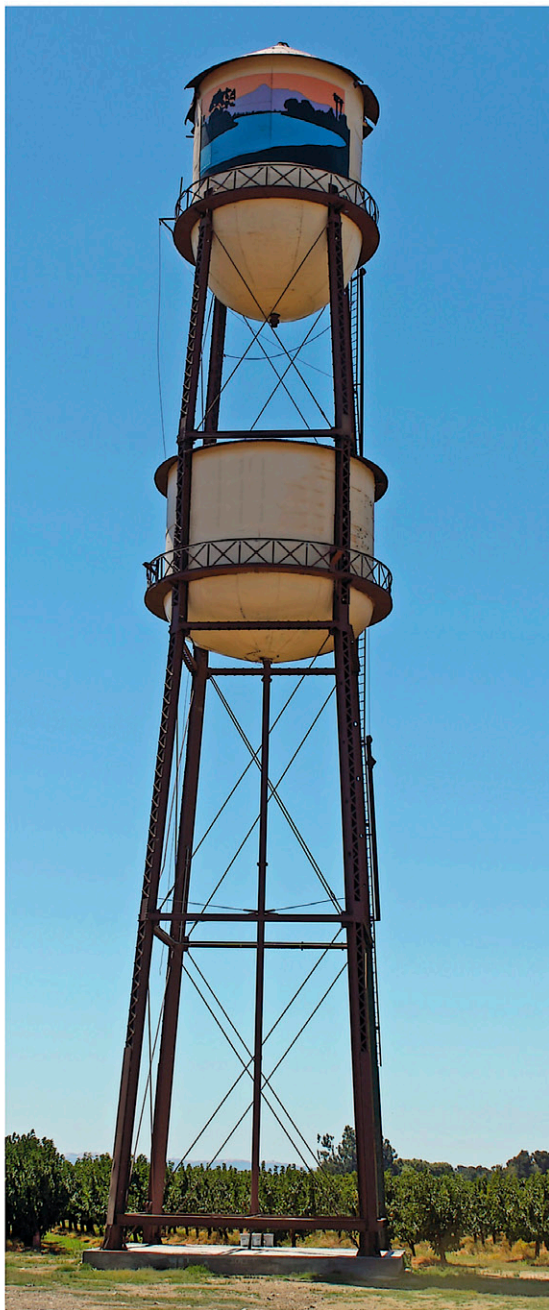
Collaborating for Success:

Stakeholder Engagement for Sustainable Groundwater Management Act Implementation



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ABOUT:

The **Community Water Center** (**CWC**) is a non-profit environmental justice organization based in the Central Valley, whose mission is to create community-driven water solutions through organizing, education, and advocacy. CWC's fundamental goal is to ensure that all communities have access to safe, clean, and affordable water. CWC employs three primary strategies in order to accomplish this goal: 1) educate, organize, and provide assistance to low-income communities of color facing local water challenges, 2) advocate for systemic change to address the root causes of unsafe drinking water in the San Joaquin Valley, and 3) serve as a resource for information and expertise on community water challenges.

Clean Water Fund (**CWF**) is a national §501(c)(3) research and education organization, founded in 1974, that promotes the public interest in protection of natural resources, with a special emphasis on water issues. CWF's mission is to develop strong grassroots coalitions, organizations and citizen leadership to address health, consumer, environmental and community problems. CWF works collaboratively with allied organizations and concerned individuals to link ecological protection with pollution prevention from a community public health perspective.

The **Union of Concerned Scientists** (**UCS**) puts rigorous, independent science to work to solve our planet's most pressing problems. Joining with citizens across the country, we combine technical analysis and effective advocacy to create innovative, practical solutions for a healthy, safe, and sustainable future.

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EXECUTIVE SUMMARY

In August 2014, the California Legislature passed the Sustainable Groundwater Management Act (SGMA), marking a fundamental shift in the management of water resources in California. For the first time, groundwater in the state will have to be managed to protect the long-term reliability of the resource. SGMA is thus an important step forward, but achieving the objective of sustainability will ultimately depend on the commitment and participation of a large number of actors throughout its implementation.[1]

Research on sustainable management of shared resources such as groundwater underscores the critical role of stakeholder engagement. While stakeholder engagement requires time and resources in the short term, the benefits of improved outcomes, optimized resources, and broad support and reduced conflict can make these efforts invaluable in the long term. As such, SGMA establishes stakeholder engagement and collaboration as key to achieving the objectives of the law. The local agencies charged with implementing the law have, however, been given little guidance about how to best implement these tools. Although some of the statutory requirements for stakeholder engagement are quite specific, many are not. SGMA's statutory requirements for public notice and participation through public hearings and interested parties lists are fairly straightforward. On the other hand, requirements to "consider the interests of all beneficial uses and users of groundwater" and to "encourage the active involvement of diverse social, cultural, and economic elements of the population" leave many more questions than answers as to what this means or how this can be accomplished.

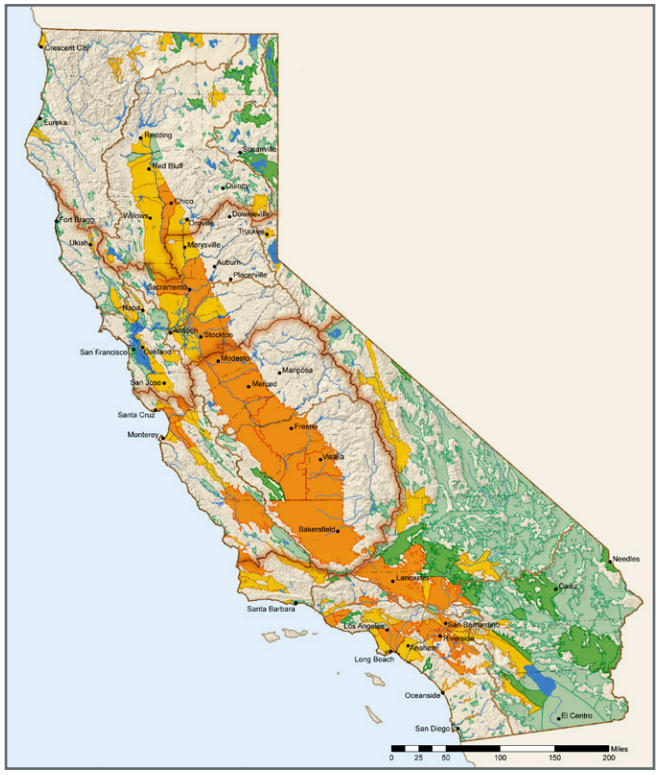
The results of stakeholder engagement strongly depend on the nature of the engagement process. Therefore, the manner in which SGMA's engagement and participation requirements are incorporated into the process will ultimately determine the degree to which these efforts further the goal of achieving sustainable groundwater management. For local agencies and, later, Groundwater Sustainability Agencies to maximize the impact of stakeholder engagement, engagement needs to be institutionalized so that stakeholder constributions tangibly shape outcomes. Additionally, the level of and mechanisms for engagement need to be suited to the needs, desires, and interests of the stakeholders.

The intent of this paper is to convey the value of stakeholder engagement to sustainable groundwater management and to provide tools that will help maximize its benefits. Section One considers the question, what is stakeholder engagement and why is it important? Section Two then outlines the statutory requirements for stakeholder engagement in SGMA. Finally, Section Three, drawing on best practices and examples of collaborative management from around the state, provides a recommended roadmap for effective stakeholder engagement drawn specifically for SGMA implementation.

Governor Brown signing the Sustainable Groundwater Management Act (SGMA), September 16, 2014.

INTRODUCTION

In August 2014, the California Legislature passed the Sustainable Groundwater Management Act (SGMA), which went into effect January 1, 2015. SGMA, a package of three bills (AB 1739 Dickinson, SB 1168 Pavley, and SB 1319 Pavley), marks a fundamental shift in the management of water resources in California. For the first time, groundwater in the state will have to be managed to protect the long-term reliability of the resource. SGMA requires that high- and medium-priority groundwater basins in the state establish Groundwater Sustainability Agencies (GSAs) responsible for groundwater management by June 30, 2017. Upon forming a GSA and submitting notice of its formation to the Department of Water Resources (DWR), a GSA can begin the process of developing a Groundwater Sustainability Plan (GSP) in compliance with the state's regulations. These plans are required to be completed in the year 2020 or 2022, depending on the conditions of the basin; 20 years after that date, the GSA are required to achieve their sustainability mandate.



CASGEM Groundwater Basin Prioritization.

SGMA is groundbreaking, not only in its regulation of groundwater and mandate for sustainability, but also for the process that it outlines to get to sustainability. The collaboration that SGMA requires between and across agencies and stakeholders will be unprecedented in many groundwater basins.

These requirements have set into motion local efforts to organize regional GSAs for the 127 high- and medium-priority groundwater basins currently identified by the DWR. These agencies will have broad powers over local water- and land-use management that will impact a wide range of interests, including but not limited to agricultural, industrial, recreational, Tribal, and environmental interests; large and small drinking water systems; and individual homeowners using private wells. Because SGMA requires that these interests be part of the implementation process, local agencies need to identify and engage these varied interests and determine how their input will be integrated into the decision-making, coordination, and management processes necessary to form GSAs and to craft and implement GSPs. This all needs to happen within a relatively short time.

How can local agencies effectively engage such diverse groups? How much and what type of engagement is needed? What outcomes can be expected if these interests participate? This white paper describes opportunities and strategies for engaging diverse stakeholders in the implementation of SGMA in order to create effective GSAs and GSPs.

SECTION ONE:
Understanding Stakeholder Engagement

In 1968, Garrett Hardin introduced the concept of the "tragedy of the commons," describing how rational, individual choices unintentionally lead to the destruction of shared resources.[2] Since then, a variety of practitioners and scholars have sought to understand how to better manage shared resources such as groundwater. This research has led to an increased understanding of the important role of stakeholder participation in the management of shared resources.[3] Precisely because such resources are not confined by traditional political, managerial, or proprietary boundaries, not only can their management affect distinct and diverse stakeholders, but also this management requires collective action if irreparable harm is to be avoided. This need for collective action is the driving force behind a shift toward stakeholder engagement in the management of shared resources.[4]

What Is Stakeholder Engagement?

Stakeholder engagement is defined as efforts made to understand and involve stakeholders and their concerns in the activities and decision-making of an organization or group.[5] Premised on the principle that those affected by a decision have a right to be involved in the decision-making process, stakeholder engagement is an important tool for fostering acceptance, trust, and compliance in decision-making settings. When it comes to shared resources, stakeholder engagement provides an invaluable pathway toward the collective action needed to manage such resources sustainably.

Rather than a set list of activities to check off, stakeholder engagement is a framework that offers a continuum of options and possibilities. Some forms of engagement consist simply of notifying the public of intended actions and public hearings. More active forms of engagement can range from consulting with stakeholders to establishing collaborative decision-making models. The International Association of Public Participation's (IAP2) spectrum of engagement, included in Appendix A, illustrates these different levels of engagement.

Common Concerns

It is common for agencies have concerns when they consider stakeholder engagement. First and foremost, the process requires resources: Stakeholder engagement

Stakeholder engagement is defined as efforts made to understand and involve stakeholders and their concerns in the activities and decision-making of an organization or group.

requires investment—sometimes significant investment—in everything from staff time for organizing, advertising, and running additional meetings, to developing educational materials. Interacting with diverse stakeholders may be new to an agency whose staff members may worry about not having the expertise or experience required to undertake these activities. Contracting with facilitators who do have these skills requires still further expense. However, it is important to consider the costs of lawsuits, outreach, and enforcement staffing, which are often far higher costs for agencies that have not done effective stakeholder engagement.

Another concern is the added time that engagement requires. Developing a management plan or a regional assessment, for example, is time consuming enough with a small group, let alone with a large group of diverse stakeholders. For many agencies, therefore, incorporating more people into such a process, especially in the face of tight deadlines, may seem impossible or unwise. However, delays due to lawsuits, protests, competing actions, or lack of on-the-ground compliance may result in far greater delay for local agencies that have not included stakeholders in the process.

Beyond the expense and time required, opening up a decision-making process can be daunting or counterintuitive to agencies trying to exert order and control. Some stakeholders may be hard to find; others may be difficult to work with. Simply agreeing on the issues to be addressed or the goals to be achieved when voices, priorities, and needs are added may be a challenge, to say nothing of working out the details of how the group will actually achieve these goals. Yet without effective engagement of the diverse interests in the basin, there is likely to be far more resistance and conflict at all stages of planning and implementation.

All of these concerns are real and valid, but both research and experience have shown that investment in

Active engagement requires greater up-front resource commitments. However, decades of research results and real-world experience suggest that investing in engagement can lead to numerous benefits that improve implementation and management over the long term.

effective stakeholder engagement leads to better outcomes and reduced costs over the long term. Sustainable groundwater management by definition requires a long view, even as local agencies consider how to stretch extremely limited resources in the interim.

Benefits

Why do both scholarship and legislation more and more often recognize the need for stakeholder engagement? Research consistently finds that investing in effective engagement leads to numerous benefits that improve implementation and management over the long term.[6] Broadly, these benefits are classified as

- improved outcomes;
- optimized resources;
- broad support and reduced conflict.

Improving Outcomes

A vast body of scholarship illustrates the many ways that engagement can improve the management of shared resources.[7] Effectively engaging diverse stakeholders can aid the development of a comprehensive understanding of regional issues and contribute to planning outcomes that account for, and are responsive to, the different needs in the region.[8] Collaboration often leads to innovative management solutions that benefit from diverse expertise, experience, and viewpoints.[9] In water management, for example, regional collaboration offers the potential of increased water supply flexibility and resiliency.

But far beyond discrete management outcomes in the short term, stakeholder engagement has the potential to shift people's underlying attitudes, the effects of which can fundamentally change management.[10] Stakeholder engagement is therefore useful not only for the development of solutions in the short term, but also for ensuring the sustainability of those solutions in the future.[11] Stakeholder engagement can build social capital, promote trust, and foster relationships, which can both improve the long-term outcomes of the process and lay the groundwork for collaboration in other situations.[12]

By improving communication and coordination among a diverse array of regional stakeholders, the Stakeholder Oversight Advisory Committee (SOAC) for the Tulare Lake Basin Disadvantaged Community Water Study was essential to the success of the study. Bringing stakeholders together led to collaboration on the implementation of the study's recommendations and also to additional opportunities to address regional concerns. ***To learn more about SOAC and its impacts, see Appendix C.***

Optimizing Resources

Stakeholder engagement takes time and resources to be done well. Yet, when done successfully, it can provide great long-term savings. Stakeholder engagement can allow agencies to leverage networks and resources to their advantage and can provide a means whereby agencies can capitalize on local knowledge, including the expertise, resources, and capacity of individual stakeholders. Advisory groups, for example, represent an important opportunity for decision-making bodies to obtain low-cost specialist or technical expertise and to benefit from alternative perspectives. Collaboration with California Indian Tribes, for example, can integrate the Tribes' traditional ecological knowledge and also has the potential benefit of leveraging federal funding sources. Additionally, as the literature on common-pool, or shared, resources points out, affording stakeholders a larger role in decision-making ensures early and meaningful engagement and provides incentives for stakeholders to support resulting management actions.[13]

Benefits of Stakeholder Engagement

- Create lasting, durable agreements.
- Build public support.
- Increase public awareness.
- Establish policies that are responsive and robust.
- Protect against future lawsuits.
- Increase resiliency and adaptability.
- Leverage additional funding sources.
- Build relationships and trust among resource users.
- Establish new partnerships.
- Promote better science.
- Promote innovation.
- Increase resource efficiencies.
- Reduce the need for oversight and enforcement.
- Increase credibility.

Integrating stakeholders in ways that promote these benefits, rather than going through the motions simply for the sake of "engaging stakeholders," should be the focus of implementers looking to maximize the impact of engagement.

This can greatly reduce expenditures on oversight and enforcement and may prevent legal and legislative actions that increase costs and cause delays.[14]

In 2013, the Cosumnes American Bear Yuba (CABY) Integrated Regional Water Management (IRWM) group reevaluated its governance structure and decided to move away from a heavily bureaucratic model reliant on consultants to an administrative structure that relies more heavily on member efforts and resources. The updated hands-on governance model has improved the relationships between the parties while simultaneously reducing costs and helping to raise more than $12 million in grant dollars for the region. ***For more about collaboration in the CABY IRWM program, see Appendix C.***

Building Broad Support and Reducing Conflict

Engaging a range of stakeholders prior to making a decision can build trust and promote stakeholder buy-in, ultimately increasing public acceptance and support for a decision or outcome.[15] This is especially true when data management or technical analysis is employed as the rationale for a particular decision to be made because the engagement process provides the time needed to allow stakeholders to learn, process, and evaluate assumptions themselves.[16] Experience in managing shared resources, such as groundwater, shows that collaborative processes can also reduce conflict.[17] The main mechanisms through which this occurs is development of a shared understanding among actors of the issues and science and increase in trust between actors; this trust is fostered through repeated, positive interactions and negotiation among stakeholders in order to define acceptable compromises.[18] Engaging stakeholders who may not always agree can appear daunting; however, structuring a process that manages diverse opinions is possible and can prove fruitful in the long run if parties are able to improve relationships. Alternatively, a lack of outreach and communication can discredit even the best of planning processes.

Since signing a negotiated agreement in 2003, the Sacramento Water Forum signatories have developed groundwater management plans for three basins, have established a water-use efficiency program for local water agencies, and continue to negotiate flow standards for the lower American River—all without the litigation that hampered progress for decades. ***For more information about how the Sacramento Water Forum has reduced conflict in their area, see Appendix C.***

Effective Stakeholder Engagement

Clearly, much can be gained by promoting stakeholder participation in a planning or decision-making process. What is less clear is how this can be done consistently. The

SGMA Stakeholder workshop in Tulare County.

Guiding Principles for Effective Stakeholder Engagement

The IAP2 offers a set of core values for the practice of public participation that is a useful guide for practitioners looking to maximize the effect of stakeholder engagement of any type.

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2 Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.

Citation: International Association for Public Participation (IAP2) Federal, *Core Values for the Practice of Public Participation*, http://www.iap2.org/?page=A4

outcome of stakeholder engagement is highly contingent upon the process of engagement itself.[19] To produce the benefits discussed, stakeholder engagement needs to be institutionalized, creating a culture in which stakeholder contributions tangibly shape outcomes.[20]

Additionally, for stakeholder engagement to effectively promote the benefits of participation, the level of and mechanisms for engagement need to be suited to the needs, desires, and interests of the stakeholders themselves. For example, while the public at large requires transparency, information, and consultation, stakeholders whose interests are directly affected by the approaching decision may require more opportunities to participate; those whose immediate needs could be directly affected likely will require still more engagement than that. At any given point or for any given stakeholder, a different manner or level of engagement may be needed. For this reason, stakeholder engagement is an ongoing, iterative process that should be institutionalized and revisited through time. The IAP2 spectrum (included in Appendix A) is a useful tool for considering the ways that the needs of each distinct stakeholder can be met. This is not to say that stakeholders hold total control of the process, but instead that implementers, in collaboration with stakeholders, design a process that—like the final outcome—is responsive to their needs.

Bill authors Senator Fran Pavley and Assembly member Roger Dickinson with staff and advocates active in development and passage of groundwater legislation.

SECTION TWO:
SGMA Requirements for Stakeholder Engagement

In recognition of its benefits, stakeholder engagement has come to occupy an increasingly important role in California's water resource management, from Integrated Regional Water Management planning to the California Marine Life Protection Act Initiative.[21] It should be no surprise, then, that SGMA includes numerous statutory requirements for stakeholder engagement. These range from specific required procedures at the inform-and-consult end of the participation spectrum to more overarching substantive requirements aimed at addressing the particular needs of the many beneficial uses and users of groundwater.

Public Notice and Participation

SGMA sets out numerous public notice requirements for both local GSAs and the state, ensuring that the general public is apprised of local actions and allowing stakeholders to self-select and access information as they become engaged. Three sections of the Water Code require public notice before establishing a GSA, adopting or amending a GSP, or imposing or increasing a fee:

- *Section 10723(b). Before electing to be a groundwater sustainability agency, and after publication of notice pursuant to Section 6066 of the Government Code, the local agency or agencies shall hold a public hearing in the county or counties overlying the basin.*
- *Section 10728.4. A groundwater sustainability agency may adopt or amend a groundwater sustainability plan after a public hearing, held at least 90 days after providing notice to a city or county within the area of the proposed plan or amendment.*
- *Section 10730(b)(1). Prior to imposing or increasing a fee, a groundwater sustainability agency shall hold at least one public meeting, at which oral or written presentations may be made as part of the meeting.... (3) At least 10 days prior to the meeting, the groundwater sustainability agency shall make available to the public data upon which the proposed fee is based.*

SGMA also requires GSAs to communicate directly with interested persons, be they individuals or organizations/agencies, in their area by creating, maintaining, and employing a list of interested persons, which they are required to submit to the DWR:

Procedural requirements in SGMA mandate public participation, transparency, consultation, and the involvement of beneficial users.

- *Section 10723.4. The groundwater sustainability agency shall establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents. Any person may request, in writing, to be placed on the list of interested persons.*
- *Section 10730(b)(2). Notice of the time and place of the meeting shall include a general explanation of the matter to be considered and a statement that the data required by this section is available. The notice shall be provided by publication pursuant to Section 6066 of the Government Code, by posting notice on the Internet Web site of the groundwater sustainability agency, and by mail to any interested party who files a written request with the agency for mailed notice of the meeting on new or increased fees.*
- *Section 10723.8(a). Within 30 days of electing to be or forming a groundwater sustainability agency, the groundwater sustainability agency shall inform the department of its election or formation and its intent to undertake sustainable groundwater management. The notification shall include the following information, as applicable: (4) A list of interested parties developed pursuant to Section 10723.2*

Beneficial Uses and Users

Broad public participation and transparency are critical to fostering the benefits of stakeholder engagement. But the many beneficial uses and users of groundwater, because they are directly affected by groundwater management, require opportunities for engagement beyond that baseline of inform and consult.

The legislation is highly specific about which stakeholders are included in stakeholder outreach and engagement, naming 10 distinct categories of beneficial users who need to be included while making it clear that more categories may exist:

Broad, overarching requirements establish stakeholder engagement as critical to achieving the objective of sustainable groundwater management while allowing GSAs to tailor their approach to best fit their region.

- *Section 10723.2. The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans. These interests include, but are not limited to, all of the following:*
  (a) Holders of overlying groundwater rights, including:
    (1) Agricultural users.
    (2) Domestic well owners.
  (b) Municipal well operators.
  (c) Public water systems.
  (d) Local land use planning agencies.
  (e) Environmental users of groundwater.
  (f) Surface water users, if there is a hydrologic connection between surface and groundwater bodies.
  (g) The federal government, including, but not limited to, the military and managers of federal lands.
  (h) California Native American Tribes.
  (i) Disadvantaged communities (DAC), including, but not limited to, those served by private domestic wells or small community water systems.
  (j) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency.

Although the law clearly states that these interests are to be considered, the form that this engagement takes is left to each management entity to determine. Another statute requires local agencies to submit to DWR as part of their notice of intent to form a GSA a list of interested parties in the basin as well as a plan for how those interests will be considered:

- *10723.8. (a) Within 30 days of electing to be or forming a groundwater sustainability agency, the groundwater sustainability agency shall inform the department of its election or formation and its intent to undertake sustainable groundwater management. The notification shall include the following information, as applicable: (4) A list of interested parties developed pursuant to Section 10723.2 and an explanation of how their interests will be considered in the development and operation of the groundwater sustainability agency and the development and implementation of the agency's sustainability plan.*
- *10727.8. (a) Prior to initiating the development of a groundwater sustainability plan, the groundwater sustainability agency shall make available to the public and the department a written statement describing the manner in which interested parties may participate in the development and implementation of the groundwater sustainability plan.*

SGMA does, however, provide more specific guidance regarding the role of Native American Tribes, referred to in SGMA as California Native American Tribes, Indian Tribe(s), or California Indian Tribes. Section 10720.3 (c) states that,

> *any federally recognized Indian Tribe, appreciating the shared interest in assuring the sustainability of groundwater resources, may voluntarily agree to participate in the preparation or administration of a groundwater sustainability plan or groundwater management plan under this part through a joint powers authority or other agreement with local agencies in the basin. A participating Tribe shall be eligible to participate fully in planning, financing, and management under this part, including eligibility for grants and technical assistance, if any exercise of regulatory authority, enforcement, or imposition and collection of fees is pursuant to the Tribe's independent authority and not pursuant to authority granted to a groundwater sustainability agency under this part.*

Because Tribes are sovereign nations, Tribal participation in SGMA needs to conform to other applicable state and federal laws. Some of these laws are outlined in Appendix D along with resources and recommendations that may help GSAs meet these requirements.

Overarching Requirements for Stakeholder Engagement

In addition to clear requirements for public notification and participation and engagement of all beneficial users, SGMA includes broader, overarching substantive requirements meant to lead to the engagement of all stakeholders. Unlike the public notice requirements, these

requirements are not prescriptive regarding procedural approach. Rather, management entities can tailor their approach to fit local needs.

While SGMA requires that "*[t]he groundwater sustainability agency shall encourage the active involvement of diverse social, cultural, and economic elements of the population,*"[22] SGMA does not set requirements for how "active involvement" may be accomplished. SGMA authorizes a GSA to form an advisory board as one tool, but does not require any particular structure or approach.[23] Similarly, SGMA requires that "*the groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater.*"[24] However, once again, SGMA does not prescribe a set process or outcome for the consideration of those interests. Nonetheless, these are important legal standards for implementation of SGMA.

Summary of Statutory Requirements for Stakeholder Engagement in SGMA

During GSA Formation:

- ✓ "Before electing to be a groundwater sustainability agency… the local agency or agencies shall hold a public hearing" (CA Water Code Sec. 10723 (b)).
- ✓ "A list of interested parties [shall be] developed [along with] an explanation of how their interests will be considered" (CA Water Code Sec. 10723.8.(a)(4)).

During GSP Development and Implementation:

- ✓ "A groundwater sustainability agency may adopt or amend a groundwater sustainability plan after a public hearing" (CA Water Code Sec. 10728.4).
- ✓ "Prior to imposing or increasing a fee, a groundwater sustainability agency shall hold at least one public meeting" (CA Water Code Sec. 10730(b)(1)).
- ✓ "The groundwater sustainability agency shall establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents" (CA Water Code Sec. 10723.4).
- ✓ "Any federally recognized Indian Tribe… may voluntarily agree to participate in the preparation or administration of a groundwater sustainability plan or groundwater management plan… A participating Tribe shall be eligible to participate fully in planning, financing, and management under this part" (CA Water Code Sec. 10720.3(c)).
- ✓ "The groundwater sustainability agency shall make available to the public and the department a written statement describing the manner in which interested parties may participate in the development and implementation of the groundwater sustainability plan" (CA Water Code Sec. 10727.8(a)).

Throughout SGMA Implementation:

- ✓ "The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater" (CA Water Code Sec. 10723.2).
- ✓ "The groundwater sustainability agency shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin" (CA Water Code Sec. 10727.8(a)).

SECTION THREE: Roadmap for Stakeholder Engagement in SGMA Implementation

The statutory requirements for stakeholder engagement in SGMA are a good starting place for promoting the benefits of improved outcomes, optimized resources, the building of broad support, and reduced conflict. However, the results of stakeholder engagement strongly depend on the nature of the engagement process. Therefore, the manner in which SGMA requirements regarding engagement are incorporated into the process will ultimately determine the degree to which stakeholder engagement furthers the goal of achieving sustainable groundwater management. While SGMA sets a clear mandate for stakeholder engagement throughout implementation, it leaves many of the details of how to engage stakeholders in the hands of GSAs. The following section describes best practices for stakeholder engagement could be implemented to improve the quality and sustainability of GSAs and GSPs.

GSA Formation

Before stakeholder engagement can begin, an agency or group of agencies needs to assume responsibility for developing a process to establish a GSA. Developing this process may be complicated: although no responsible party is designated until a GSA is officially formed, stakeholder engagement in the formation of the GSA is still required. This means that the public agencies organizing to begin the process need to take the initiative, likely at their own expense. If multiple agencies are participating in a joint effort, a memorandum of understanding can be used to establish a cost sharing arrangement. Individual agencies can also assume stakeholder engagement responsibilities in their own territories. If the latter is done, it is important to assign outreach and engagement responsibilities for the areas not covered by a participating agency (or any agency at all, as the case may be) and to ensure consistency between regions. Resources for facilitation, including for initial stakeholder engagement, have been made available through the DWR and the State Water Resources Control Board (SWRCB) specifically for GSA formation. Although these resources are limited, they are an important opportunity for local agencies to jump-start their outreach work.

Whichever local agency or group of agencies takes a lead role in the formation of a GSA, it is important that

SGMA allows local regions to implement stakeholder engagement in the way that works best for them so that they can best capitalize on the benefits of engagement.

stakeholders trust the convening entity. There are many ways an implementer can help build this trust, including by developing and sharing a set of guiding principles that includes a commitment to open communication, inclusivity, and respect. If familiar and trusted structures for communication between regional actors already exists, implementers can build on these opportunities rather than reinvent the wheel. During GSA formation, while there is not yet an established entity, implementers should be careful to avoid the perception that they own the process and instead work to find neutral territory from which to begin conversations. It is also important that the time and effort dedicated by stakeholders to the process is acknowledged and valued.

Who Is Eligible to Be a GSA?

SGMA allows that "any local agency or combination of local agencies overlying a groundwater basin may elect to be a groundwater sustainability agency for that basin" (Cal. Water Code §10723(a)). Because SGMA defines a local agency as "a local public agency that has water supply, water management, or land use responsibilities within a groundwater basin," a wide variety of local agencies are eligible to be GSAs, independently or in cooperation with others (Cal. Water Code §10721(m)). Such agencies include but are not limited to incorporated cities, counties, municipal water districts, irrigation districts, water conservation districts, public utilities districts, municipal utilities districts, community services districts, county water districts, California water districts, water storage districts, and county drainage districts. In addition to being the implementers of SGMA prior to the formation of a GSA, these districts are also stakeholders as defined by Section 10723.2.

A grower operates his agriculture well.

The Community Water Dialogue (CWD), a stakeholder group working to address overdraft in the Pajaro Valley, has ensured that the ample and diverse participation of regional stakeholders remains positive and productive by requiring that each participant agree to three principles: 1) A commitment to protect the Pajaro Valley as an important agricultural resource; 2) Recognition that the solution will not be an importation pipeline; and 3) A willingness to pursue diverse strategies which entail costs and sacrifices in order to bring our aquifer into balance. In addition to these principles, the CWD remains focused on solutions by avoiding a review or rehash of past failures and discussion about the past actions or character of any individual community member in relation to the water issue. ***To learn more about the work of the CWD, see Appendix C.***

Initial Stakeholder Identification and Assessment

Once an agency or a group of agencies takes on the responsibilities for developing a process to establish a GSA, the first step is an initial round of stakeholder identification and assessment. This starts with building an initial stakeholder list, which raises the question, who exactly are the stakeholders for SGMA implementation? Given that groundwater is a critically important shared resource, the stakeholders in sustainable groundwater management are numerous and diverse. All members of the general public rely on groundwater to meet some or all of their water needs and/or can be affected by subsidence and other undesirable results of unsustainable management. All should therefore have access to information regarding the process of establishing a GSA. Additionally, subsets of the population may need or want to engage more with the process. Individuals, groups, or organizations that take a greater interest in the process for any variety of reasons constitute interested parties and are required to be communicated with directly throughout the process. SGMA itself also identifies ten beneficial users and uses of groundwater as specific stakeholder groups for consideration. Translating this theoretical list into a list of identifiable actors within a management area will require research and outreach, especially for local agencies that have traditionally focused on a narrower range of beneficial uses. Appendix B includes tools such as Local Agency Formation Commission (LAFCO) lists of special districts, public water system searches, Tribal consultation procedures, and suggestions for finding local associations and NGOs that can help identify beneficial users in your area.

Because early engagement is so critical to the outcome of stakeholder participation, it is wise for coordination agreements made during the early phase of GSA formation to address outreach responsibilities explicitly.

Although all stakeholders have an important role to play, it is not practical to reach out to every single one at once. To prioritize and plan for the engagement of all of these interests, the first step is to learn the roles, responsibilities, and interests of the various stakeholders.

Beneficial Users Required to Be Considered by SGMA (CA Water Code Sec. 10723.2)

- Holders of overlying groundwater rights, including agricultural users and domestic well owners
- Municipal well operators
- Public water systems
- Local land-use planning agencies
- Environmental users of groundwater
- Surface water users (when there is a connection between surface and groundwater bodies)
- The federal government
- California Native American Tribes
- Disadvantaged communities (including but not limited to those served by private domestic wells or state small systems)
- Entities monitoring and reporting groundwater elevations

Using GSA formation as an opportunity to build relationships and shared understanding with stakeholders will help a future GSA meet the tight deadlines for GSP development.

Stakeholder assessments employing interviews, targeted outreach, assessment questions, and/or roundtables are essential at this juncture. Some key questions for stakeholder assessment are:

- What are their interests, concerns, and priorities?
- How do they rely on groundwater now and how will they in future?
- What are the best tools for communicating with them?
- To what extent and how would they like to be involved?
- What would they like their GSA or GSP to look like?
- What barriers might they face to participating?
- Who else do they believe should be involved?

Developing an understanding of stakeholder perspectives on these issues lays the groundwork for determining the best way to engage and communicate with stakeholders moving forward. In order to answer these questions accurately, it may be necessary to develop a shared understanding of the task at hand. Some, or even a lot of, education and communication may be required to reach a point where all parties involved can move forward.

In initiating the process to consider the development of a Groundwater Management Plan in the Sonoma Valley, stakeholders were interviewed through an area-wide assessment performed by a third-party facilitator to identify concerns and develop a process for stakeholders to work together. Sixteen interviews were conducted with 30 stakeholders, including people representing agriculture, business, residential groundwater users, environmental groups, local governments/public agencies, and water purveyors. ***To learn more about stakeholder engagement in the Sonoma Valley, see Appendix C.***

Seeking Outside, Neutral Assistance

Third-party facilitators can be particularly helpful in guiding discussions between local agencies and stakeholders forward. Facilitators can engage with stakeholders directly, and their involvement often lends a sense of transparency and neutrality that can build trust and promote participation. They can help with the planning and documentation necessary for productive collaboration. Facilitators can help develop a decision-making structure that is representative and responsive to diverse needs as well as work across a basin to help agencies and/or GSAs coordinate their efforts.

Targeted Communication and Broad Outreach

The findings of a stakeholder assessment can help prioritize stakeholders for planning purposes. Stakeholders who have legal responsibilities or roles, such as local agencies having water or land use responsibilities (both big and small) and Native American Tribes, should be prioritized for early and significant engagement especially because they can challenge the adequacy of any agency formed within their boundaries without their inclusion. A second required tier of stakeholders to consider early is the list of beneficial users in Section 10723.2; their engagement is mandated by SGMA because of their reliance on groundwater.

Other stakeholders may not require the same level of involvement, especially in early phases when a GSA is not even close to being formed. Providing regular updates on the progress of GSA formation and hosting a public hearing when a GSA is ready to form may be enough contact to satisfy the needs of the general public and other interested parties during this time. However, the effectiveness of the GSA will be determined, in part, by the support of many stakeholders outside the initial circle of decision makers. Therefore, early engagement in the form of outreach and education is important and all stakeholders need to be informed from the start. The IAP2 spectrum (included in Appendix A) is a useful way to consider how the needs of each distinct stakeholder can be met.

No matter which stakeholder or what level of engagement is being pursued, clear, effective communication is key. There are many ways to facilitate dialogue between actors, but there are a few key strategies that can promote productive communication:

Defining the terms of engagement for all levels of participation is integral to creating an environment in which stakeholder participation is encouraged and anticipated throughout the process.

- **Ensure two-way communication:** To promote collaboration, local agencies need to give as well as receive information. [25]
- **Be clear about the process:** Clearly outlining the objectives of the planning process, the roles and responsibilities of different stakeholders, the opportunities for and scope of different types of engagement, and a timeline for key activities and decisions will go a long way toward building trust among the interested parties.
- **Individualize contact:** Communication and outreach should be informed by the findings of your stakeholder assessment. The more that you know about stakeholders, the better activities can be tailored to fit their needs. For example, in order for meaningful participation to take place, there needs to be realistic opportunities for participation of all interested parties. Participation by stakeholders employed outside of their role as a beneficial user, for instance, such as domestic well owners or farmers, will require evening and weekend meetings.
- **Create meaningful opportunities for feedback:** It is important that communication and outreach occur in a context in which outcomes are uncertain.[26] Stakeholders should play a role in determining the activities and next steps that will guide communication toward decision-making.

For best results, create a communication and outreach plan that addresses these questions and promotes transparency. If there has been a history of poor experience or no history of interaction, this type of transparency can help build trust and manage expectations. A communication and engagement plan is also an effective means of satisfying the requirement that a prospective GSA develop a plan for including stakeholders as part of its notice of intent to DWR.

Building and regularly employing a list of interested parties is another communication tool and also fulfills a requirement for the DWR submittal when a GSA files its notice of intent. Taking advantage of this list, however, requires a clear and effective communication strategy. Consider both the content and method of communications carefully; email communications alone are may be

Develop a Communication and Engagement Plan

Regardless of what stage of SGMA implementation you are in, a communication and engagement plan is a useful tool for outlining procedures used to create common understanding and transparency throughout the process. Appendix E includes references for how to develop a communication and engagement plan, including links to plans developed by the U.S. Forest Service. Key questions in relation to communicating about groundwater are: What information should be presented? To whom? In what form? By whom? And in what forum?

Forming a communication strategy involves identifying stakeholders, building trust, and developing a consensus around key issues for discussion. The audiences for groundwater information can be very diverse, including state regulators, land-use planners, Tribes/Tribal organizations, and water users. This may mean you will need to use very different ways to communicate, depending on stakeholders' background levels of understanding and motivations. Stakeholder assessment can be of great help here—in terms of both broad interest groups and individuals—to allow messages to be tailored to each audience. When groundwater users are concerned, messages should clearly translate groundwater conditions or management actions into impacts on individual users.

Key parts of a communication and engagement plan:

- Purpose of plan
- Project and communication schedule
- Roles and responsibilities
- Decision-making process and how stakeholder input will be used
- Stakeholder engagement opportunities
- Communication tools and information materials

The more and varied opportunities there are for engagement that align with the needs and desires of stakeholders, the better the outcome will be.

insufficient because electronic communications are not effective for all stakeholders. The process and role of each stakeholder needs to be clearly defined. Partnering with local agencies and organizations can help target tailored information to specific audiences. For example, working with the local Farm Bureau can facilitate communication with growers, and working with community-based organizations can help local agencies develop relationships with geographically dispersed rural residents dependent on private wells. Stakeholder engagement in water resources management is not new, therefore there is no need to reinvent the wheel. Where possible, build on existing efforts in the basin, including Integrated Regional Water Management (IRWM) groups and other regional associations.

Experience in the Inyo-Mono IRWM region shows that outreach is a process that takes time, persistence, follow-through, and community-specific knowledge. There is not a one-size-fits-all approach. This IRWM group has found that one-on-one outreach meetings are more productive and ultimately more successful than open-ended public meetings when engaging DACs. ***For more about the Inyo-Mono IRWM program, see Appendix C.***

Private domestic well in rural California.

As the Pajaro Valley Water Management Agency began the process of revising their Basin Management Plan (BMP) they looked to the Community Water Dialogue (CWD), a stakeholder group working to address overdraft in the Pajaro Valley, to augment their stakeholder process. A liaison to the CWD served on the Ad Hoc BMP Committee, and the Agency was able to leverage community meetings hosted by the CWD to share updates on the state of the basin and BMP process. By working closely with the CWD, the Agency was able to augment the stakeholder process and efficiently communicate with and receive input from a larger group of stakeholders than those serving on the Committee, on water use, conservation, and proposed water supply projects. This community input confirmed the feasibility of, and demonstrated broad support for the policy goal of conserving 5,000 acre-feet of water per year as a key strategy to bringing the aquifer into balance. ***For more information about the CWD and regional collaboration in the Pajaro Valley, see Appendix C.***

Information sharing that builds a shared understanding of SGMA and what it requires will be key to fostering collaboration. Although data collection and management may not be critical at this stage of the process, initiating discussions about the conditions of the basin, the data available, and the gaps that will need to be filled before a plan can be developed will expedite the process going forward. It is important that stakeholders understand and react to the positions of others involved in the process. Organizers should therefore foster open dialogues that allow stakeholders to share their issues and priorities, hear the concerns and priorities of others, and recommend ways to structure a GSA that would best meet the needs of the group as a whole.

Creating Decision-Making Structures That Stakeholders Trust

When it comes to deciding how exactly to form and structure a GSA, there are many different options. In some regions, a

new agency will be formed; in others, an existing agency will take on groundwater management and SGMA implementation as an added responsibility; in still others, agencies will come together through a legally binding coordination agreement to carry out the requirements of SGMA.

If a new agency is formed, there are many ways to organize a governance structure that engages stakeholders in decision-making. These range from giving stakeholders a formal decision-making role, to giving stakeholders discretion over only certain tasks, to giving stakeholders an advisory role as recommendations for actions by an authorizing agency are developed. No matter how stakeholders are engaged, there are a few important questions to consider seriously at this stage to best position a GSA to be successful:

- Does your GSA proposal have the support of all the necessary parties within its territory?
- Is your proposed agency flexible enough to include potential new agencies and stakeholders in the future?
- Have you incorporated formal mechanisms for the participation of beneficial uses and users that reasonably address their needs? Have stakeholders been involved in this process? Are these mechanisms generally satisfactory to the stakeholders? To the DWR? To the agencies involved?

The Sacramento Water Forum governance model relies on engagement from four caucuses representing water agencies, business interests, environmental groups, and the public. Decisions are made by requiring that each caucus make a consensus decision. ***To learn more about the Sacramento Water Forum, see Appendix C.***

Decision-making for the Inyo-Mono IRWM program includes three different components:

1. The Regional Water Management Group (RWMG) is the largest and most inclusive group and is also the main decision-making body. Membership in the group is voluntary, free, and open to any group with a vested interest in water management in the region. All members have an equal voice in decision-making.
2. The Administrative Committee consists of six rotating members. It provides guidance and recommendations to program staff for the execution of the program and resolves conflicts in the RWMG.

When communicating with, and establishing representation for diverse stakeholder groups, care should be taken to establish a fair, truly representative, and predictable structure.

3. Ad hoc working committees are formed as needed by the RWMG to work on specific needs or issues as they arise. Any stakeholder or member of the public can join a working committee. ***Learn more about inclusive decision-making structures in Appendix C.***

For stakeholders who are not given a formal role in decision-making, creating formal advisory entities, such as advisory boards, to receive input can build confidence and promote broader stakeholder participation. If stakeholders do develop recommendations via these entities, it is most effective if these recommendations are developed in close coordination and collaboration with the final decision-makers. This allows decision-makers to provide feedback and identify any limitations and constraints clear to the advisory body from the beginning. The result will be stronger recommendations that are more likely to be adopted. If recommendations from an advisory group are overridden—because needs, constraints, or limitations were not adequately communicated—after a lot of time and effort have been put into developing them, the trust built between stakeholders and decision-makers can be destroyed and participation reduced.

The development of the Sonoma Valley Groundwater Management Plan was guided by a Basin Advisory Panel (BAP). The BAP consists of 20 stakeholders—including members representing economic, agricultural, environmental, and geographic interests as well as members representing local agencies, land use groups, residential groundwater users, water districts, mutual water companies, and special districts. The individual BAP participants' role was clearly established to facilitate communication with and soliciting feedback from the broader group of stakeholders they represent. To those ends, BAP members conducted briefings with constituent organizations and other interested organizations at key milestones throughout the time that the BAP worked collaboratively

with the Sonoma County Water Authority and third-party facilitators to develop the Plan. After adopting the Plan, the BAP continues to play an integral role in implementation. ***For more about the Sonoma Valley BAP, see Appendix C.***

When forming a GSA, those responsible need to consider how beneficial users and uses that are not local agencies or organizations will be represented in their decision-making or advisory role. For efficiency purposes, it will often be necessary to find representatives to speak for diverse and geographically dispersed stakeholder populations. There are many ways to set up representation, but the representatives' responsibility to serve as an intermediary between the broader interest group and the decision-making or advisory body should be clearly defined and predictable mechanisms for relaying information in both directions need to be established. Additional, more targeted opportunities for communication between the GSA implementer(s) and the stakeholder group more broadly should also take place; the elected or appointed representatives of the stakeholder groups should play a clear and visible role during this type of outreach.

As sovereign nations, the Tribes of the North Coast IRWM group had to decide how to fill just six total seats on the IRWM's various governing bodies to represent all 32 Tribes in the region accurately. Those representatives would also need some level of autonomy to make quick decisions. The Tribes divided the region into three areas. Each Tribal council could nominate a representative to represent the region, but that representative had to agree to represent multiple Tribes. Those nominated in a region were then elected by the Tribes represented in that region. Ultimately this structure has been efficient and effective for representing diverse Tribal interests. Learn more about Tribal representation in the North Coast IRWM in Appendix C.

Establishing Opportunities for Reflection, Feedback and Adjustments

Institutionalizing engagement and participation means building these activities into the process so that they are both self-sustaining and adaptable. Optimizing the benefits of stakeholder engagement will require fine-tuning of engagement and participation activities over time. If local agencies are clear about what they are trying to accomplish with stakeholder engagement, soliciting feedback and making adjustments to further these goals will be that much easier. For this reason, setting measureable objectives for stakeholder engagement from the outset is a practice important to helping local agencies or newly formed GSAs maximize their impact. Facilitators can be particularly helpful in gathering feedback, but any staff members can and should solicit and incorporate feedback from stakeholders.

Metrics for Evaluation

What would effective stakeholder engagement at this stage look like? First and foremost, a GSA should have a robust list of interested persons and a complete stakeholder engagement plan that details how stakeholders can participate. Both of which should be submitted to DWR as part of its notice of intent. Has every GSA eligible local agency been informed of the GSA formation effort and invited to participate? Have diverse stakeholders had the opportunity to express their priorities and concerns and hear those of others? Are there formal mechanisms to solicit

Stakeholder Oversight Advisory Committee for the Tulare Lake Basin Disadvantaged Community Water Study.

Summary of Effective Stakeholder Engagement for GSA Formation

Statutory Requirements for Stakeholder Engagement:

- ✓ "Before electing to be a groundwater sustainability agency… the local agency or agencies shall hold a public hearing" (CA Water Code Sec. 10723 (b)).
- ✓ "A list of interested parties [shall be] developed [along with] an explanation of how their interests will be considered" (CA Water Code Sec. 10723.8.(a)(4)).
- ✓ "The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater" (CA Water Code Sec. 10723.2).
- ✓ "The groundwater sustainability agency shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin" (CA Water Code Sec. 10727.8(a)).

Recommendations for Implementation:

- ✓ Clearly assign responsibilities for stakeholder engagement among local agencies.
- ✓ Conduct a thorough stakeholder assessment.
- ✓ Develop a communications and engagement plan that addresses the needs of all beneficial users and uses, and share it widely.
- ✓ Target communications and outreach to the individual needs of different stakeholders.
- ✓ Develop a list of interested parties, and actively encourage its growth.
- ✓ Be clear about the ways that stakeholder input will be considered in the creation of a GSA.
- ✓ Create ways for stakeholders that are not local public agencies to participate in decision-making by giving them either advisory or voting powers.
- ✓ Ensure clear pathways for two-way communication between any stakeholder representatives interfacing directly with implementers and the broader stakeholder group they represent.
- ✓ Promote public education on SGMA.
- ✓ Spend time building trust among the parties.
- ✓ Use a neutral facilitator to help with governance discussions.
- ✓ Hold regular public meetings and spend time publicizing them.
- ✓ Begin communicating with stakeholders about the conditions of the basin and the goals of sustainable management to build shared understanding.
- ✓ Communicate regularly with stakeholders to promote trust and build capacity.
- ✓ Ask for feedback on how engagement could be improved.
- ✓ Institutionalize stakeholder engagement in your governance framework.
- ✓ Identify and leverage existing community forums.
- ✓ Recognize diversity within the beneficial users groups.

Metrics for Evaluation

- ✓ A written stakeholder engagement plan considers all stakeholders, includes an assessment of their needs and interests, provides a transparent plan for sharing and receiving information and specifically addresses the engagement needs of all beneficial users/uses (including vulnerable and under-represented groups), and includes mechanisms to receive feedback and make adjustments.
- ✓ A robust list of interested parties includes representatives from all beneficial users/uses as well as other diverse stakeholders.
- ✓ All eligible local agencies within the territory of a proposed GSA have been informed of, and invited to participate in, the effort.
- ✓ Open, multistakeholder dialogues occur between stakeholder groups to develop shared understanding of concerns, interests, and needs.
- ✓ Formal mechanisms exist for the participation of stakeholders in a manner that reasonably addresses their needs.

and incorporate feedback and allow for ongoing adjustments and improvements? Other, more general indicators are also important. Are stakeholders aware of the formation of a GSA and anticipating the development of a GSP? Are different stakeholders delivering the same message on questions of process and objectives? Has there been positive press coverage? Has the agency received positive feedback from stakeholders? A "yes" in answer to these questions is an important signal that a GSA is on track toward effective and sustainable groundwater management. If stakeholders are unaware of or uneducated about SGMA or are expressing discontent with the process, there has been a breakdown in the process that needs to be addressed.

GSP Development and Implementation

The next critical activity will be the development of a GSP which will require and benefit from a clearly outlined and coordinated stakeholder engagement program. Stakeholder engagement, therefore, should be clearly outlined, coordinated, and assigned within and amongst GSAs.

Ongoing Stakeholder Identification, Assessment, Outreach and Communication

SGMA implementation is a long process having several distinct phases. During this process, the number and types of stakeholders may change. The interests and needs of particular stakeholders may also change. For these reasons, relying only on the stakeholder identification and assessment done leading up to the formation of a GSA is not sufficient. As a newly formed GSA moves toward the development of its GSP, it is important that stakeholder identification and assessment are repeated early. It is wise to repeat them again as the plan takes shape and moves toward finalization and approval and again upon approval as implementation commences. These efforts can also serve as an opportunity for outreach and communication; they can build shared understanding and trust and result in receiving new information and input. These benefits are critical to building the broad support that a successful groundwater sustainability plan will need.

Ongoing outreach and communication during GSP development and implementation can enhance the participation of a diverse set of stakeholders and help make sure that the plan addresses all of the beneficial uses and users in the region. A GSA's list of interested persons is vital to outreach and can help outreach be even more effective when it is updated, expanded, and employed regularly. Given the importance of building stakeholder support to achieving groundwater sustainability, establishing a coordinator responsible for engaging underrepresented stakeholders is helpful. As always, clearly laying out the different ways that stakeholders can participate will greatly improve public acceptance of any plan and likely increase the legitimacy of the GSA and planning process in the eyes of the public.

Concerned by a lack of Tribal participation in the North Coast IRWM program, the Environmental Justice Coalition for Water obtained funding to employ a Tribal organizer in the region. After reaching out to each of the individual Tribes in the area, generating support, and obtaining six Tribal seats on the governing boards of the program, the IRWM program itself began funding Tribal engagement. The engagement of now 32 Tribes is coordinated by a North Coast Tribal Engagement Coordinator and a Tribal District Coordinator from of each of the North, Central, and Southern Districts. This core group is seeking funds to continue this coordination and to identify funds to provide travel grants to Tribes with economic need so they can participate in the quarterly meetings held to ensure that the region continues to incorporate Tribal priorities and needs. ***To learn more about Tribal outreach in the North Coast, see Appendix C.***

For stakeholder engagement to add value to the implementation process, good communication and effective outreach are crucial. For active and easily reached stakeholders, roundtables and other more traditional meetings can facilitate dialogue and information sharing. Some stakeholders may be more difficult to reach in these ways—for example, non-English speakers, domestic well owners, and small farmers all have unique access and communication needs. For stakeholders who face more barriers to participation, alternative opportunities for participation may be necessary. Evening meetings, translation, and targeted outreach and education take more work on the part of the implementer but are ultimately more successful at including such stakeholders and achieving effective implementation.

In the summer of 2012, Turlock Irrigation District (TID) power customers began receiving fraudulent calls from persons purporting to be utility representatives. Seniors and Latinos were disproportionately affected. In response, TID developed a bilingual outreach notification program to notify their customers about the scam and educate them about how to recognize and respond to suspicious

Improving Participation

The Institute for Local Governance offers recommendations for achieving broader participation:

- Build community capacity to participate.
- Develop relationships.
- Fit your process to the participants.
- Seek the help and advice of community-based and intermediary organizations.
- Communicate effectively and respectfully.
- Be flexible.
- Have specific goals.
- Stay in touch.
- Say thank you and follow up.
- Keep learning.
- Build it in to your overall strategy.

Citation: Institute for Local Government. (2012). *Beyond the usuals: Ideas to encourage broader public engagement in community decision-making*. Retrieved from http://www.ca-ilg.org/sites/main/files/file-attachments/beyond_the_usuals_final_jan_2012_3.pdf

contacts. TID used a combination of personal contact, media outreach, and signage to reach affected residents. ***For more about Turlock Irrigation District's work to communicate effectively with stakeholders, see Appendix C.***

New potential stakeholders identified by the CABY IRWM Planning Committee members are sent CABY meeting notices and materials, contacted in person by CABY representatives, and/or are invited to attend ongoing meetings. ***For more ideas on expanding participation, see Appendix C.***

Developing Shared Understanding Across Diverse Stakeholder Groups

Because disagreement on data and modeling poses such a high risk of delaying and even derailing progress, it is crucial that parties are proactive in their commitment to producing and sharing information collaboratively. This can be approached in a variety of ways, but communication, transparency, and participation are always important. Fostering open, multistakeholder dialogues that allow stakeholders to share their issues and priorities and hear those of others is key to moving a planning or decision-making process forward.

A number of tools exist for building shared understanding on technical subject matter:

- **Joint fact finding** brings scientists and stakeholders together to frame research questions, consider research methodologies, contract independent parties to conduct studies, and interpret results to support the scientific inquiry and ultimately policy and decision-making. Joint fact finding can be particularly useful for science-intensive decision-making in which uncertainty is prevalent and widespread support and understanding of scientific findings is needed; this is of course the case with groundwater management.[27] Joint fact finding can lead to stakeholder community acceptance and "ownership" of the resulting scientific model or policy.
- **Establishing a representative technical advisory committee** to oversee and provide input on the technical aspects of decision-making is helpful for promoting broad support. Be sure that it includes diverse representatives and does not exclude or devalue certain stakeholders.
- **Web-based tools** such as searchable databases, GIS mapping platforms, and online document libraries can greatly increase access to data and information in a highly usable form. Communication methods such as emails, newsletters, and public workshops can also play a key role in publicizing these resources and disseminating this information broadly.
- **Third-party neutral researchers** can also be contracted to build confidence in the scientific process and reduce the anxiety of stakeholders. Importantly, input and collaboration is needed to identify outside researchers to ensure that they are indeed considered neutral.
- **Collaborative models and decision-support tools** can take existing or newly developed data or models and guide stakeholders through a wide range of scenarios and options. This method is particular helpful at building shared understanding and providing different stakeholders a forum where they can test and compare their concerns and preferences with others.[28]

The Tulare Lake Basin DAC Water Study created a database of DACs in the region. The information collected for the database was extensive enough to identify not only current problems but also regional and local vulnerabilities that could lead to future challenges. The study assembled the data and formatted it in a way that is suitable for many uses—both

those that are known and anticipated and those that may be unknown—by adding, among other things, search and sorting capabilities. The database is publicly available online. Every system entry includes a "water system form" through which anyone can provide additional information or submit comments that can then be vetted and included. ***More about the TLB DAC database can be found in Appendix C.***

Early on, the Sacramento Water Forum retained the services of a retired water agency engineer who had knowledge of the region, knew the participants, and was trusted by all sectors. He was responsible for researching and providing the information used by the members to reach their early decisions. The fact that such disparate members with such a contentious past could all agree to trust a single person to provide objective and usable information was an early success. ***To learn more about the Sacramento Water Forum, see Appendix C***

Fostering broad support for new rules or local actions that form part of the implementation plan starts with building broad support for the data and models on which they are based. Ensuring stakeholder engagement in these processes for GSP development and implementation will likely require the development and structuring of new tools and procedures. Prioritizing public education and information sharing on all subjects is critical for accomplishing this goal. As with most subjects related to stakeholder engagement, the time involved in or expense of these activities can be a deterrent, but the benefit of investing early is clear, especially when considering the tight timelines imposed by SGMA and the penalties resulting from noncompliance.

A Technical Working Group was developed to assist in the development of the Sonoma Valley Groundwater Management Plan. It presents plan elements to the Basin Advisory Panel for discussion and approval during its monthly meetings. After adoption of the Plan in 2007, this group became the Technical Advisory Committee. It supports the Basin Advisory Panel through ongoing implementation, monitoring, and updates. All Panel meetings are open to the public and seek to engage interested stakeholders in technical questions and data management considerations. ***For more about the Sonoma Valley Groundwater Management Plant, see Appendix C.***

The Inyo-Mono IRWM group has established a digital library of relevant documents and information on its website. The library is organized by geographical scale (i.e., federal, state, regional, etc.), and each document listed is hyperlinked to a PDF or website where the document can be found. Its website also includes static maps as well as dynamic mapping tools. Users can download individual maps or work within interactive mapping platforms to find the information they need. ***For more ideas on information sharing, see Appendix C.***

Engaging Stakeholders in Decision-Making

The development of a GSA will formalize how and by whom decisions and recommendations are made but to promote transparency and confidence, this process needs to be widely understood and carefully followed. Where advisory boards or committees are already established, conduct ongoing outreach to improve participation and diversify representation. This will help ensure that the process best fits the needs of stakeholders and help the GSA meet the statutory requirements to consider beneficial uses and users and foster active involvement. When stakeholders are involved, decision-making is more akin to problem-solving than to traditional decision-making.[29] This collaboration, however, in no way takes away from the GSA's authority to make decisions. Although anyone can challenge the GSA's powers, the likelihood or the likely success of any potential legal or public challenge is far diminished if the GSA's decision-making authority has been strengthened through an effective stakeholder engagement process.

Adaptive Management and Assessing Outcomes

SGMA's requirements for stakeholder engagement establish an adaptive management strategy of (1) plan, (2) do, and (3) evaluate and respond, which can guide a GSA toward maximizing the benefits of stakeholder engagement. First, a GSA needs to plan for stakeholder engagement by considering the interests of all beneficial users (Section 10723.2). Next, a GSA is required to implement stakeholder engagement to encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin (Section 10727.8). Finally, a GSA is required to demonstrate progress toward the goal of sustainability, taking corrective action to address deficiencies (Section 10733.8).

To promote desired outcomes, Plan development and implementation will need to be dynamic and responsive to many changing factors, including stakeholders. To obtain buy-in and build good will, it is vital that all aspects of the plan and implementation truly consider and respond in

Summary of Effective Stakeholder Engagement for GSP Development and Implementation

Statutory Requirements:

- ✓ "A groundwater sustainability agency may adopt or amend a groundwater sustainability plan after a public hearing" (CA Water Code Sec. 10728.4).
- ✓ "Prior to imposing or increasing a fee, a groundwater sustainability agency shall hold at least one public meeting" (CA Water Code Sec. 10730(b)(1)).
- ✓ "The groundwater sustainability agency shall establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents" (CA Water Code Sec. 10723.4).
- ✓ "Any federally recognized Indian Tribe… may voluntarily agree to participate in the preparation or administration of a groundwater sustainability plan or groundwater management plan … A participating Tribe shall be eligible to participate fully in planning, financing, and management under this part" (CA Water Code Sec. 10720.3(c)).
- ✓ "The groundwater sustainability agency shall make available to the public and the department a written statement describing the manner in which interested parties may participate in the development and implementation of the groundwater sustainability plan" (CA Water Code Sec. 10727.8(a)).
- ✓ "The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater" (CA Water Code Sec. 10723.2).
- ✓ "The groundwater sustainability agency shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin" (CA Water Code Sec. 10727.8(a)).

Recommendations for Implementation:

- ✓ Periodically conduct additional stakeholder identification and assessments.
- ✓ Work to expand the reach of stakeholder engagement and communication to new and diverse groups.
- ✓ Hold regular public hearings, workshops, and meetings and spend time publicizing them.
- ✓ Continue to update and adjust the communications and engagement plan to outline opportunities for engagement in line with the needs of stakeholders.
- ✓ Ensure that decision makers engage directly with advisory committees and in other forums where recommendations are made.
- ✓ Seek feedback on engagement, outreach, and communication efforts.
- ✓ Continue employing and expanding the interested parties list.
- ✓ Offer options for communication and information sharing beyond electronic communications.
- ✓ Engage stakeholders in technical issues.
- ✓ Use online databases and documents to increase access to information.
- ✓ Provide for extended comment periods on documents and proposals and actively encourage feedback by creating varied opportunities and methods.
- ✓ Provide stakeholders opportunities to meet and discuss collectively with the GSA as well as to communicate with it individually.
- ✓ Use joint fact finding and/or use collaborative modeling and/or establish a representative technical advisory committee.

Metrics for Evaluation

- ✓ A written stakeholder engagement plan is actively revised and updated to address the changing engagement needs of diverse stakeholders including vulnerable and under-represented groups.
- ✓ An expanded interested parties list, which includes representatives from all beneficial uses/users as well as other interested groups, is regularly updated and employed.
- ✓ Broadly advertised public hearings with diverse stakeholders in attendance occur at the mandated junctures.
- ✓ Open, multistakeholder dialogues regularly occur with stakeholder groups and decision-makers.
- ✓ Information used to develop or implement a GSP is shared and accessible.
- ✓ Formal procedures exist to solicit and incorporate stakeholder feedback throughout plan development and implementation.

SGMA affords many unique opportunities to promote regional collaboration, which will ultimately determine the success of the legislation itself.

some meaningful way to stakeholder concerns and needs. The more opportunities for assessment, feedback, alteration, and improvement that a GSA pursues, the more effective stakeholder engagement will be.

Metrics for Evaluation

From the beginning, a GSA should set measurable objectives for stakeholder engagement. Later, these objectives can be used to monitor progress, measure the effectiveness of stakeholder engagement, and ultimately make improvements. General indicators, such as those mentioned for the GSA formation phase, provide one benchmark for measuring effectiveness: Is there a shared understanding of the GSP's goals? Are stakeholders educated about the GSP development process and their own role? Is the timeline for implementation of the GSP clear? Has the GSA received positive press coverage? Do diverse stakeholders feel included? Has there been behavior changes related to the program goals? Or improved trust/relationships among participants? Asking these questions is a great way to conduct ongoing assessments of a GSA's progress. There are also other, more tangible milestones that a GSA can look to to measure its progress. Has the engagement plan the GSA adopted at formation been implemented and updated? Has the interested party list initially submitted been expanded? Have there been well-attended and robust public hearings at all of the necessary junctures? Are there established and varied ways for stakeholders to provide input? Are there formal mechanisms to assess outcomes and make improvements?

Challenges and Opportunities

Stakeholder engagement is invaluable for the management of shared resources such as groundwater. Stakeholder engagement is therefore a critical element of sustainable water management. Some challenges unique to SGMA will likely make engagement efforts for implementation more complicated than in previous water resources management situations (including some illustrated in Appendix C). For example, designing a governance structure that represents and responds to stakeholder interests is a complicated task that requires a great deal of communication, collaboration, and trust. Rather than building up to developing a new decision-making unit (a GSA), SGMA requires GSA formation as the first task. This means that there is less time for initial relationship and trust building than during most other, more organic processes.

But SGMA also presents many opportunities to benefit from stakeholder engagement. No matter which stakeholder one considers, sustainable groundwater management that ensures the reliability of groundwater as a resource for the region is, ultimately, in the best interest of that stakeholder. There may be disagreement about how to get to sustainability or about what exactly "sustainability" means, but this underlying common interest can unite different individual interests. Moreover, by delegating control to the local level but mandating state intervention in the case of noncompliance, SGMA gives stakeholders a common vested interest in maintaining control, which requires taking stakeholder engagement and other requirements of the law seriously. Helping different parties see this may require some work, but if a shared understanding of the stakes created by SGMA is developed, the motivation to act should follow.

Ultimately, the ability of individual regions to manage their shared groundwater collaboratively will determine the success or failure of SGMA. To achieve effective stakeholder engagement, it cannot be considered simply a box, or even multiple boxes, to check off in correspondence with the DWR. Instead, effective stakeholder engagement is an iterative and ongoing process that should be tailored to meet the needs of each region. It certainly requires greater up-front investment, but the benefits—including long-term savings—that can be reaped from fostering an inclusive, transparent, and participatory process from the start far exceed these initial costs. Stakeholder engagement is a vital tool for achieving local sustainability. We hope the best practices laid out in this paper help local agencies and GSAs take full advantage of these important opportunities afforded by SGMA.

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APPENDIX A:
The International Association of Public Participation's (IAP2) Spectrum of Public Participation

INCREASING LEVEL OF PUBLIC IMPACT

	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunties and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the devlopment of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example techniques	• Fact sheets • Web sites • Open houses	• Public comment • Focus groups • Surveys • Public meetings	• Workshops • Deliberate polling	• Citizen advisory committees • Consensus-building • Participatory decision-making	• Citizen juries • Ballots • Delegated decision

APPENDIX B:
Resources to Help Identify and Contact Beneficial Users

A. Agricultural Users: Agricultural groundwater users may be reached through local county farm bureaus, commodity groups, or in some cases, through local irrigation districts. Farm Bureaus in particular are a good starting place because they often have outreach initiatives established. Contact information for County Farm Bureaus can be found at: http://www.cfbf.com/countyfarmbureaus/. Resource Conservation Districts (RCDs) are also excellent resources that often have strong ties to local growers and private land-owners and may already be working on water conservation in your area. The website for the California Association of Resource Conservation Districts includes a directory of RCDs in the state found at: http://www.carcd.org/rcd_directoryo.aspx.

B. Domestic Well Owners: Private well owners are very difficult to locate. Your county's well permitting office will likely be the best source of information. Local water management agencies sometimes also have information, especially where agencies have been engaged in groundwater studies or management plans. Alternatively, because many well owners also have septic tanks, information on septic tank owners from local county environmental health officers can help as a starting point for locating these individuals.

C. Municipal Well Operators/Public Water Systems: A search tool for information on all public water systems in the state is available at: https://sdwis.waterboards.ca.gov/PDWW/. You can also download GIS boundaries for public water systems at: http://www.ehib.org/page.jsp?page_key=61#water_tool_about. (Please note: this database is not entirely complete or accurate).

Contact the local district office of the State Water Resources Control Board's Drinking Water Program to get lists and contacts of public drinking water systems in your area and invite them to provide input on local water needs as well. Contacts for each region in the state can be found at: http://www.waterboards.ca.gov/drinking_water/programs/documents/ddwem/DDWdistrictofficesmap.pdf.

The State Water Board's Small Water System Unit has lists and maps of small systems struggling to secure safe drinking water, as well as contacts for regulators at the state or local level in charge of bringing them into compliance: http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Smallwatersystems.shtml.

Third-party technical assistance providers that provide assistance to small public water systems include:

- Rural Community Assistance Corporation: http://www.rcac.org/contact-us (covering rural small systems throughout California)
- Self Help Enterprises: http://www.selfhelpenterprises.org/contact-us/ (covering the San Joaquin Valley)
- California Rural Water Association: http://www.calruralwater.org/pages/contact/ (covering rural small systems throughout California)

UCLA's Luskin Center published a report which identifies and analyzes community water systems in Los Angeles County, and is available at: http://164.67.121.27/files/Downloads/luskincenter/water/Water_Atlas.pdf.

D. Local Agencies: You can find information on local public agencies with water or land use authority in your basin through each county's Local Agency Formation Commissions (LAFCOs). In particular, publicly available Municipal Service Reviews (MSRs), conducted every five years for each public agency, provide useful information on each district's powers, boundaries, and more. Links to county LAFCO websites and contact information are available at: http://www.calafco.org/index.php/about-us/member-lafcos.

E. Environmental Users: Contact local conservancies and environmental groups in your area. Organizations including the Nature Conservancy, Ducks Unlimited, Sierra Club, and National Audubon Society can provide

contacts for local clubs or branches in your area. Local planning departments maintain lists of stakeholders including local neighborhood groups, regional environmental organizations, and active individuals. Political networks such as the League of Women Voters have active members around the state and can help identify and solicit interest from environmental groups in specific areas.

F. Surface Water Users with inter-connection to groundwater: To identify riparian water users, contact the State Water Board Water Rights: http://www.swrcb.ca.gov/waterrights/. Local irrigation districts, conservation districts, and other surface water suppliers can also help.

G. CA Native American Tribes: To determine which Tribes may have traditional lands located within your area and to obtain contact information, you can send a request to the Native American Heritage Commission (NAHC) using the NAHC request form available at: http://www.opr.ca.gov/docs/NAHC_Consultation_Request_Form.pdf or by contacting them directly at (916) 373-3710 or by email at nahc@pacbell.net Expect a reply within 30 days. Appendix D includes more resources for working with Tribes. Additionally the Department of Water Resources have staff to assist in communication and outreach to CA Tribes including a Tribal Policy Advisor, Anecita Agustinez ((916) 216-8637 Anecita.Agustinez@water.ca.gov), and a Tribal Liaison Emily Alejandrino ((916) 651-9276 amily.alejandrino@water.ca.gov).

The following organizations help Tribes address their water challenges and have experience working with DWR's IRWM programs: California Indian Environmental Alliance (CIEA) Tribal Self-Advocacy Program (Contact: Sherri Norris, Executive Director - (510) 848-2043, sherri@cieaweb.org) and Rural Community Assistance Corporation (RCAC) Tribal Assistance Program (Contact: David Harvey, Environmental Regional Manager (760) 492-2543, dharvey@rcac.org).

H. Disadvantaged Communities: Disadvantaged communities for the purposes of SGMA are defined as communities having a median household income less than 80 percent of the statewide median household income. DWR developed a web-based mapping tool at: http://www.water.ca.gov/irwm/grants/resources_dac.cfm.

The California Environmental Protection Agency (Cal EPA) has developed a far more extensive tool to better understand cumulative impacts related to disadvantaged communities called Cal EnviroScreen. Mapping applications and reports, including a drinking water indicator, are available at: http://oehha.ca.gov/ej/ces2.html.

PolicyLink developed a GIS map of all disadvantaged unincorporated communities in the San Joaquin Valley, and is available at: http://www.policylink.org/find-resources/library/california-unincorporated-mapping-disadvantaged-communities-in-the-san-joaquin-valley.

For the Tulare Lake Basin, a public database of small disadvantaged community water systems is available at: http://tularelakebasin.com/alliance/index.cfm/water-system-search/. This was developed through the Tulare Lake Basin Disadvantaged Community Water Study (Please note: this data may not be entirely current or complete).

A number of IRWMs and other regional planning initiatives have also conducted studies of disadvantaged communities in regions throughout California, including:

- The Upper Kings Basin: http://www.kingsbasinauthority.org/projects-funding/completed-projects/dac-pilot-study/.
- Inyo-Mono: http://inyo-monowater.org/dac/findings/.
- Coachella Valley: http://www.cvrwmg.org/dac.php.
- Greater Los Angeles: http://watershedhealth.org/programsandprojects/dac.aspx.
- North Coast: http://www.northcoastresourcepartnership.org/app_pages/view/7970.

A workshop in early 2015 synthesized much of the information from these studies into a series of recommendations for better integrating DACs in the IRWM process including specific recommendations for outreach and engagement, many of which are relevant to SGMA as well. The final workshop recommendations can be found at: https://d3n8a8pro7vhmx.cloudfront.net/communitywatercenter/pages/231/attachments/original/1423266240/2014_DAC_Workshop_Recommendations_20150202_final_(1).pdf?1423266240.

Many advocacy groups work directly with disadvantaged communities on water issues and can assist in identifying communities and conducting outreach, including the Community Water Center, Leadership Counsel for Justice and Accountability, Environmental Justice Coalition for Water, California Rural Legal Assistance Foundation, California Rural Legal Assistance, Inc., El Concilio, Pueblo Unido CDC, among others. Local social service agencies such as public health advocates, religious organizations (such as Catholic Charities), housing organizations, and other service providers may not directly work in water management, but often have strong community connections and may also be able to provide outreach and identify communities.

Several technical assistance providers have contacts with local communities with water issues: Rural Community Assistance Corporation (RCAC), California Rural Water Association (CRWA), and Self-Help Enterprises. These organizations help communities address their water challenges and can help identify local community leaders.

APPENDIX C:
Case Studies in Collaborative Management

Community Water Dialogue of the Pajaro Valley

Founded in 2010, the Community Water Dialogue (CWD) is a group of stakeholders who have gathered to address the ongoing problem of overdraft in the Pajaro Valley through individual and collaborative action, with the mission of ensuring agricultural viability in the Pajaro Valley.

The CWD is an open forum comprised of community participants, Action Teams, Advisory Teams, and a Guidance Team. Diverse community stakeholders can attend open forums by agreeing to the guiding principles and ground rules of the CWD. Action Teams on the topics of land management and irrigation best practices, managed aquifer recharge, big projects to increase supply and communications advance priorities identified by the community. A Guidance Team made up two landowners, two or three agricultural industry representatives, one representative from each Action Team, the USDA's Natural Resources Conservation Service, and the Resource Conservation District, provides ongoing leadership. The Resource Conservation District of Santa Cruz County serves as the fiscal sponsor of the group, providing coordination staff and project administration to further facilitate and support the work of the CWD.

Since its formation the CWD has included a wide variety of stakeholders, including landowners, growers, researchers, nonprofits, rural residents, government representatives, and environmental leaders. While prior to the founding of the CWD, conversations around water in the Valley had been largely intractable and divisive, the solutions-based approach of the CWD has had the effect of uniting people around this common challenge. Critical to this success has been the agreement of all members on three fundamental principles, which were established at the outset and continue to guide the group's work to this day: 1) A commitment to protect the Pajaro Valley as an important agricultural resource; 2) Recognition that the solution will not be an importation pipeline; and 3) A willingness to pursue diverse strategies which entail costs and sacrifices in order to bring our aquifer into balance. In addition to these principles, the CWD remains focused on solutions by avoiding a review or rehash of past failures and discussion about the past actions or character of any individual community member in relation to the water issue.

CWD has been an invaluable resource and partner for the Pajaro Valley Water Management Agency, participating the Basin Management Planning Committee to assist in long-term planning for the region. The group has also launched its own collaborative projects to reduce water use through conservation and efficiency and to increase aquifer recharge. Through the CWD, producers and landowners in the Pajaro Valley have demonstrated both the need for and the willingness to make management changes that will measurably improve water supply and water quality to sustain the viability of agriculture in the valley.

More information about the CWD can be found at: http://www.communitywaterdialogue.org/. More information about the Pajaro Valley Water Management Agency and its basin management planning process can be found at: http://pvwater.org.

Cosumnes American Bear Yuba Integrated Regional Water Management Program

The Cosumnes American Bear Yuba (CABY) IRWM program was initiated in response to the allocation of funding for IRWMs in Proposition 50 in 2002. The local community — including water agencies, environmental communities, small communities, special districts, and other interests — expressed interest in the process, and the larger water agencies in the area contributed funding to write the first IRWM plan. The plan was adopted in 2006, with the eventual participation and support of over 40 local organizations.

CABY's updated 2014 IRWM plan contains an extensive description of their stakeholder identification plan. A list of interest groups was prepared, including water and wastewater agencies, hydroelectric generators, local governments, Native American Tribes,

non-governmental and community organizations, recreational interests, industrial and agricultural interests, and disadvantaged communities.

Stakeholder identification was originally initiated by staff at the El Dorado Irrigation District, which asked for recommendations from each recruited entity to expand its contact list. Stakeholder identification is now conducted by all CABY member groups using the list of interest groups to ensure balanced outreach. As potential new stakeholders are identified by CABY Planning Committee members, they are sent CABY meeting notices and materials, are contacted in person by CABY representatives, and/or are invited to attend ongoing meetings. The use of current CABY members to recruit new members has been very successful.

As part of the 2014 plan update, the CABY renewed its commitment to engage underserved disadvantaged, Tribal and Latino communities. CABY developed a written strategy for Tribal engagement, which was strengthened by 2014 legislation requiring local agencies to develop a list of Tribal entities for contact and consultation. Because many Tribes in the region lack computer and/or internet access, it is necessary to contact each Tribe via other communication methods, and work to engage them on a personal level. The Sierra Native Alliance is a key new Tribal stakeholder, which is now participating in several implementation projects.

The CABY is administered through the Planning Committee, whose membership is open to any organization that adopts the CABY IRWM plan and agrees to participate in the Committee's quarterly meetings. Current membership is about 42 organizations. The CABY established a 501(c)3 organization several years ago that is used to pay for basic operating expenses, including facilitation, directors' insurance, and other meeting expenses. The CABY maintains a listserv and holds quarterly Planning Committee meetings, which are open to the public. In many cases, stakeholder engagement occurs through the CABY Work Groups, which implement different aspects of the plan. If a stakeholder has a particular expertise or interest (e.g. mercury contamination), he or she can participate in that Work Group without being a member of the larger organization. Workgroups are established as needed by the Planning Committee and dissolved when no longer necessary.

Like many regional water management plans, CABY initially relied upon consultants to administer the plan and operate the organization, which received planning funds from Propositions 50 and 84. The original governance process was unclear, with responsibility diffused among several committees. By 2013, CABY faced an audit from DWR and some erosion of trust in the process. CABY members renewed their commitment to the process, refined their governance process and reduced their reliance on consultants to convene the group and set the agenda. Since early 2013, CABY has updated its governance structure and outreach planning, updated its IRWM plan, reduced overhead costs, increased membership, and generated more than $12 million in grants to fund the projects identified in their IRWM.

The CABY Planning Committee operates using a consensus model, but where consensus can't be achieved, 75 percent agreement is required. Water agencies and environmental groups — the two largest stakeholder representatives — are also required to achieve 75 percent agreement within their smaller caucuses. Between Planning Committee meetings, administration of the CABY is the responsibility of the Coordinating Committee. The Coordinating Committee is made up of 50 percent government agency representatives and 50 percent nongovernment agency representatives, all appointed by the Planning Committee, and is responsible for non-policy administrative functions. The implementation of IRWM grants is conducted through the Working Groups created by the Planning Committee. Responsibility for grant proposals and reporting falls to the fiscal sponsor of each grant, but progress is reported through Work Groups and the Planning Committee. The cost of preparing the grant is borne proportionately by its beneficiaries. Tribes and disadvantaged communities, however, are not asked to pay for the cost of grant proposals. While the CABY is functioning well and at a high level, cultural differences between members and constant changes in membership, which includes large and small agencies, government agencies, non-profits, and Tribes can all create friction. To reduce disagreement, a facilitator was used to conduct the quarterly planning meetings.

Since CABY stopped using consultants to do most of the work, members have raised more than $12 million. This

has funded many critical projects, while also creating collegial relationships that did not previously exist. Consultants are still used, but only for discrete projects such as fundraising and facilitation. The governance of the CABY continues to evolve, but the important lesson is that local regional management needs to be led by those who have a stake in the outcome.

Find the Cosumnes American Bear Yuba 2014 Integrated Regional Water Management Plan and related documents at: http://cabyregion.org/caby-irwmp-sections.

Inyo-Mono Integrated Regional Water Management Program

The Inyo-Mono IRWM Program has invested significant time and resources into promoting stakeholder engagement in their planning process. Three central components of this work include: a highly inclusive and participatory governance body, tailored outreach to increase participation of diverse stakeholders, and improved information sharing that promotes access and inclusion.

Because of the large size and disadvantaged status of much of the region, it has been difficult to reach every potentially affected stakeholder or community. With funding from Proposition 84 and DWR, the Inyo-Mono IRWM group conducted a DAC study to better understand how to involve more stakeholders. This effort coupled with ongoing, intensive outreach efforts on the part of both volunteers and program staff have yielded important progress and recommendations.

How does one conduct outreach to DACs? Experience in the Inyo-Mono region emphasizes outreach as a process that takes time, persistence, follow-through, and community-specific knowledge. There is not a one-size-fits-all approach. The study found that one-on-one outreach meetings are more productive and ultimately more successful for the IRWM process than open-ended public meetings. A main component of successful outreach is continued communication and follow-up on agreed-upon tasks. This ongoing relationship building is perhaps more crucial to DAC-engagement than the initial outreach efforts. Follow-up and follow-through should be the cornerstones of DAC outreach, indicating that outreach itself is an ongoing need. Although in some cases where Native American Tribes are DACs based on the MHI criterion, the study recommends that groups should continue to consider and treat Native American Tribal governments and communities independently, given their sovereign nature.

Outreach and relationship building also serves an important role in information sharing that is critical for effective regional planning. Inyo-Mono IRWM Program staff and volunteers have conducted well over 100 community meetings throughout the Inyo-Mono IRWM region. These meetings are not only used to provide information about the group and funding opportunities with hope of promoting participation, but also to gather information on regional water issues, which can inform planning processes and help develop regional solutions.

Increasing stakeholder engagement in the IRWM process is important, but facilitating information sharing is an equally critical component for translating increased engagement into meaningful participation in the development of recommendations and decision-making. One goal of the Inyo-Mono website is to become a storehouse for relevant program documents and information. With the development of Inyo-Mono's upgraded website, information and data storing and sharing capacity has increased. The website houses a documents library, which has now become an online resource for all interested users. The library is organized by geographical scale (i.e., federal, state, regional, etc.), and each document listed is hyper-linked to a PDF or website where the document can be found. This effort is still in the early stages, but it is anticipated that this collecting and sharing of data sources will benefit many stakeholders in the region. The development of GIS capacity within the Inyo-Mono IRWM Program has greatly increased the integration and sharing of information. It is now possible to perform analyses and create depictions of large amounts of data in a user-friendly format. This capacity is enhanced by the inclusion of static maps and dynamic mapping tools on their website. Users can download individual maps or work within interactive mapping platforms to find the information they need.

Developing an open and inclusive governance structure that allows for equal participation by all stakeholders, including DACs and Native American Tribes, has been a central focus of the Inyo-Mono IRWM program.

Governance and administration of the IRWM program includes four components: a main group called the Regional Water Management Group (RWMG), an Administrative Committee, paid staff, and ad-hoc working committees. The RWMG is the largest and most inclusive group and is also the main decision-making body for the group. The RWMG has been organized as a voluntary entity governed by an MOU. Signatories to the MOU are considered "members" of the RWMG and as such can participate in decision-making. There is no monetary requirement for members, and members may join or leave the RWMG at any time. The RWMG meets in-person at various locations within the planning area and always provides a conference call option for members and others who cannot attend in person. Those entities involved represent interests ranging from federal, state, and local government; resource and water agencies; non-profit and conservation organizations; American Indian Tribal organizations; educational organizations; business interests; agriculture and ranching groups; and individuals having vested interests in how water is managed in eastern California. All members have an equal voice in decision-making under the group's consensus procedures. The Administrative Committee consists of six RWMG members that serve on a voluntary basis. Membership on the Administrative Committee rotates through the RWMG. Each year, three new members are appointed, so that each member will serve for two years. The Administrative Committee is charged with providing guidance for program staff, reviewing materials and agendas for RWMG meetings, helping staff to develop policies, regulations, and recommendations at the request (and subject to the approval) of the RWMG, as well as resolving conflicts within the RWMG. Ad-hoc working committees are formed as needed by the RWMG to work on specific needs or issues as they arise. Any stakeholder or member of the public can be a part of a working committee.

The Inyo-Mono IRWMG has seen many benefits arise from their grassroots, bottom-up, integrated approach to water planning. As a result of significant stakeholder outreach, the number of signatories to the MOU for the RWMG has increased as has the diversity of representation within the group. The RWMG has seen increased communication and collaboration among stakeholders, building trust and strengthening relationships that ultimately have positive effects on planning and project implementation. One example of this is that when the group received only partial funding for their round one implementation grant from DWR, members took the initiative to make changes to the original funding agreement, reducing the amount of funding for certain projects to ensure that the maximum number of projects received enough funding to proceed. The group is also an invaluable tool for networking and troubleshooting for agency staff. During the construction phase of a recent grant package, one more resourced member working on their own project provided in-kind technical assistance to other member's projects to help ensure that both projects were completed successfully. In all, precisely because stakeholder engagement has helped the group further their goal of improving regional water management, the group continues to expand and refine their engagement.

To learn more about Inyo-Mono IRWMG's efforts visit their website at: http://inyo-monowater.org/.

North Coast Integrated Regional Water Management Program

Phases I and II of the North Coast IRWM Plan (North Coast IRWMP) were adopted in 2006 and 2007. Concerned by the lack of funding for Tribes and lack of Tribal representation on the governing bodies in a region that contains 25 percent of the federally recognized Tribes in California, the Environmental Justice Coalition for Water (EJCW) obtained funding to engage an organizer to reach out to the North Coast Tribes.

The organizer began by developing a list of Tribes and Tribal contacts using the list of federally recognized Tribes maintained by the US Bureau of Indian Affairs, as well as the list maintained by the California Native American Heritage Council which includes non-federally recognized Tribes. The organizer then made contact with each of the identified Tribes; either with the EPA (Tribal, not the federal agency), utilities heads, fisheries departments, or other applicable Tribal government agencies. The organizer either contacted council members or worked with Tribal staff to engage Tribal council members. The ask of each Tribe was: a) Do you want to be part of the process; b) Can your Tribal council nominate one person who can be engaged and make IRWMP-related decisions?

The organizer created a list-serve of Tribal contacts, hosted regular conferences, and maintained regular contact with key individuals from each Tribe. The initial goal of outreach was to persuade Tribes to sign a petition addressed to the IRWMP's governing body, the Policy Review Panel (PRP), to request Tribal seats on the PRP and Technical Peer Review Committee (TPRC) which conducted initial evaluation of funding proposals. Ultimately, 21 Tribes signed the petition, and their request was granted by the PRP. The Tribes were given three seats on the PRP and three on the TPRC.

Once granted seats on the two governing bodies of the North Coast IRWMP, the Tribes had to determine how to share the six seats. Their decision was to divide the Tribes into northern, central, and southern regions. They also allowed each region to provide one representative and one alternative for each committee in each region (PRP and technical). At the regional level, each Tribe interested in participating appointed one "voting delegate" and could also nominate a representative to each committee. The representatives were then selected by a vote of the voting delegates of the participating Tribes in each region. By nominating a voting delegate, Tribes were able to engage in the process without awaiting a vote of Tribal councils when decisions were required in a short amount of time. Each Tribal representative within the North Coast IRWMP governing bodies represents the interests of all of the Tribes in their region.

Additionally, North Coast Tribes were provided funding by the North Coast IRWMP for their participation, which they used to continue the coordination that was initially provided by the EJCW organizer. Hiring decisions were made by Tribes rather than the North Coast IRWMP PRP and TPRC. The engagement of now 32 Tribes is coordinated by a North Coast Tribal Engagement Coordinator and a Tribal District Coordinator from of each of the north, central and southern districts.

To contact the North Coast Tribal Engagement Coordinator or the Tribal Representatives visit the North Coast Resource Partnership website http://www.northcoastresourcepartnership.org and follow the links to Tribal Engagement.

Sacramento Water Forum

The Sacramento Water Forum was born in 1993 after successful litigation by environmental groups to protect flows on the lower American River. The lawsuit resulted in the East Bay Municipal Utilities District halting their plans to divert water from the lower American River. As a result, local interests from water agencies, environmental groups, businesses, and the public began negotiating an agreement; and in 2000, the Water Forum agreement was signed to manage the resource through 2030. Participating water agencies provide funding for the Forum.

Early on, the group retained the services of a retired water agency engineer who had knowledge of the region, knew the participants, and was trusted by all sectors. He was responsible for researching and providing the information used by the members to reach their early decisions. The fact that such disparate members with such a contentious past could all agree to trust a single person to provide objective and usable information was an early success. The Sacramento Water Forum now relies upon joint fact finding to inform their discussions and decisions.

The Sacramento Water Forum governance model relies on engagement from four caucuses, representing water agencies, business interests, environmental groups, and the public. Decisions are made by requiring that each caucus make a consensus decision, and a 75 percent vote of the caucuses is required to make a decision. Meetings are held monthly. Since signing the agreement, the Forum signatories have developed groundwater management plans for three basins, established a water use efficiency program for local water agencies, and developed a habitat management/enhancement program. They have also mutually complied with an agreement to support increased water diversions in average and wet years and reduce diversions in dry years. The Forum continues to negotiate flow standards for the lower American River, and to date has avoided a resumption of litigation.

Sonoma Valley Groundwater Management Plan

In 2006, after collaborating with the USGS on technical groundwater studies, the Sonoma County Water Agency (SCWA) began convening a group of stakeholders to

explore the interest of regional stakeholders to participate in a voluntary, collaborative approach managing local groundwater resources for the Sonoma Valley. The result of these efforts was the preparation of the Sonoma Valley Groundwater Management Plan (GWMP). One of the principle objectives of the GWMP was to bring stakeholders together to collaboratively develop and implement actions to manage groundwater resources pursuant to AB3030/SB1938. With assistance from facilitators and other partners, SCWA acted as the lead agency to involve stakeholders throughout the process.

To initiate the development of a GWMP in the Sonoma Valley, stakeholders were interviewed through an area-wide assessment performed by the Center for Collaborative Policy to identify concerns and develop a process for stakeholders to work together. The Center conducted 16 interviews with 30 stakeholders. Stakeholders included agricultural representatives; economic interests; residential groundwater users; environmental, local governments/public agencies; and water purveyors. These identified stakeholder groups served as a basis to populate the Basin Advisory Panel (BAP) discussed below.

While SCWA was the lead agency in this process, the development and implementation process was designed to be participatory, inclusive, and collaborative. This was achieved through the creation of the BAP consisting of 20 stakeholders representing several groundwater constituencies including: economic, agricultural, environmental, and geographical representation; as well as local agencies, land use, residential groundwater users, water districts, mutual water companies, and special districts. As the body responsible for plan development and implementation, SCWA and CCP spent an entire year building a strong foundation for collaboration among this advisory group. They started by defining terms and working towards building a shared understanding with individuals involved:

- What is groundwater?
- What is the relationship between groundwater and surface water?
- Who are the users of groundwater?
- What are the conditions and characteristics of our basin?
- What data do we have? How can we expand our knowledge of groundwater conditions to effectively manage resources?

By addressing these questions from various perspectives, an open and welcoming dialogue was created. All of this was done in a context of team building, mutual respect, and a commitment to recognize all stakeholder roles and interests in managing local groundwater resources. The role of the BAP participants was clearly established (and documented early in the process in an organizational charter) to be one of facilitating communication with, and soliciting feedback from, the broader group of stakeholders that they represent. To that end, BAP members conducted briefings with constituents and other interested organizations at key milestones annually, thus ensuring broad reaching participation in the process while maintaining a manageable and productive core group. This model provides a clear mechanism for stakeholders to engage in decision making while still maintaining a core group that is productive and effective.

The BAP developed the Plan through monthly meetings and sub-committee discussions of a monitoring framework, and groundwater management goals, objectives, and implementation actions. For example, the BAP developed scenarios that were simulated in the groundwater model to guide the identification and prioritization of management actions. The BAP made decisions through consensus, following protocols outlined in the group's charter. After formally adopting the Plan, the BAP continues to advise implementation through regularly scheduled meetings throughout the year. The BAP recently developed a five year review of the GWMP to address areas of declining groundwater levels. The BAP members advise and provide input on various activities including policy review, fundraising, field tours and outreach, and review of materials for distribution such as guidebooks for well owners and rainwater harvesting.

SCWA took many steps to ensure that the public was adequately informed throughout the entire process of plan development including:

- Publically adopting a Resolution of Intent at a public hearing;
- Developing and using a robust email list of interested persons and organizations to regularly distribute agendas and meeting notices;
- Maintaining an up-to-date webpage dedicated to the development on the plan;
- Publishing a periodic newsletter-type briefing to provide updates on the plan process, which was distributed via email, at meetings and other stakeholder convenings, as well as posted on their website;
- Distributing draft documents, including the final adopted plan, and providing public comment periods;
- BAP members disseminate information, explore issues, guide steps, provide feedback, and maintain strong communication networks with the broader stakeholder group they represent.

SCWA developed a Technical Working Group (TWG) to assist in the development of the Plan, presenting plan elements to the BAP for discussion and approval during the monthly meetings. After adopting the plan in 2007, this group became the Technical Advisory Committee (TAC), to support the BAP and SCWA through ongoing implementation, monitoring, and updates. All of the meetings were open to the public and sought to engage interested stakeholders in technical questions and data management considerations. During Plan preparation, the stakeholders discussed the uncertainties and data gaps relative to the current understanding of groundwater conditions in the Sonoma Valley. The Plan identified those uncertainties and prioritized collecting information to address them. This process was greatly benefited by including different stakeholders who were willing to share their groundwater data, contributing enormously to the content of the plan.

The Sonoma Valley Groundwater Management Plan process was highly successful in convening diverse group of stakeholders representing different opinions. This is evidenced by the fact that the final plan generated broad support from the stakeholders in the Sonoma Valley, expressed formally through letters and resolutions of support from many different actors. Stakeholder involvement formed the foundation for a continued, collaborative process of decision-making and actions during plan implementation. SCWA found that active participation of a broad group of stakeholders is a key component to sustaining a successful, collaborative process and the agency is committed to continuing the ongoing and collaborative dialogues in the Sonoma Valley through ongoing stakeholder engagement. Recognizing the benefits of stakeholder engagement, SCWA opted to use a similar stakeholder process to develop a GWMP for the Santa Rose Plain groundwater basin, also located in Sonoma County. SCWA credits the much of the success of the program to the role of third-party facilitator, the Center for Collaborative Policy, which provided essential meeting and process facilitation, and expertise on community engagement throughout the development of the program and consistently through implementation.

More information about the SCWA GWMP can be found at: http://www.scwa.ca.gov/svgroundwater/.

Tulare Lake Basin Disadvantaged Community Water Study

The TLB Study was undertaken by the County of Tulare with a grant from DWR to develop an integrated water quality and wastewater treatment program plan to identify and address the drinking water and wastewater needs of disadvantaged communities in the Tulare Lake Basin. Stakeholder engagement was vital to developing the plan which was guided by a Stakeholder Oversight Advisory Committee (SOAC) and included the development of an accessible, interactive database.

As an intensive study spanning many years and covering a wide geographic area, the grant work plan required the formation of a Stakeholder Oversight Advisory Committee (SOAC) to guide the process. To do this in a manner that would foster a comprehensive understanding of the diverse issues and needs of the many communities included in the study, every effort was made to ensure a diverse and representative composition. The first step in populating the SOAC was to solicit applications from interested parties. In order to reach out to potential SOAC members, a number of

outreach materials were developed including a fact sheet, frequently asked questions document, an announcement soliciting applicants, and an application. All of these documents were provided in both English and Spanish and distributed by email to a stakeholder contact list and in person at outreach meetings. The documents were also posted on the Tulare County website. Outreach meetings, consisting of a PowerPoint presentation to potential SOAC members, were conducted for over 10 local agencies, regional planning groups and organizations. The project team also conducted targeted outreach via phone, email, and letters to potential stakeholders, and funding and regulatory agencies to encourage participation. In all, 39 applications were received including 20 applications for the 8 DAC seats.

The SOAC was composed of 21 members, 12 of which were voting members while the other nine were ex officio members. Of the 12 voting members, four seats were designated for Board of Supervisor members, one from each county covered by the Study Area. The other eight, as already mentioned, were dedicated to DAC representatives – two for each county. Non-voting members included one representative from the Tulare Lake Basin regional IRWM group; four representatives from funding or regulatory agencies; and four from non-profit, academic, or community based organizations working on water and wastewater needs in the Tulare Lake Basin. Mileage reimbursement was provided to DAC SOAC members to minimize barriers to full participation. Translation services were also provided at every SOAC meeting to ensure full participation, and all meeting materials were available in English and Spanish.

A principle task of the study was to create a database of DACs in the Tulare Lake Basin to inform multiple audiences of priority issues and recommendations. The database included DAC community water systems/ wastewater systems and rural DAC communities with private wells and septic systems. The study included information on community location, county, population, DAC status (SDAC or DAC), the classification source, water system type, size, ownership, water quality, water source, well issues, wastewater issues, wastewater treatment, system number, discharge violations, enforcement actions, and comments. Note that neither specific well location nor addresses were not collected or included in the database. GIS was used to map communities to identify regional challenges and opportunities. By collecting information beyond water quality, the TLB database allows for more comprehensive understanding of not only current challenges but also system vulnerabilities that could lead to future challenges as well. For example, knowing that 44 percent of the DAC water systems identified relied on one single water source indicates the extreme vulnerability of DACs in the region to changing quality and supply conditions.

Public access to the database and the associated TLB study documents on the Tulare Lake Basin, as well as search and sorting capabilities within the database, ensured usability for a variety of purposes and users. The County of Tulare continues to maintain and update the database. As such, the database was designed for ongoing growth and modification. As updated data becomes available, counties will be responsible for relaying the data to Tulare County to be added to the database. Additionally, every entry includes a "water system form" in which anyone can provide additional information or submit comments about an individual system. Vetting the information received is integral to Tulare County's work in maintaining and improving the database as a regional planning tool.

On average, 16 of the 21 members attended SOAC meetings along with more than 30 members of the public. The SOAC oversaw the development of 59 recommendations addressing five priority issues through the execution of four distinct pilot studies. Attributed in large part to the thoughtful design and implementation of the Tulare Lake Basin Disadvantaged Community Study SOAC, participant satisfaction at the end of the three year study was high. 65 percent of participants that completed the final surveys were satisfied or very satisfied with the overall study. 50 percent of the survey participants thought that the project had a high or very high impact on addressing water needs in DACs and making people more aware of the issue. 80 percent of respondents felt that the project had a very high impact or high impact in terms of bringing together a diverse group of stakeholders. In the final meeting all survey respondents reported that all of the diverse voices were given space and respect. The vast majority of participants wished to continue participation in the group and move forward with implementation and follow-through.

To find out more about the Tulare Lake Basin Disadvantaged Community Water Study visit the Tulare Lake Basin Water Alliance's website: http://tularelakebasin.com/alliance/.

Turlock Irrigation District

In the early summer of 2012, Turlock Irrigation District (TID) began hearing, through their customer service representatives, of a utility scam. TID customers, particularly seniors and Latinos, were receiving calls from people claiming to be from TID and threatening customers with immediate shutoff for unpaid bills. Their goal was to either get personal information or get the customers to purchase pre-paid credit cards and relay the credit card information to the scammer.

Once aware of the scam, TID needed to determine how best to warn their vulnerable customers in an expeditious manner. To target customers, they contacted senior organizations with whom they had previously communicated about low-income programs. These groups were able to disseminate information through their existing networks. Also, TID also utilized existing relationships with Stanislaus County to make contact with the Latino Emergency Council, which in turn yielded contacts with the Latino Community Roundtable and El Concilio, a local community service program. These entities all worked to convey information about the scam to community members.

TID developed a significant public information program that identified and utilized stakeholder conduits, as well as their own customer information to spread the urgent information. They created a scam awareness webpage on their website, distributed a press release, wrote about the scam in the customer newsletter, and implemented email blasts using contact lists provided by community members. They also targeted physical locations where customers paid their bills. In addition to their headquarters and remote offices, these included supermarkets and pharmacies. For these locations, a bi-lingual poster was developed. All of the materials warned of the scam and urged potential victims to report the problem to customer service.

This effort highlighted for TID the potential to increase their outreach and engagement by utilizing their existing networks and partnerships more effectively, and focusing on multiple tools to disseminate messages. Currently, TID is utilizing these lessons learned as part of its water conservation partnership with local agencies. The utility scam also provided lessons on outreach methods that could be applied to future projects, including groundwater planning in response to SGMA.

APPENDIX D:
More Guidance on State and Federal Laws Governing Tribal Participation/Consultation

Federal policy, including the U.S. Constitution and U.S. Supreme Court case law, recognizes that Tribes retain inherent sovereignty and the right to govern within political boundaries (Worcester v. Georgia, 1832) and that power to interact with Tribes is vested in the federal government (Cherokee Nation v. Georgia, 1831). The recognition of the sovereign and political independence of Tribal nations and their members is further recognized by the State of California through Executive Order B-10-11, wherein the State "recognizes and reaffirms the inherent right of these Tribes to exercise sovereign authority of their members and territory." Tribes maintain the right to protections of traditional resources and are watchful of Tribal adjudicated water rights, those confirmed by negotiated agreement, and those water rights "perpetually reserved" as was reaffirmed through the Winters Doctrine. The Winters Doctrine prevents appropriations from extinguishing the needs of Native Americans and establishes that state laws are secondary to these federally reserved rights (Winters v. United States, 1908). This doctrine was extended in 1976 to groundwater use on or near reservation lands (Cappaert v. United States, 1976). Each California Tribe therefore exerts their jurisdictional authority over lands and resources according to their own traditional policies, laws, mandates, and capacity. GSAs are therefore strongly encouraged to conduct cooperative management of groundwater consistent with Tribal water rights, Tribal trust resources, and Tribal groundwater and land management.

The Governor's Executive Order B-10-11 further established a policy of consultation between the administration and California Tribes, and each agency of the state is required to "permit elected officials and other representatives of Tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect Tribal communities." Under SGMA, GSAs are overseen by agencies of the state and include representatives of local county governments who are encouraged to adhere to consultation policies for communication and collaboration with Tribes. This includes early communication and inclusion of Tribes in decision-making processes in order to avoid revisions of a GSP prior to state agency approval.policies. This includes early communication and inclusion of Tribes in decision-making processes in order to avoid revisions of a GSP prior to state agency approval.

Since many state agencies and Tribes either have formal consultation policies in place or under development, the agency is advised to contact 1) Cal EPA, Assistant Secretary for Environmental Justice and Tribal Affairs Arsenio Y. Mataka at Arsenio.Mataka@calepa.ca.gov for the most up to date version of the: "EPA Policy on "Consultation and Coordination with Indian Tribes" and "Tribal Communication Protocol" documents, and 2) contact the Tribe(s) in their area for their consultation policies. In addition to these detailed policies the following are general recommendations for communication and consultation with Tribes:

- Prior to the formation of a GSA, the local agency or agencies shall provide notice of the proposed formation to all Tribes located within the proposed territory, or Tribes that have trust resources that may be affected by groundwater basin management.
- Before beginning to develop a GSP, a GSA shall provide the option to such Tribes to agree to participate in the preparation or administration of the GSA through a joint powers authority or other agreement, and negotiate in good faith to execute such an agreement.
- Notification of Tribes shall occur as early as possible, and allow 60 days for Tribal councils to respond in a timely and meaningful way.
- Subsequently, those Tribes who choose to participate shall be eligible to participate fully in planning, financing, and management for sustainable groundwater management, including eligibility for grants and technical assistance.

- Once interest has been established by regional Tribes, communication shall occur regularly and often at the staff level, and Tribal government should be carbon copied (cc'd) in all communication.

- Outreach to Tribes shall include email and/or letters to the Tribal Environmental or Natural Resources Director and the Tribal council directly, or to the Tribal Administrator. A list of Tribes in your area can be obtained by contacting the Native American Heritage Commission (NAHC) using the NAHC request form which can be found at: http://www.opr.ca.gov/docs/NAHC_Consultation_Request_Form.pdf. Expect a reply within 30 days. Once outreach materials have been sent to the Tribe(s) in your area, follow-up with a phone call to ensure that the document was received and to update contact information.

- During the notification phase and subsequent outreach, it is important for both parties to agree if a meeting is informational or if it is formal consultation or not. Purely informational meetings are not considered consultation and when notification is sent to the Tribe(s) it does not mean that formal Tribal consultation has begun. The Tribe will engage the agency on when the process begins and a consultation schedule should be negotiated with the Tribe.

- Consultations are conducted on a government-to-government basis, meaning that agency decision-makers at the highest level and senior staff are present.

- Follow-up with Tribe(s) is necessary to inform Tribes of new recommendations and/or comments that have been integrated into the GSP.

APPENDIX E:
More Resources by Subject

A. General Stakeholder Engagement:

AccountAbility, the United Nations Environment Programme, and Stakeholder Research Associates. (2005). From words to action: The stakeholder engagement manual. Online at http://www.accountability.org/images/content/2/0/207.pdf

Ceres. (2007). FRP guide to stakeholder engagement. Online at http://www.ceres.org/resources/reports/facility-reporting-project-guide-to-stakeholder-engagement

Institute for Local Government. (2015). What is public engagement and why should I do it? Online at http://www.ca-ilg.org/sites/main/files/file-attachments/1._ilg_what_is_public_engagement_and_why_should_i_do_it_mar_2015.pdf

Institute for Local Government. (2012). Dealing with deeply held concerns and other challenges to public engagement processes. Online at http://www.ca-ilg.org/sites/main/files/file-attachments/deeply_held_concerns_final_draft.pdf

Straus, David. (2002). How to make collaboration work: Powerful ways to build consensus, solve problems, and make decisions. Oakland, CA.: Berrett-Koelher Publishers.

National Coalition on Dialogue and Deliberation. (n.d.). US public participation playbook. Online at http://participation.usa.gov/

B. Engaging with Tribes:

Executive Order No. 13175, 3 C.F.R. (Nov. 6, 2000). Consultation and coordination with Indian Tribal Governments. Online at http://energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/Req-EO13175tribgovt.pdf

U.S. Environmental Protection Agency (EPA). (Nov. 11, 1984). EPA Policy for Administration of Environmental Programs on Indian Reservations. Online at http://www.epa.gov/air/tribal/WETG/wetg2014/indian-policy_1984.pdf

U.S. Environmental Protection Agency (EPA). (Oct. 25, 2005). EPA Region 9 Approach to Consultation with Tribal Governments in Regarding to Non-Enforcement Related Matters. Online at http://www.epa.gov/region9/tribal/pdf/consultation-approach-final.pdf

Tribal Consultation Guidelines: Supplement to General Plan Guidelines, Nov. 14, 2005. Governor's Office of Planning and Research: http://www.opr.ca.gov/docs/011414_Updated_Guidelines_922.pdf.

Consultation, coordination and communications policies, procedures and documents are under development by Cal EPA. For the most up to date version of the: "EPA Policy on "Consultation and Coordination with Indian Tribes" and "Tribal Communication Protocol" documents, contact the Cal EPA Assistant Secretary for Environmental Justice and Tribal Affairs, Arsenio Y. Mataka at: Arsenio.Mataka@calepa.ca.gov.

C. Facilitation:

Carpenter, S., & Kennedy, W. (1988). Managing public disputes: A practical guide to handling conflict and reaching agreements. San Francisco: Jossey-Bass.

Doyle, M., & Straus, D. (1976). How to make meetings work: The new interaction method. New York: Wyden Books.

Innes, J., & Booher, D. (2010). Planning with complexity: An introduction to collaborative rationality for public policy. Milton Park, Abingdon, Oxon: Routledge.

The Institute for Local Governance. (2012). Working with Public Engagement Consultants: Tips for Local Officials. Online at http://www.ca-ilg.org/sites/main/files/file-attachments/consultantstips_final_jan_2012_3.pdf

Kelsey, D., & Plumb, P. (1997). Great meetings!: How to facilitate like a pro. Portland, Me.: Hanson Park Press.

Moore, C. (1996). How Mediation Works. In The mediation process: Practical strategies for resolving conflict (2nd ed). San Francisco: Jossey Bass.

Stone, D., & Patton, B. (1999). Difficult conversations: How to discuss what matters most. New York, N.Y.: Viking.

Susskind, L., & Cruikshank, J. (2006). Breaking Robert's rules: The new way to run your meeting, build consensus, and get results. Oxford: Oxford University Press.

Susskind, L. (1999). The consensus building handbook: A comprehensive guide to reaching agreement. Thousand Oaks, Calif.: Sage Publications.

D. Communication:

The USDA Forest Service Pacific Southwest Region 5 Forest Plan Revision Collaboration Guide found at: http://www.csus.edu/ccp/presentations/stelprdb5422900.pdf provides information on how to develop a communication and engagement plan. Plans developed based on this guide including for the Sequoia National Forest (online at https://fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5413374.pdf) and the Inyo National Forest (online at http://www.sierraforestlegacy.org/FC_ProjectsPlans/EarlyAdopters/InyoNFCollaboration&CommunicationPlan.pdf) make excellent working models of this approach.

The Institute for Local Governance. (n.d.). Effective public engagement through strategic communication. Online at http://www.ca-ilg.org/sites/main/files/file-attachments/effective_public_engagement_thru_strategic_communication_march_2015.pdf

E. Joint fact finding

Karl, H. A., Susskind, L. E., & Wallace, K. H. (2007). A dialogue, not a diatribe: effective integration of science and policy through joint fact finding. Environment: Science and Policy for Sustainable Development, 49(1), 20-34.

F. Measuring Stakeholder Engagement

Association of State and Territorial Solid Waste Management Officials (ASTSWMO). (2011). Measuring effectiveness of state stakeholder engagement and partnering efforts. Online at http://www.astswmo.org/Files/Policies_and_Publications/Federal_Facilities/2011.04_ Final_ASTSWMO_MeasEffecEngageTool.pdf.