with respect to participation in the IRWMP and to any project, program and/or policy that may be proposed. Nevertheless, RWMG and Water Forum members are expected to strive to reach consensus (agreement among all participants) in all of their decision-making.

Consensus can be defined as a general agreement reached by a group as a whole. In achieving consensus, some members may strongly endorse a particular proposal while others may accept it as workable. Others may be able to live with the proposal. Still others may choose to stand aside by verbally noting a disagreement, yet allowing the group to move forward without them if the decision does not affect them or compromise their interests. Any of these positions constitutes consensus.

Water Forum Process

1. Some members may have a fundamental disagreement with key aspects of a given proposal. They may be unwilling either to support or to live with the proposal as it

stands. Parties with this opinion must suggest alternatives that move the proposal forward toward accommodating the interests of all.

2. When consensus is reached, the group's decision will be memorialized through meeting summaries, reports, memos, etc. and will take the form of a recommendation from the Water Forum to the RWMG.
3. If consensus is not forthcoming, Water Forum members can decide whether a topic or proposal warrants more discussion or if it is time to refer the matter to the RWMG for deliberation and decision. Due to the expedited nature of the Imperial IRWMP effort, prolonged discussions by Water Forum members on a specific topic may not be feasible.
4. If members find that consensus is not feasible on a specific topic, the PMT will prepare a summary (using meeting summaries, reports, memos, etc.) describing the full range of perspectives including minority opinions for review by the RWMG which will make a decision as to the course of action.

RWMG Process

1. As with the Water Forum, the RWMG is expected to seek consensus among its members; however, if consensus is not forthcoming, the RWMG can poll its members with the position of the majority being accepted.
2. RWMG members will give high priority consideration to Water Forum proposals and recommendations having consensus and/or significant agreement among Water Forum members.
3. In the event that Water Forum members are struggling with a topic or proposal, the RWMG will retain final decision responsibility on whether the Forum should continue to seek consensus or move on to other topics.
4. Regarding final recommendations, it is understood that some RWMG members may be unable to make final commitments without the action of the board or other body of the agency or organization they represent. In this case, agreements will be considered tentative pending approval. Such confirmation does not need to return to the group unless it affects the recommendation.

Development, Endorsement and Adoption of the IRWMP

1. Sections of the *Draft IID Plan* (September 2009)³, which will be circulated to RWMG and Water Forum members for review and comment, will provide the basis for initiating discussion.
2. If Water Forum review identifies projects, programs and/or policies requiring further discussion, those topics can be referred to a work group whose recommendations will be brought back to the Water Forum.
3. If requested, the PMT will evaluate the need for additional technical or policy review and may authorize preparation of technical memorandums (TMs) or briefings that will be used to inform Water Forum or work group deliberations. TMs or briefings may be prepared by the consulting team or participating agencies' staff.
4. The purpose of TMs is to provide detailed analysis and information for the RWMG, Water Forum or work group members to use in making decisions. TMs and briefings may be discussed during regular RWMG and Water Forum meetings, at specially scheduled meetings or during conference calls. Water Forum comments and written review will be memorialized; however, the TMs and briefings will not be edited.
5. With support of the Consultant Program Manager, the PMT will reconcile all written and verbal input and comments generated by the Water Forum. The Consultant Project Manager will incorporate these to compile an administrative draft IRWMP for final review by Water Forum members.
6. The PMT, with support of the Consulting Program Manager, will reconcile written Water Forum comments on the administrative draft IRWMP and complete the Draft IRWMP.
7. The Draft IRWMP will be provided to the RWMG with a Water Forum recommendation for endorsement; following RWMG review and endorsement of the Draft IRWMP, the Final IRWMP will be forwarded by members of the RWMG to their elected bodies for adoption.
8. Following RWMG endorsement of the Draft IRWMP, the members will coordinate adoption of the document as the Final IRWMP by the elected bodies of Imperial Region land use and water management agencies and will forward the Final IRWMP to other stakeholder groups for their endorsement, as appropriate.

³ *Draft IID Integrated Water Resources Management Plan* (September 2009), <http://www.iid.com/Media/IID-IRP-DRAFT-FINAL-09-21-2009.pdf>

Values and Principles

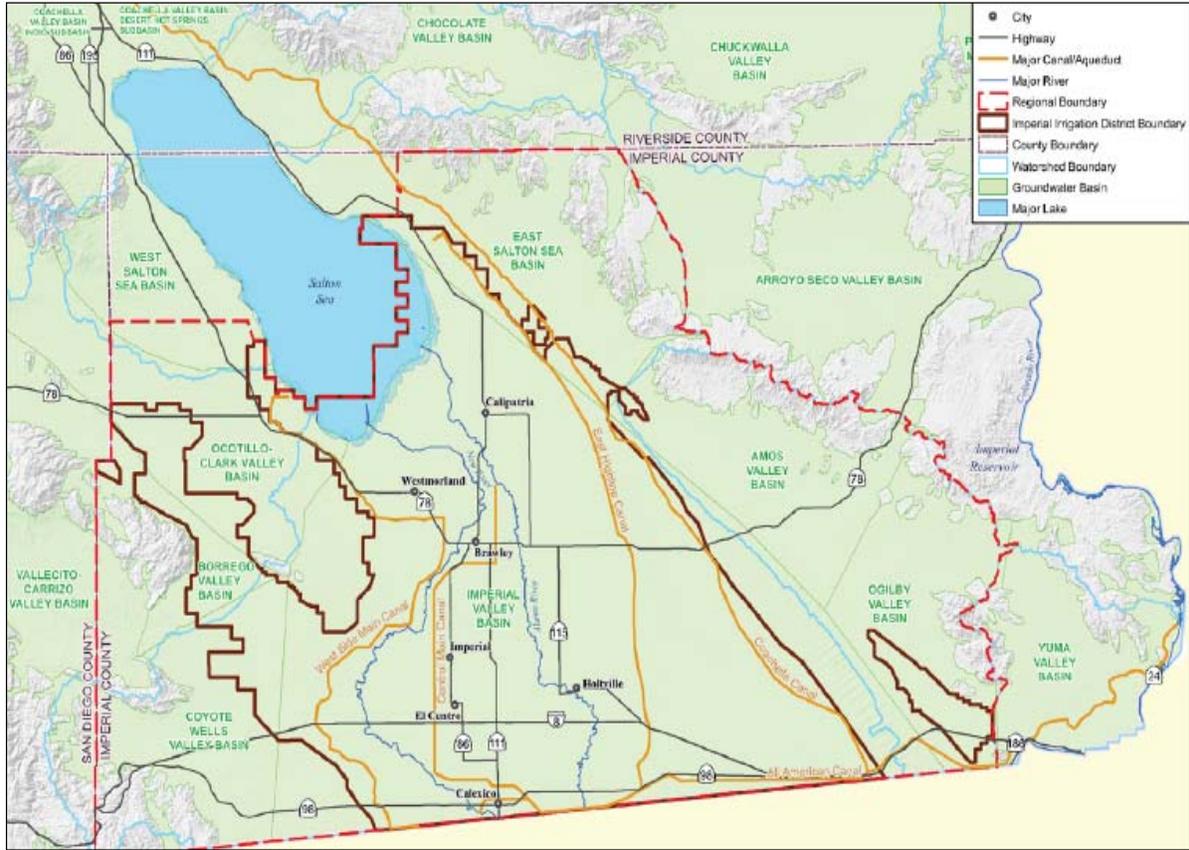
This is a consensus-seeking, collaborative process. RWMG and Forum members affirm their commitment to work in good faith with all diverse interests represented on the RWMG and Water Forum. Good faith implies an obligation to regularly attend and participate in meetings and work groups, to strive to understand all perspectives, to engage in dialogue and deliberation, and to earnestly work toward building common ground and consensus with fellow RWMP and/or Water Forum members.

It is understood that all the parties must continue to operate under their organizations' guidelines and timetables. Members and their organizations may have to pursue their interests unilaterally during the IRWM planning process. Participants in the IRWM planning process are not being asked to abandon obligations to their organizations or to give up any rights. Even so, members must agree to work in good faith within the process.

The Imperial IRWMP will not be a legally binding document. Rather, it will be a regional compact with accompanying commitments. Once an agency adopts the IRWMP, that act comes with serious responsibilities to participate in the implementation of the IRWMP. Thus, while, the IRWMP will be a living document that will need to change over time, an agency that adopts the IRWMP agrees to continue building common ground together and agree to resolve differences collaboratively through dialogue, and if necessary, dispute resolution processes.

ATTACHMENT A

Imperial Region Map



ATTACHMENT B

Stakeholders Groups Solicited to Participate in Imperial IRWMP Water Forum

<i>City and County Government</i>	
Imperial County	Imperial Irrigation District
The Cities: Brawley, Imperial, El Centro, Calexico, Westmorland, Calipatria, Holtville	Imperial County Local Agency Formation Commission
Seeley County Water District, Heber Public Utilities District	Southern California Association of Governments Imperial County Regional Office
<i>Non-governmental Organizations</i>	
Imperial County Farm Bureau	Chambers of Commerce: Brawley, El Centro, Calexico, Calipatria, Holtville & Imperial County
IID Water Conservation Advisory Board	Imperial Valley Economic Development Corp
Imperial Valley Vegetable Growers Association	Institute for Socio-Economic Justice
Coalition of Agriculture Labor and Business	The Citizen's Congressional Task force on the New River
Colorado River Board	Desert Wildlife Unlimited, Inc.
Calexico New River Committee	Sierra Club, Imperial Chapter
<i>State and Federal</i>	
CA Department of Water Resources – IRWM representative & the Southern Region Chief	USBR Yuma Area Office
CA Department of Fish and Game Inland Deserts Region	USFWS Sonny Bono Salton Sea National Wildlife Refuge
CA Department of Public Health – Drinking Water Field Operations Branch	US BLM El Cento Field Office
CA EPA Colorado River Regional Water Quality Control Board (Region 7)	USDA – NRCS - El Centro Field Office; Riverside/Imperial County Area Office
UC Cooperative Extension Imperial County	International Boundary and Water Commission – US Section
<i>Private Entities</i>	
Agriculture: Jack Brothers & McBurney Inc., Vessey & Company, Al Kalin	Cal Energy, Ormat Nevada, Inc, EnergySource, GreenHunter Energy, Inc., SunEco Energy, Ca Renewable Energies, LLC, CA Ethanol & Power, First Solar
Golden State Water Co., Coyote Valley Mutual Water Co., Ocotillo Water Co.	
The Holt Group, Nolte Associates, Inc., George Cairo Engr., Development Design Engr., The Dahnn Team, Landmark Consultants, Inc.,	BJ Engr & Surveying, Inc, Richard Pata Engr., Duggins Construction, Inc; Hale Engr, Dynamic Consulting Engrs, Inc; Geotechnics.
Imperial Valley Real Estate Services, Inc., Thomas Topuzes & Assocs. LLC	

RWVG and Water Forum Membership List

To be added when finalized.

PMT Membership List and Staff and Support Team Resources

To be added when finalized.

IID, Imperial County, and the Cities Staff Support (Co-leaders)

IID

- Lead/Program Coordinator - Tina Shields, P.E., Assistant Manager Water Department
- Coordinator/Support - Anisa Divine, Ph.D., Senior Planner Water Department
- Communications – Jennifer Goodsell, Government Affairs Specialist

Imperial County

- Lead/Program Coordinator - Andy Horne, Deputy County Executive Officer Natural Resources Development

The Cities

- City of Imperial, - Marlene Best, City Manager

CDWR

- Anna Aljabiry - Research Program Specialist

Support Team

- Consultant Program Manager - Matt Zidar, GEI Inc.
- Facilitator - Dale Schafer, CSU Sacramento, Center for Collaborative Policy

ATTACHMENT C

RWMG and Water Forum Ground Rules

RWMG and Water Forum Members agree to:

- Listen and openly discuss issues with others who hold diverse views
- View disagreements as problems to be solved rather than battles to be won
- Not engage in stereotyping and personal attacks on other participants
- Not ascribe motives or intentions of other participants
- Respect the integrity and values of other participants
- Keep commitments once made

Several specific rules apply during meetings: The RWMG and Forum agrees to:

- Honor time
- Use conversational courtesy
- Follow 25-mile rule
This ground rule refers to pagers and phones. Electronic devices should be in the silent or off mode. If an individual receives a call, the call should be taken ONLY IF the caller would have driven 25 miles to deliver the message in person. In other words, phone business that causes you to leave the room should be urgent. If calls are not urgent, you are asked to wait for breaks or meals to return calls.
- Appreciate humor but not engage in humor at the expense of others.

Open Process

- Meetings of the RWMG and Water Forum will be open to the public. Agendas will be sent out in advance of the meetings and posted on the Imperial IRWMP (<http://imperialirwmp.org/>) and on the CDWR Water Use Efficiency web site, <http://www.wateruseefficiency/sb7>.
- At each meeting, the public will be given an opportunity to comment. This will be a facilitated process and occur at specified times on the agenda.
- Members of the public are expected to adhere to the same ground rules as RWMG and Water Forum members.

List of Acronyms

CAO	Chief Administrative Officer
CDHP	California Department of Health
CDWR	California Department of Water Resources
CSU	California State University
DACs	Disadvantaged communities
GEI Inc.	Geotechnical Engineers, Inc.
IID	Imperial Irrigation District
IRWM	Integrated Regional Water Management
IRWMP	Integrated Regional Water Management Plan
NRCS	Natural Resources Conservation Service
PMT	Program Management Team
RAP	Region Acceptance Process
RWMG	Regional Water Management Group
the Cities	Incorporated cities in the Imperial Region
TMs	Technical memorandums
USBLM	United States Bureau of Land Management
USBR	United States Bureau of Reclamation
USDA	United States Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USFWS	United States Fish and Wildlife Service