



**Vina
Groundwater Sustainability Agency
Agenda Transmittal**

Agenda Item: 6.1

Subject: Amendment No. 3 to the Vina GSA Stakeholder Advisory Committee Charter

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Meeting Date: October 11, 2023

Regular Agenda

Department Summary:

The Vina Groundwater Sustainability Agency (GSA) receives input and recommendations on groundwater sustainability plan development and implementation from a Stakeholder Advisory Committee (SHAC). The SHAC is a chartered body comprised of ten (10) members that represent the beneficial uses and users of groundwater identified in the Sustainable Groundwater Management Act (SGMA).

The SHAC's original Charter was approved by the Vina GSA Board in March 2020, and amended in November 2020 and May 2022 at the request of the SHAC. At Vina GSA Board's August 28, 2023 meeting, the Board requested reassigning a SHAC seat to include a new beneficial user category. This reassignment offers the opportunity for the Board to also update additional SHAC Charter language to clarify the members' roles.

The attached proposed third amendment to the SHAC Charter includes:

- * Establishing two new beneficial users'/beneficial uses' seats: one for a Non-Irrigated Lands/Rangeland user (previously designated as a Butte College representative) and one for a water scientist, or a person with water-related expertise (previously designated as a Chico State representative).
- * Adding a non-voting Ex Officio member representing Rock Creek Reclamation District, to help facilitate communication between the two GSAs.
- * Detailing the appointment years for all of the designated seats, in working toward staggered terms of service. These staggered terms have half of the seats expiring every two years.
- * Clarifying SHAC member eligibility, terms of service, and appointment timelines.

The Vina GSA Board will consider adopting the amendment to the SHAC Charter or provide direction to the Management Committee.

Fiscal Impact: None

Staff Recommendation: Adopt Amendment No. 3 to the SHAC Charter.



Vina Groundwater Sustainability Agency Stakeholder Advisory Committee Charter

SHAC Charter Amendment 3 for Vina GSA Board approval on 10/11/23

(Annotated Version: Amendment 2 approved Vina GSA Board 5/11/22 with revisions approved by SHAC 4/27/22)

Purpose: The purpose of the Stakeholder Advisory Committee (SHAC) is to provide input and recommendations to the [Vina](#) Groundwater Sustainability Agency (GSA) Board of Directors on groundwater sustainability plan development and implementation. The intent of the SHAC is to provide community perspective and participation in Sustainable Groundwater Management Act (SGMA) implementation. The SHAC will review and/or provide recommendations to the GSA Board on groundwater-related issues that may include:

- Development, adoption, [and](#) amendment of the GSP
- Sustainability goals and objectives
- Best management practices
- Monitoring programs
- Annual work plans and reports (including [the](#) mandatory 5-Year [milestone reports](#)[Updates](#))
- Modeling scenarios
- Inter-basin coordination activities
- Projects and management actions to achieve sustainability
- Community outreach
- Local regulations to implement SGMA
- Fee proposals
- Other

The SHAC will not be involved in the GSA's day-to-day operations, such as contracting, budgeting, etc.

Brown Act, Open Process, and Conflicts of Interest

All meetings of the SHAC are open to the public. The GSA will announce SHAC meetings through its regular communication channels.

SHAC meetings are subject to the Brown Act. The SHAC shall adhere to the schedule adopted by the GSA Board for meetings and adopt a physical location for regular meetings. Regular meetings may be

cancelled by the [Vina GSA](#) Management Committee due to the anticipated lack of a quorum or lack of business to be addressed. Meeting agendas shall be posted in accordance with the Brown Act. Under extenuating circumstances that may preclude the SHAC from holding in-person meetings, the SHAC may consider offering a video-conferencing option. However, all attempts will be made to hold in-person meetings, particularly when substantive discussion and formal recommendations are being considered by the SHAC.

All SHAC meetings shall provide for public comment in accordance with the Brown Act, including non-agenda public comment and public comment on individual agenda items. Speakers will generally be limited to 3 minutes, but time may be adjusted based upon meeting circumstances. As needed, time limits may be placed on public comments to ensure the SHAC is reasonably able to address all agenda items during the course of a meeting. Special and emergency meetings need not provide for non-agenda public comment, but such comment may be allowed at the SHAC's discretion. Members of the SHAC are subject to all applicable conflict of interest laws, including Government Code section 1090 and the California Political Reform Act. The Board shall adopt a conflict of interest code for the SHAC.

Roles and Responsibilities

GSA Board of Directors

The Board commits to the value of the SHAC and will consider SHAC recommendations when making its policy decisions.

Stakeholder Advisory Committee

The role and responsibility of the SHAC is to solicit and incorporate community and stakeholder interests into recommendations on SGMA implementation in the Vina Subbasin for the Board to consider in its decision-making process.

The criteria for SHAC members are to:

- Serve as a strong, effective advocate for the interest group represented
- Work collaboratively with others
- Commit time needed for ongoing discussions
- Collectively reflect diversity of interests

As part of membership, members agree to:

- Arrive at each meeting fully prepared to discuss the issues on the agenda. Preparation may include reviewing meeting summaries, technical information, and draft documents distributed in advance of each meeting.
- Present their constituent members' views on the issues being discussed and be willing to engage in respectful, constructive dialogue with other members of the group.
- Develop a problem-solving approach in which they consider the interests and viewpoints of all group members, in addition to their own.
- Keep their constituencies informed about the deliberations and actively seek their constituents' input.

- When desired, submit agenda items to the Management Committee at least 5 business days before the meeting takes place to ensure the Committee is able to consider inclusion on the SHAC meeting agenda. If agenda topic(s) are submitted less than 5 days prior to a SHAC meeting, the topic(s) will be considered for the subsequent meeting's agenda.

Management Committee

- Administer the SHAC.
- Maintain a current roster of SHAC members.
- Work with GSA Board to fill SHAC vacancies, as needed.
- Prepare agendas for SHAC meetings.
- Notice all meetings in accordance with the Brown Act.
- Provide at least one staff member for all meetings, record meetings and post them on the website, and develop and distribute action minutes.
- Work with SHAC and GSA Board to develop annual workplan and schedule for SHAC meetings.
- Facilitate the process of incorporating SHAC recommendations into Board packets.
- Provide options and ensure records for AC 1234 Ethics Training and Brown Act Training for SHAC members.
- Maintain a record of all meeting materials.

SHAC Officers

The SHAC will elect a Chair and Vice Chair at the first regular meeting of each [calendar](#) year. If either position becomes vacant before the year ends, another election will be held as soon as it is reasonably possible to fill the vacant position. In the absence of both the Chair and Vice Chair, the SHAC shall elect a Chair to preside at the current meeting.

The Chair shall call regular meetings to order and attend and preside over meetings. The Vice Chair shall take on the duties of the Chair, if the Chair is absent or if the Chair's position is vacant, until another election is held.

Officers may resign at any time with written notice. Officers may be removed and replaced at any time, with or without cause, by a majority vote of the SHAC or supermajority vote of the GSA Board. In the event that any non-at-large SHAC member officer is removed by their respective organization, that officer position shall become vacant.

The Chair should attempt to ensure an open process where all member interests are heard and thoughtfully considered. Chair responsibilities are to:

- Plan and run meetings in accordance ~~to~~[with](#) the governing document.
- Ensure matters are dealt with in an orderly, efficient manner.
- Advocate for a fair, effective, and credible process, but remain impartial and objective with respect to the outcome of the deliberations and decisions made.
- Apply collaborative, mutual-gain negotiation methods that foster openness and identify areas of preliminary and final consensus agreement for advice and recommendations to the Board.
- In the absence of consensus, help identify areas of agreement and disagreement.

- Check in with members as needed to ensure all issues are identified and explored.
- Coordinate with Management Committee to ensure accurate, impartial documentation of meetings and agreements (i.e., action minutes)
- Ensure all members uphold the tenets of the charter and address conflicts within the committee.

Membership

Composition of the SHAC is intended to represent the beneficial uses and users of groundwater identified in SGMA. SHAC members may not serve concurrently on the [Vina](#) GSA Board. Members must live or work within the Vina Subbasin or represent an organization with a presence in the Vina Subbasin. [A SHAC Member may not be a party to any pending litigation against the Vina GSA or any of its JPA member organizations.](#)

The GSA Board will appoint representatives to the SHAC, for a total not to exceed 10 [voting](#) members, [with one additional non-voting Ex Officio member appointed from the Rock Creek Reclamation District, to facilitate communication between the Vina Subbasin's two GSAs.](#) The following ~~represents~~[denotes](#) SHAC representation:

- Agricultural groundwater users (3)
- Cal Water (1)
- ~~At-large~~ [Domestic well users](#) (2)
- ~~At-large~~ [Environmental representative](#) (1)
- ~~At-large~~ [Local business representative](#) (1)
- ~~Butte College~~ [Non-irrigated land/rangeland user](#) (1)
- ~~CSU Chico~~ [Water scientist, or person with water-related expertise](#) (1)
- [Ex Officio representing RCRD \(designated by RCRD\)](#) (1)

The GSA Board may appoint other interests representing beneficial users and uses of groundwater as per Water Code Section 10723.3.

Member Appointment

The GSA Board will appoint ~~At-large~~ members to fill SHAC seats. Interested individuals from the community or organizations may apply to the GSA Board, designating in the application the seat that the applicant would intend to fill. The GSA Board encourages candidates with experience and familiarity with groundwater and its management. The GSA Board will also give preference to applicants who have the backing of multiple organizations or ~~individuals~~ [beneficial users](#), and/or [those that](#) have experience working with diverse community-based groups.

[Stakeholder Advisory Committee Member Terms](#)

SHAC members serve four-year terms, with members appointed at the final SHAC meeting of the year before their term begins on January 1 of the following year. SHAC members are not term-limited. However, each term SHAC members must resubmit an application to the GSA Board. In the event a term is expiring, and no candidates apply for the open seat, the serving member whose term is expiring may continue in the role, with Vina GSA Board approval, until a qualified candidate is available for that seat. SHAC members serve at the will of the GSA Board and may be removed by the Board with or without cause upon a supermajority vote by the Board. SHAC members may also be removed from the Committee at such time as they no longer meet the membership requirements, or for failure to attend three consecutive meetings, unless there are extenuating circumstances as determined by the GSA Board.

To ensure consistent representation and management of appointees, SHAC membership has staggered seat appointment years, as follows:

SHAC Appointments in 2023	SHAC Appointments in 2024	SHAC Appointments in 2025	SHAC Appointments in 2027
Agriculture groundwater users (2)	Domestic well users (1) * serving a one-year term (see note below)	Agriculture groundwater users (1)	Agriculture groundwater users (2)
Domestic well users (1)		CalWater (1)	Domestic well users (1)
Environmental representative (1)		Domestic well users (1)	Environmental representative (1)
Local business representative (1) * serving a two-year term (see note below)		Local business representative (1)	Non-irrigated land/rangeland user (1)
Non-irrigated land/rangeland user (1)		Water scientist (1)	
Ex Officio RCRD (1) ongoing		Ex Officio RCRD (1) ongoing	Ex Officio RCRD (1) ongoing

Note:

To achieve equal numbers of staggered terms, one of the appointed domestic well users will serve a one-year term (appointed in 2024 and expiring in 2025) and the local business representative will serve a two-year term (appointed in 2023 and expiring in 2025). In 2025, both of these appointments will resume as four-year terms.

Application Timeline

The GSA Board will has established a timeline and process for appointment of the initial SHAC following GSA formation members. In subsequent years, a applicants will submit an application for vacant seats in the year in which a seat is expiring. The GSA will post applications and the appointment timeline on its website.

Stakeholder Advisory Committee Member Terms

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~~event a term is expiring, and no candidates apply for the open seat, the serving member whose term is expiring may continue in the role, with Vina GSA Board approval, until a qualified candidate is available for that seat. SHAC members serve at the will of the GSA Board and may be removed by the Board with or without cause upon a super majority vote by the Board. SHAC members may also be removed from the Committee at such time as they no longer meet the membership requirements, or for failure to attend three consecutive meetings, unless there are extenuating circumstances as determined by the GSA Board.~~

Decision-Making and Governing Board Consideration

Meetings

A quorum, defined as the majority of seated members, is required to hold a meeting. All meetings shall be conducted pursuant to Rosenbergs’s Rules of Order. Motions can be made and seconded by SHAC members, with time then made available for public comment and discussion amongst members and before voting occurs.

Voting

Each SHAC member will have one vote. An affirmative vote by the majority of SHAC members in attendance will be required to approve any item.

Board Recommendations

To inform GSA Board decision-making, the Management Committee will provide written staff reports to the GSA Board including SHAC recommendations and a summary of the related discussion points regarding the recommendations. The staff reports for SHAC recommendations will also identify areas of agreement and disagreement amongst SHAC members by name and the number of SHAC members in support or opposition to inform GSA Board decision-making. The SHAC will strive for consensus when possible, but reaching consensus is not necessary. Consensus means that everyone can at least live with a recommendation. Pursuant to GSA Board direction, the Management Committee will develop the annual work plan and schedule for SHAC meetings. The SHAC will adopt a charter describing its purpose, operating principles and ground rules that will be confirmed by the GSA Board of Directors. The GSA Board will consider SHAC recommendations when making decisions. If the GSA Board does not agree with the recommendations of the SHAC, the GSA Board shall state the reasons for its decision. The Management Committee, develops action minutes, provides a record of the meetings on the website and provides a staff report to the GSA Board as described above. Following SHAC meetings, action minutes will be developed by the Management Committee for approval at the subsequent SHAC meeting. The final version of the action minutes will also be provided to the Vina GSA Board.

Process Agreements and Ground Rules

To conduct a successful collaborative process, all SHAC members will work together to create a constructive, problem-solving environment. To this end, all members agree to the following process agreements which the SHAC will use, and to ground rules which will guide individual and group behavior.

Process Agreements

- ✓ Everyone agrees to negotiate in good faith. All participants agree to participate in decision making, to act in good faith in all aspects of this effort and to communicate their interests during meetings. Good faith also requires that members not make commitments they do not intend to follow through with, and that members act consistently in the meetings and in other forums where the issues under discussion in these meetings are also being discussed.
- ✓ Everyone agrees to address the issues and concerns of the participants. Everyone who is joining in the SHAC is doing so because s/he has a stake in the issue at hand. For the process to be successful, all the members agree to validate the issues and concerns of the other members and strive to reach an agreement that takes all the issues under consideration. Disagreements will be viewed as problems to be solved, rather than battles to be won.
- ✓ Everyone agrees to inform and seek input from their constituents about the outcome of the facilitated discussions. To the extent possible, scheduling will allow for members to inform and seek input from their constituents, and others about discussions.
- ✓ Everyone agrees that members can meet with other organizational or interest group members in accordance with the Brown Act. SHAC members may find it helpful to meet with other organizations or interest group members and to consult with constituents outside of the meeting, so the member is better able to communicate community concerns on the issues at hand.
- ✓ Everyone agrees to attend all the meetings to the extent possible. Continuity of the conversations and building trust are critical to the success of the Advisory Committee. Members are encouraged to turn off cell phones and focus on the issue at hand. GSA staff or the facilitator will coordinate the meeting schedule.

Ground Rules

- ✓ Use Common Conversational Courtesy: Treat each other with mutual respect as you discuss and deliberate groundwater issues.
- ✓ All Ideas and Points of View Have Value: The goal is to achieve understanding. Simply listen, you do not have to agree. If you hear something you do not agree with or you think is "silly" or "wrong," please remember that the purpose of the forum is to share ideas.
- ✓ Be Honest, Fair, and as Candid as Possible: Put your interests forward, help others understand you and listen actively in order to understand others.
- ✓ Avoid Editorials: It will be tempting to analyze the motives of others or offer editorial comments. Please talk about your own ideas and thoughts. Avoid commenting on why you believe another participant thinks something.
- ✓ Honor Time, Be Concise and Share the Air: Help ensure an inclusive discussion by being cognizant of time constraints, stating your views clearly and concisely, and sharing the air so others can participate as well.

- ✓ Think Innovatively and Welcome New Ideas: Creative thinking and problem solving are essential to success. “Climb out of the box” and attempt to think about the problem in a new way.
- ✓ Invite Humor and Good Will: Don’t hesitate to bring levity and humor to the process when warranted, as this often helps collaborative discussions.

Amendments

The SHAC can recommend future changes to [the-its](#) Charter. The [Vina GSA](#) Board may amend the charter, when needed, using its decision-making procedure.