

SANTA CLARA BASIN WATERSHED MANAGEMENT INITIATIVE 2003 SIGNATORY DOCUMENT

Preamble

The Parties¹ enter into this Santa Clara Basin Watershed Management Initiative to develop and assist in the implementation of recommendations to protect and enhance beneficial uses of water² and to prevent and control water pollution in the Santa Clara Basin³. This Watershed⁴ Management Initiative (WMI) effort is being undertaken as part of the United States Environmental Protection Agency, State Water Resources Control Board, and San Francisco Bay Regional Water Quality Control Board efforts toward implementing an integrated watershed management approach to local stewardship of water and watershed resources, and to administering water pollution control programs.

Mission

Protect and enhance the watershed, creating a sustainable future for the community and the environment.

Goals

1. Ensure that the WMI is a broad consensus-based process.
2. Ensure that necessary resources are provided for the implementation of the WMI.
3. Simplify compliance with regulatory requirements without compromising environmental protection.
4. Balance the objectives of water supply management, habitat protection, flood management, and land use to protect and enhance water quality.
5. Protect and/or restore streams, reservoirs, wetlands and the bay for the benefit of fish, wildlife and human uses.

¹ The Parties are the agencies and entities that have executed this Signatory Document.

² Beneficial uses of water: State policy for water quality control in California is directed towards achieving the highest water quality consistent with maximum benefit to the people of the state. Beneficial uses are the resources, services and qualities of aquatic ecosystems and underground aquifers that are the ultimate goals of protecting and achieving high water quality. (Source: San Francisco Bay Region Water Quality Control Plan)

³ Santa Clara Basin: the administrative unit used by the RWQCB to designate the beneficial uses of the water bodies and watersheds which drain into the San Francisco Bay south of the Dumbarton Bridge. The Basin includes portions of Santa Clara, San Mateo and Alameda counties.

⁴ Watershed: the land area which drains into a single or system of streams, rivers or channels.

6. Implement the Watershed Action Plan and ensure that it is continuously improved with current scientific information.

Process

The Watershed Management Initiative Process consists of:

1. Gathering and evaluating data to determine the state of the Santa Clara Basin,
2. Identifying conditions affecting the Basin,
3. Developing goals for the conditions of the Basin,
4. Issuing a report on the results of this effort, and
5. Developing recommendations that include techniques designed to protect, maintain and enhance beneficial uses of water in the Santa Clara Basin.
6. Assisting in the implementation of the recommendations (No. 5 above).

Principles

The Parties agree on the following principles:

1. A Watershed Action Plan (Plan) should be developed and implemented. The Plan:
 - a. Should reduce watershed conflicts.
 - b. Should meet the needs of and have the political and economic support of the present generation, without compromising the needs of future generations.
 - c. Should provide a practical means of maximizing benefits and minimizing adverse impacts on riparian, wetland and other ecosystem habitat within the Basin.
 - d. Should have clear goals and measurable objectives.
 - e. Should be implementable, affordable, and prioritized, and make efficient use of the limited resources available.
2. The contribution of each stakeholder is essential to the success and implementation of the Initiative Process and Plan. Funding of the Initiative will be based on contributions as independently determined by each Party, and/or through grants, in-kind services, voluntary contributions, and/or other similar sources.
3. The Initiative Process will:
 - a. Solicit participation of the broadest range of interests, including regulatory, business, environmental, government and the public.
 - b. Operate on the principle of continuous improvement with periodic self-checks and modifications as appropriate.

- c. Recognize and support the provisions of responsible water supply, flood management, pollution control and environmental protection for the Santa Clara Basin.
- d. Support public awareness and continued funding for programs and activities that implement the Plan.
- e. Evaluate and support land use plans and development practices compatible with the objectives of providing: an adequate water supply, flood management, pollution control and other environmental protection objectives.
- f. Strive to continually improve scientific understanding of the watershed system and modify the Plan accordingly.
- g. Provide a forum for conflict resolution and consensus building among the diverse interests in the watershed by addressing the needs of the parties, agencies, organizations, and interests represented in the Core Group.
- h. Take into consideration current fiscal, regulatory and environmental conditions and best management practices while developing the Plan.

Purposes of The Core Group

The Representatives of the Parties shall constitute the Core Group for the Watershed Management Initiative (Core Group). The Core Group consists of various public agencies and organizations but is designed to include all interested stakeholders in the Santa Clara Basin. The Representatives will: 1) Inform their respective agencies and organizations about Core Group direction and recommendations; 2) Bring the concerns of their respective agencies or organizations to the Core Group. Party Representatives shall report back to the Core Group on any actions taken by their agencies or organizations on matters that have been considered by Core Group. The Core Group will welcome, and respond to, as appropriate, input on the Initiative Processes that are proposed by public agencies, private companies, non-profit groups and individuals.

Tasks And Responsibilities of Core Group

The Core Group has done and shall continue to do the following:

- 1. Oversee the process of the Watershed Management Initiative including implementation and continuous improvement of the Watershed Action Plan. This includes the following:
 - a. Seek funding to implement the Watershed Action Plan and utilize available resources, and encourage coordinated efforts to protect and enhance natural resources and the "livability" of the Santa Clara Basin.
 - b. Approve a program budget if funding is obtained.
 - c. Identify the desired condition and beneficial uses of the watershed and lower South Bay.
 - d. Compile and use available resource information to determine the current condition of the watershed.

- e. Study the existing condition of the watershed and methods of preserving and enhancing its environment.
 - f. Identify and establish an effective public involvement and education program to ensure citizen participation in natural resource management of the Basin.
 - g. Promote ongoing monitoring of environmental health indicators of the Basin.
2. Provide a stakeholder forum for watershed related issues for the Santa Clara Basin.
 3. Provide information on Core Group direction and recommendations to signatory agencies and organizations, however the agencies and organizations are not required to act upon the information provided.
 4. Provide a forum for watershed outreach and education, and encouraging public support and action to preserve and enhance watershed.
 5. Coordinate between all agencies and organizations on watershed-related issues and programs.

Core Group Cooperative Membership

Each Party shall have one Representative and an alternate selected by its agency or organization. If a Representative is unable to regularly attend Core Group meetings, the Representative will request the agency or organization to nominate a replacement Representative. Additional Parties may be added by a vote of the majority of the existing Parties present and voting. Each Party is entitled to one vote. Parties shall be entitled to withdraw upon the decision of their agency or organization. The Core Group shall select a chairperson to preside over meetings who shall serve in that capacity at the pleasure of the Core Group, and to ensure adherence to the Core Group's ground rules. The Core Group may form subgroups or task forces from among its members and seek technical assistance.

Core Group Decision Making

1. The Core Group will use a consensus decision-making process. A consensus does not mean the recommendation or action is everyone's first choice; it means that everyone is reasonably satisfied with or has no strong objection to that recommendation or action and can support the Core Group decision.
2. At the Core Group meetings, the Representatives present may select a Chairperson pro tempore if the standing Chairperson is not present. The Core Group may also utilize meeting facilitator(s). The Chairperson working with any facilitator will conduct the meeting, seek full participation of members, keep discussions focused, and help Representatives reach a consensus. Periodically during a decision-making process, the Chairperson and/or facilitator shall check in with Representatives to determine the level of a consensus on an issue.
3. Everyone present will be encouraged to participate and express their opinions and concerns at the meetings, prior to decision-making.

4. Sufficient time will be provided for the Representatives to seek advice from constituents, agencies, or other experts, when desired, before action is taken by the Core Group Representatives.
5. If the Representatives cannot reach a consensus on an issue, the recommendation or action taken will acknowledge the minority opinion. When Core Group information and/or reports on such issues are advanced to policy or decision making bodies, that information and/or report will be advanced recognizing the minority opinion(s) within the Core Group.
6. The Representatives will inform their respective agencies and organizations about Core Group direction and recommendations.

Core Group Participation

1. The Core Group will hold regular meetings and follow agreed upon ground rules. The final agenda will be sent to all Representatives and to those who request it at least four business days in advance of the meeting to allow posting of the agenda. Business will be conducted by the Representatives present.
2. The Representatives shall be committed to actively participate in the Core Group.
3. The Representatives will inform their respective agencies and organizations about Core Group direction and recommendations and will bring their organizations' concerns to the Core Group.
4. Each Representative will brief their alternate on all issues and proceedings prior to the alternate's attendance at Core Group meetings.
5. The Representatives will make every effort to attend all Core Group meetings. If they are unable to do so, they will notify their alternate.
6. The Parties will endeavor to notify the Core Group chairperson if both their Party Representative and their alternate are unable to attend a Core Group meeting.
7. If the Party Representative and their alternate are unable to attend a meeting, the Representative may provide written comments or ask another Representative to represent their position or ask for a delay on a particular issue. However, an absent Representative may not block a consensus.
8. Representatives will notify the Core Group Chairperson if they plan to vacate their positions and identify replacements.

Public Information and Media Contacts

1. Public information and media contacts concerning Core Group activities will be coordinated through the Chairperson.
2. Representatives are encouraged to discuss and promote decisions and activities of the Core Group with broader constituencies and provide feedback to the Core Group from such contacts.

Term of Office

The term of the chairperson(s) will be one year. Following the first year, the Core Group may reelect or reappoint the chairperson(s) for another term or select a new chairperson(s).

Amendments

A Representative may propose amendments to the Signatory Document at any time. Upon consensus of the Core Group, the proposed amendment shall be forwarded to the respective parties for consideration.

Signatures

By signing this page the following agencies and organizations agree to this 2003 Signatory Document.

Name of Authorized Agent: _____

Signature of Authorized Agent: _____

Title: _____

Agency/Organization: _____

Date: _____