



# South Bay Salt Pond Restoration Project

*Restoring the Wild Heart of the South Bay*

## Charter and Operating Protocols South Bay Salt Ponds Restoration Project Stakeholder Forum and Working Groups

*Updated Aug. 4, 2015*

### Overarching Project Goal

**The overarching goal of the Long-Term Restoration Plan is the restoration and enhancement of wetlands in the South San Francisco Bay while providing for flood management and wildlife-oriented public access and recreation.**

### CHARTER

#### Stakeholder Forum

##### Mission

The purpose of the Stakeholder Forum is to provide ongoing, high level, publicly derived input to the Project Management Team (PM Team) on three major components of the restoration plan: Habitat objectives and actions, types and levels of public access, and integration of flood management and habitat restoration. This input will be used by the PM Team as the basis to provide feasible and substantive design and plan management direction to the Consultant Design Team. The Forum will also assist the PM Team and other project team members to gain a broader understanding of public and interest group perspectives.

##### Composition

The Stakeholder Forum is comprised of core stakeholders with demonstrated long-term, ongoing interest in the restoration plan and South Bay shoreline, representing the following categories:

- Local Business and Adjacent Landowners;
- Environmental Organizations;
- Public Access /Recreation Interests;
- Public Infrastructure;
- Community Advocates and Institutions;
- Flood Management;
- Public Works/Public Health; and
- Local, State or Federal Elected Officials.

### **Roles and Responsibilities**

In the early years of the Project, the Stakeholder Forum provided focused review, discussion and consensus-seeking on several key issues in the development of the Long-Term Restoration Plan, including:

- Review and input on the final objectives of the restoration plan
- Development and discussion of possible trade-offs across plan's objectives
- Discussion and consensus-seeking on design opportunities and constraints and integration of the habitat, public access, and flood management objectives
- Review and consensus-seeking on restoration concepts
- Public access/recreational components
- Floodplain and tidal flood protection integral to the restoration effort
- Water quality effects, including mercury methylation
- Opportunities for South Bay water quality improvement
- Habitat mosaics and location
- Dredge material use/placement
- Vector management and predation control

Now that the Project is in its implementation phase, the Stakeholder Forum provides focused review, discussion and input on the following key restoration and planning issues:

- Review and input on the final objectives of additional restoration plan phases
- Development and discussion of possible trade-offs across planning and implementation objectives
- Discussion and consensus-seeking on design opportunities and constraints and integration of the habitat, public access, and flood management objectives
- Review and consensus-seeking on restoration concepts
- Public access/recreation components
- Floodplain, tidal flood and sea level rise protection integral to the restoration effort
- Water quality effects, including mercury methylation
- Opportunities for South Bay water quality improvement
- Habitat mosaics and location
- Dredge material use/placement
- Vector management and predation control
- Funding partnerships and opportunities

The PM Team may periodically assign specific tasks or directives to be undertaken by the Forum.

### **Project Working Groups**

#### **Mission:**

Three geographic Working Groups, each representing stakeholders interested in one of the regional pond complexes, were established by the Project to provide more detailed analysis of issues necessary to planning and implementing the restoration program at that pond complex. Work Group members also provide additional points of contact between the public, the PM Team and participating regulatory agencies.

**Composition:**

Working Groups will include members of the Stakeholder Forum, government agency staff, regulatory agency representatives and other interested members of the public and scientific community.

Ideally, each member of the Forum will also serve on at least one Working Group. In addition, representatives of other interest groups and organizations not participating on the Forum will be encouraged to participate in Working Groups. The Working Groups provide a means to involve more public representatives than can be accommodated on the Forum, as well to enhance the diversity of participation in the restoration program.

**Role/Responsibilities:**

The Working Groups will support the deliberations of the Stakeholder Forum. The Working Groups will engage in detailed, open public discussions of specific elements of plan development and implementation.

## **OPERATING PROTOCOLS**

**General Principles of Collaboration:**

The following general operating principles are proposed to guide the deliberations of the Stakeholder Forum and Working Groups:

- The goals of the Project will best be achieved by relationships among Project participants characterized by mutual trust, responsiveness, flexibility and open communication.
- It is the responsibility of all Forum participants to work toward the common goals of the Project.

To that end, Forum and Working Group members will:

- Commit to expending the time, energy and organizational resources necessary to meet Project objectives.
- Recognize the complexity involved in restoring the salt ponds and the need for collaborative problem solving to find the best solutions.
- Be prepared to listen intently to the concerns of others and identify the interests represented.
- Ask questions and seek clarification to ensure they fully understand other's interests, concerns and comments.
- Be respectful of other's interests, even if they are not consistent with or oppose their own.
- Regard disagreements as problems to be solved rather than battles to be won.
- Be prepared to "think outside the box" and develop creative solutions to address the many interests that will be raised throughout the planning process.
- Commit to act in good faith and respect the personal integrity and values of other members.

**Decision-Making:**

In many cases, Forum and Working Group meetings will be conducted as open dialogue on key issues, with the goal being to allow Project managers to learn about and understand the range of stakeholder views on important aspects of the Project.

In certain cases, the Project may ask the Forum or a Working Group for a recommendation. In these cases, the Stakeholder Forum and Working Groups will strive to seek consensus on all key issues. No voting is anticipated. Rather, every effort will be made to address the concerns of even a lone voice of opposition.

Every effort will be made to reach consensus on major recommendations. In the event consensus cannot be reached within the Forum, the rationale behind recommendations made to the PM Team will be explained, along with the general level of support, as well as a summary of the concerns raised. “Minority” views will be included in meeting summaries or with the recommendations as appropriate.

Taking a consensus-based approach to decision-making does not mean that 100 percent support will be required to move forward with plans or recommendations. It does mean that every effort will be made to reach consensus, and that opposing points of view will be presented and explained if consensus cannot be reached. Consensus can include situations where participants either “step aside” from or “agree not to oppose” recommendations. Ultimately, the PM Team will take into account the levels of consensus, or lack of consensus, in the Forum when making its decisions on the plan design and implementation.

Working Groups are not empowered to make consensus recommendations, but will compile and assess information and provide needed input.

### **Meeting Types and Frequency:**

#### *Stakeholder Forum*

Recognizing the long-term nature of the project, and the need for strong community and government cooperation, the Forum should be used to build strong relationships between its members and the broader South Bay community. To this end, the Forum met monthly in the beginning, and then less frequently after initiation of the Working Groups.

Stakeholder Forum meetings will include regular and ongoing participation of one or more PM Team members. All meetings of the Stakeholder Forum will be public. Public comment time will be made available for any non-Committee members in attendance.

#### *Forum Working Groups*

Once established, Working Groups will meet at an interval considered appropriate given the scope of activities, data needs, and timing with other components of the project, among other variables.

### **Communicating with Constituent Groups:**

Without the ultimate support of the organizations and interests represented on the Forum, the recommendations coming out of the Forum will have little chance of being considered by the PM Team. Therefore, Forum members commit to maintaining a high level of regular communication with and involvement by their respective stakeholder organizations throughout the entire process.

- Forum members agree to report regularly to their respective organizations on the activities of the Forum and on the status of restoration planning and implementation. Likewise, Forum members will report back the views of their organization or constituents.
- Forum members will actively advocate on behalf of any approaches to restoration, flood management and/or public access that they believe constructively contribute to a consensus

planning and implementation approach. If a Forum member has a serious problem or objection to any data, analysis or component of emerging plans or projects, s/he agrees to bring this concern to the PM Team or Executive Project Manager directly for discussion and resolution.

### **Public Participation:**

All meetings of the Forum and Working Groups are open to the public. All interested members of the public are encouraged to attend. Every effort will be made to include comments from the public in the deliberations of each meeting.

The PM Team recognizes that this planning and implementation effort will result in recommendations involving the public interest, public policy, and investments of public dollars. To ensure accountability to the public over and above the measures indicated above, this planning effort includes a comprehensive public education and outreach program that unfolds in parallel with the Forum process.

### **Meeting Ground Rules:**

The South Bay Salt Ponds Restoration Project Stakeholder Forum agrees to conduct meetings according to the following ground rules:

- All Forum members take responsibility for the overall conduct and outcome of this project.
- Members agree to speak one at a time.
- If members need to engage in sidebar conversations, they will step outside the meeting room.
- Electronic devices will be silenced or placed on vibrate during the Forum meetings.
- It is the joint responsibility of the members to ensure that the principles of collaboration and meeting ground rules are observed. Participants are free to question, in good faith, actions of others that may come within the scope of these ground rules.

### **Meeting Protocols:**

- **Attendance:** Forum participants agree to make a good faith effort to participate in all scheduled meetings and activities. The PM Team reserves the option of replacing individuals who miss meetings on a regular basis. Given the long term nature of the project, however, annual assessments will be made to determine if participants are able to continue or if new representatives need to be appointed.
- **Alternates** If a Forum member is not able to attend a specific meeting, he or she may certainly request another person to attend in his or her place. But the alternate's participation will be limited to observing the proceedings, except under the following conditions: the alternate regularly attends Forum meetings, or the Forum member commits to close and ongoing communication with that alternate on issues before the Forum. If a Forum member is not able to maintain the commitment to thoroughly briefing his/her appointed alternate, and/or the alternate does not regularly attend Forum meetings, then the alternate will observe only.
- **Succession** In the event that a member of the Stakeholder Forum must resign or step down, his or her organization can appoint a replacement. That individual must represent the same organization, community or constituent group as the Forum member whom s/he is replacing. . Prior to leaving, the departing Forum member will inform the PM Team of his/her intentions. In addition, the departing member will make a good faith effort to brief his/her replacement on the key activities and discussions taking place on the Forum.

- **Agendas:** Agendas will be developed by Project facilitators or the PM Team. If at all possible, draft agendas will be prepared and distributed at least one week before each meeting.
- **Meeting Summaries:** A written summary of each Stakeholder Forum and Working Group meeting will be prepared. These will not be minutes but rather a summary of the key ideas discussed at each meeting. Meeting summaries will be posted on the project website.
- **Facilitation:** In addition to facilitating Forum and Working Group meetings as needed, the facilitation team will also be responsible for communications between meetings, and developing and distributing agendas, meeting summaries and other materials necessary for each meeting.

#### **Safeguards:**

Several safeguards are recommended to create an open, transparent setting for Stakeholder Forum and Working Group participation. These are:

- **Right to Withdraw:** Forum members may withdraw at any time without prejudice to themselves or the organization they represent. If applicable, this will be accomplished by providing a written explanation including the effective date of withdrawal.
- **Open Dialogue:** Forum and Working Group members are asked to assist meeting facilitators and Project managers in creating and maintaining an atmosphere where everyone feels free to express their views, and where ideas or comments will not be taken out of the context in which they were expressed.
- **Sharing Information:** Forum and Working Group members agree to share all relevant information to which they have access with all other members of the groups (except for confidential business information). In the case of confidential information, efforts will be made to summarize or characterize information to the extent possible and as considered beneficial to the project.
- **Disclosure:** This commitment does not prevent Forum members from pursuing other activities to advocate for their interests. However, Forum members agree to communicate to other members when and if they become involved in activities that may be perceived as in opposition to or undermining any Forum consensus process.
- **Statements to the Media:** Forum and Working Group members agree not to characterize the viewpoints of others when contacted by media representatives about the process, nor to use the media as a means to unilaterally influence the process. Group members should express their own viewpoints only.