

Potter Valley Project

DRAFT Water Supply Working Group Charter

Updated 05.03.2018

Purpose

The purpose of this document is to provide a framework for participation, cooperation, communication, and decision-making among Water Supply Working Group participants.

Charge

The Water Supply Working Group is developing information and recommendations on water supply for the Potter Valley Project Ad Hoc Committee. The Ad Hoc formed the working group to develop and analyze detailed water supply scenarios and recommendations for managing water supply issues and concerns to inform the Ad Hoc's discussions. The charge of the working group is to:

- Identify water supply issues on Eel and Russian Rivers
- Develop objectives for water supply
- Identify viable solutions (near term, longer term)
- Assess consequences, opportunities, and challenges of potential futures for the Potter Valley Project

Decision Making

The Water Supply Working Group is developing recommendations for the Ad Hoc Committee's consideration and decision-making. The Water Supply Working Group will strive for consensus decision-making in its deliberations and recommendations to the Ad Hoc Committee. The definition of consensus spans the range from strong support to neutrality, to abstention, to "I can live with it." A member can "stand aside" and let the working group reach consensus. This would still constitute a consensus agreement and outcome. Consensus requires the Water Supply Working Group members (either present or via remote participation).

If consensus cannot be reached, the Water Supply Working Group will forward the options, with explanation of areas of consensus and divergence, to the Ad Hoc Committee for consideration and resolution.

Process Agreements

Working Group Members Commitments

- ✓ Working Group members' consistent, effective participation is essential.
- ✓ Working Group members commit to reviewing materials in advance of meetings and being ready to participate actively in problem solving during meeting time.

- ✓ Working Group members commit to listen, consider other perspectives, and rely on best available science. Considering others' interests and demonstrating flexibility to problem solve is essential to participate.
- ✓ Each Working Group member will coordinate and communicate Working Group deliberations and outcomes with its constituents or colleagues participating in the Ad Hoc process.
- ✓ Each Working Group member will consult with and represent the concerns and interests of the organizations and constituents that they represent. Members with established organizations and constituents are responsible for ensuring that all significant issues and concerns of their organizations and constituents are fully and clearly articulated during Working Group meetings. These representatives are also responsible for ensuring that any eventual recommendations are communicated to their constituents and/or the agencies they were appointed to represent.
- ✓ Members are free to informally communicate with each other. Representatives are encouraged to share relevant communications among all Working Group members, as appropriate to advance progress and communication.

Visitors

- ✓ Meetings are open to others to listen and learn; however, visitors will respect that these meetings are a continuation of previous dialogue and deliberation.

Tribes, Agencies, and FERC Process

- ✓ Participation in the Working Group will not bind any participant to any particular interpretation of law or regulation, or require any participant to take particular action(s) or excuse any action otherwise required by applicable law. Participation in the Working Group will not be construed as a waiver or release of any right or authority held by any participant.
- ✓ Participation in the Working Group will not limit the discretion under applicable law of any public agency.
- ✓ Participation in the Working Group will not be construed as a waiver of sovereign immunity by the United States, the State of California, any Tribe or any public agency.
- ✓ Participation in the Working Group will not preclude any participant from continuing to assert its positions or take any actions in the FERC relicensing or other regulatory or adjudicatory proceeding.
- ✓ Participation in the Working Group will not be construed as a future commitment of resources by any Federal agency.
- ✓ A participant may determine that a work product from the Working Group process should become part of a relicensing or other process or regulatory

proceeding. The Working Group may consider information from other sources and processes.

Roles and Responsibilities

Working Group Chair

The chair will work with the facilitator to outline the meeting content and technical work to ensure an effective, timely process. The chair will work with Working Group members as necessary to advance solutions and problem solving to aid in negotiation. The chair may, in cooperation with other members, present Working Group outcomes to the full Ad Hoc Committee.

Consensus Building Institute Facilitators

In cooperation with Working Group members, the facilitators from the Consensus Building Institute will design meetings and guide the overall process, in cooperation with the Chair, toward achieving its mutually agreed-upon purpose and goals. The facilitators will work with all the parties to ensure the process is credible, fair, and effective.

The facilitators will:

- Formulate the agenda and desired outcomes for the sessions, including developing a meeting framework or work plan, for the overall process.
- Facilitate effective meetings.
- Create high level meeting summaries to advance the discussion and problem solving.
- Identify and synthesize points of agreement and disagreement.
- Assist in building consensus among members through full group, small group, and individual conversations.
- Work with members to ensure process and participation agreements outlined in this charter.
- Serve as a confidential communication channel for members, alternates, and other stakeholders who wish to express views privately because they do not feel comfortable doing so in a larger group or to facilitate problem solving and conflict resolution.
- Assure a fair, effective, and credible process, but remain impartial with respect to the outcome of the deliberations.

If a member has a concern about bias, neutrality or performance of the facilitator, s/he should raise the concern first with the facilitators and then the funders of the facilitators: California Trout, PG&E, or Sonoma County Water Agency.

Work Plan

The Water Supply Working Group will meet six times in 2018. The chair and facilitator will work with the working group to organize its work plan aimed to achieve the working group charge.

Meeting

Tentative Topics

- 1
05.11.18 Working group organization, composition, work plan
Identify water supply issues on Eel and Russian Rivers
Clarify information needs about existing water supply
Confirm water supply objectives
- AD HOC Briefing and Discussion
- 2 Review preliminary strategies for fish passage from FP working group
Begin identifying strategies that incorporate fish passage and integrate
water supply strategies that can be modeled and analyzed
- 3 Confirm strategies and technical approach to modeling
- 4 Refining approach and technical work
Begin developing recommendations
- AD HOC Briefing and Discussion
- 5 Review modeling results
Refining approach and technical work
Continue developing water supply recommendations
- 6 Refining approach and technical work
Finalize working group water supply recommendations for Ad Hoc
- AD HOC Receives Recommendations

Working Group Composition

The following is the Working Group members commit to the process agreements outlined above. Other Ad Hoc Committee members or colleagues may periodically participate to list to Working Group proceedings.

Chair: Don Seymour, Sonoma County Water Agency

Allan Renger	Fisheries Biologist Supervisor	CDFW
Brian Johnson	California Director	Trout Unlimited
Bryan McFadin	Senior Water Resource Control Engineer	North Coast Regional Water Quality Control Board
Craig Addley		CARDNO (PG&E Consultant)
Damon Goodman	Fish Biologist	USFWS
David Hines	Division 3	CDFW
David Keller	Bay Area Director	Friends of the Eel River
Don McEnhill	Executive Director	Russian Riverkeeper
Don Seymour	Water Agency Principal Engineer	Sonoma County Water Agency
Eric Larson		CDFW
	Supervisor	Humboldt County
Estelle Fennell	Commissioner	Eel Russian River Commission
Guinness McFadden	Board Member	Potter Valley Irrigation District
Jay Jasperse	Chief Engineer	Sonoma County Water Agency

Joshua Fuller	Fishery Biologist	NOAA Fisheries (NMFS)
Matt Myers	Senior Environmental Scientist	CDFW
Parker Thaler	Senior Environmental Scientist - Specialist	SWRCB Water Quality Certification Program
Paul F. Kubicek	Senior Consulting Scientist - Aquatic Biologist	Pacific Gas and Electric Company
Sean Maguire	Program Manager	SWRCB Division of Water Rights Petition, Licensing and Registrations Section
Sean White	Director of Water Resources	City of Ukiah
Thomas Holley		NMFS

Charter Amendments

The Working Group can amend this charter when needed using its decision-making guidelines.