

## **Section B**

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# Governance, Stakeholder Involvement and Outreach

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### **B.1 Introduction**

This section summarizes the Tule River Basin Region governance structure and the stakeholder involvement and outreach process. Per the 2016 California Department of Water Resources (DWR) Integrated Regional Water Management (IRWM) Guidelines, hereinafter referred to as the “State IRWM Guidelines” or “State Guidelines”, the governance structure serves to define the processes, structures, and organizational traditions that determine how power is exercised, how stakeholders are involved in IRWM Plan development, how decisions are made, and how the IRWM Plan is updated over time. This section also provides discussion of:

- State IRWM Guidelines: Governance and Stakeholder Involvement Standards
- IRWM Program Participants, including the Regional Water Management Group (RWMG), Lead Agency, Water Resources Advisory Committee (WRAC), Implementation Affiliates, and Interested Stakeholders
- IRWM Organizational Structure, including governance, and decision-making processes
- Stakeholder involvement, memorandum of understanding, and public outreach processes
- Long-term implementation of the IRWM Plan, including the steps for updating and adopting the plan

#### **B.1.1 State IRWM Guidelines: Governance and Stakeholder Involvement Standards**

The 2016 IRWM Program Guidelines (State Guidelines) provided the lead document for the approach and content required for the Region’s IRWM Plan. These guidelines reflect current legislation impacting what should be included in IRWM Plans throughout the state of California. The Guidelines’ IRWM Plan Standards discuss specific elements that must be part of an IRWM Plan, and are included in the IRWM Plan requirement tables located in Appendix B – State Requirement tables.

#### **B.1.2 IRWM Program Participants**

While the Deer Creek and Tule River Authority (DCTRA) has taken the initial lead role for many years in Tule River Basin water management related activities, including participation in the joint Kaweah River Basins/Tule River Basin IRWM Stakeholder Advisory Group, a number of other entities that manage water have expressed interest in being a member of Tule River IRWM Group. They have done so through participation in joint water management activities, with participation of the majority of the entities taking place prior to any external funding project activities occurring related to IRWM activities.

The active participants of the Tule River IRWM Group currently include the County of Tulare, the Lower Tule River Irrigation District, the City of Porterville, the Pixley Irrigation District, the Porterville Irrigation

District, the Saucelito Irrigation District, the Terra Bella Irrigation District, the Tea Pot Dome Water District, the Vandalia Water District, the Angiola Water District, and the Deer Creek Storm Water District. Additional participants include the various Community Service Districts, Public Utility Districts, Tulare County Flood Control District, Pioneer Water Company, and the Tule River Association. The Tule River Basin has prepared a Memorandum of Understanding for purposes of formally developing the IRWM Regional Water Management Group (RWMG).

A planning process of approximately five years in length has occurred, coordinating each of the entities noted above, along with interested parties from a multiple number of disciplines. These have included representatives from Self-Help Enterprises, private non-profit groups representing disadvantaged communities, including the Community Water Center, Tulare Basin Wildlife Wetlands Partners and representatives of multiple agencies of jurisdiction from both the Federal and State levels. The representatives have formed an advisory group which has worked through the processes of governance, project submittal, project scoring, development of plan goals and objectives and defining purpose and needs. Agreement has been reached amongst all participants, on a consensus basis, with respect to the critical foundation issues related to the IRWM process.

## **B.2. IRWM Organizational Structure**

### **B.2.1 Governance Structure**

The Deer Creek and Tule River Authority (DCTRA) is a joint powers authority covering approximately 289,448 acres in the County of Tulare. To date, DCTRA has acted as the lead agency in the coordinated management of water resources available to the Tule River Basin, particularly as they have applied to groundwater resources, droughts, and flood and storm waters control. Joining together with multiple agencies for management of pre-1914 water rights purposes, Central Valley Project water, groundwater management and development of a formalized Integrated Regional Water Management Plan (IRWMP) the DCTRA member entities have directed water management activities undertaken by the cooperating agencies within the Tule River Basin. Joining together with other agencies with similar goals, the DCTRA has provided formal notice to the public and agencies of jurisdiction of the preparation of an IRWMP. Based on the approval of the outcome of the Regional Acceptance Process by the Department of Water Resources of the State of California, this IRWMP has been prepared in parallel to a plan for the Kaweah River Basin with the governing bodies of the two IRWM areas electing to share a common Stakeholders Advisory Group.

Acting as the lead agency for a coordinated group of participants with specific proposed water management projects, the DCTRA has executed a contract for the development of this IRWMP, in draft status. It is the intent of this IRWMP to document, in detail, all of the existing relationships, policies, procedures and agreements which have both been historically in place, as well as in place at the time of the submission of this IRWMP to DWR for acceptance through the Plan Review Process of said agency.

The governance of this IRWMP initially resided with the Board of Directors of the DCTRA. The Board of Directors is comprised of an elected official from each of the member entities. The Directors are in office until their successors are selected. Actions taken by the governing Board of the DCTRA are done in conjunction with input from the Stakeholders Advisory Group, as well as from the entities which are

signatory to the joint powers agreement. The original agreement was dated February 25, 1994, with subsequent amendments. A copy of these documents is presented in Appendix C.

As a joint powers authority of public agencies within the State of California, the business of the DCTRA is conducted pursuant to the provisions of the Brown Act wherein specific notice of meetings, topics to be discussed and actions proposed to be taken are contained in a published agenda and conducted in open session which is subject to public comment during a general comment period, as well as when a particular item is specifically taken up by the Board of Directors. Rules and procedures have been developed for conduct of the public and input from the public and interested parties by the DCTRA. Meetings of the Board of Directors are held on a regular quarterly basis, at a minimum, in a facility which is fully compliant with the Americans with Disabilities Act standards.

Minutes of prior meetings are available to the public, upon request, as well as relevant documents pursuant to the DCTRA document request process. The governance of the Tule River Basin IRWMP will transfer from the DCTRA to the parties identified within the Tule River Basin MOU once the Tule River Basin IRWM Group executes the MOU and has the initial organizational meeting.

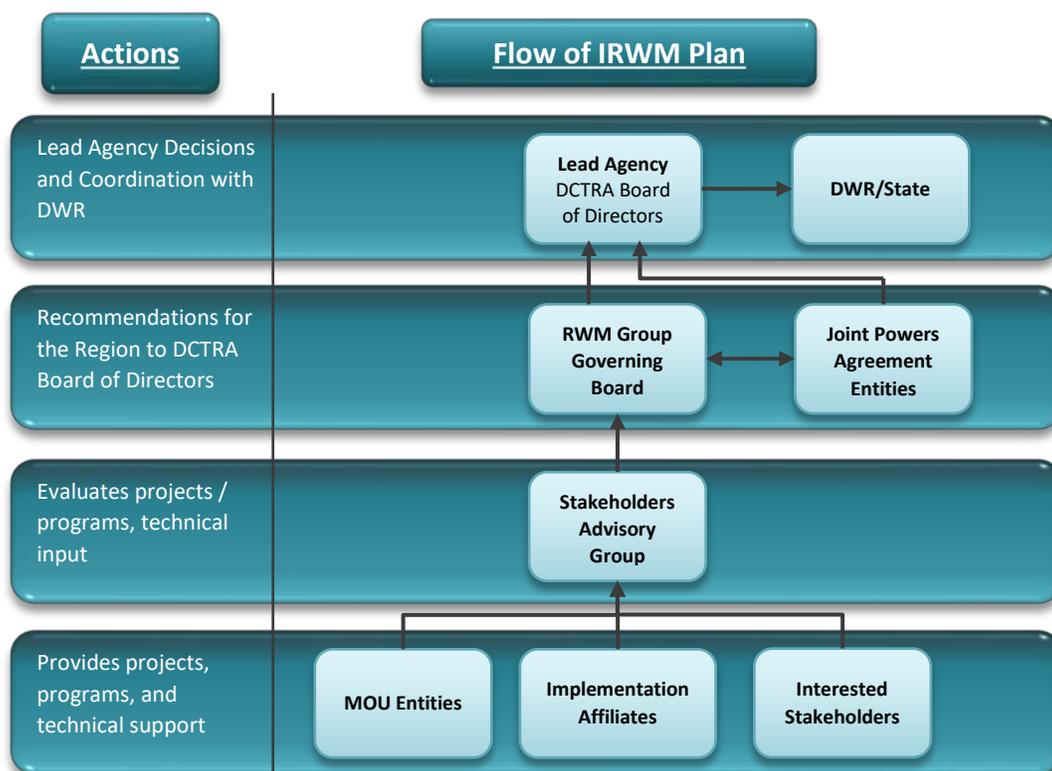


Figure B-1. IRWM Program Governance Structure

### **B.2.2 Stakeholders Advisory Group**

As a part of the initial effort to expand the outreach efforts related to IRWM planning, the Tule River Basin Stakeholders Advisory Group was expanded to include a number of parties specifically invited to participate in the water management planning efforts within the Tule River Basins. A number of urban purveyors who had historically not participated in the planning efforts were invited, as well as a number of stakeholders and representatives of disadvantaged community areas and rural hamlet areas, underserved from the perspective of both adequate water supply and inadequate water quality. The group was also expanded to include the County of Tulare, which had historically participated from a flood control standpoint, but parties were added to specifically address public health concerns, including well construction and well abandonment.

### **B.2.3 Memorandum of Understanding**

The Tule River Basin, during discussions with a stakeholder’s group, identified steps to formally develop a Memorandum of Understanding leading to an IRWMP for the Tule River Basin and addressing what form of governance a Regional Water Management Group would be based on. For the interim period, it has been determined to leave the plan organization with DCTRA as the lead and to add additional parties to the effort utilizing a Memorandum of Understanding, which has been drafted and provided to additional parties. The number of participants to the Memorandum of Understanding has yet to be determined, but current interested parties outside of the DCTRA member entities expressing interest include:

- County of Tulare
- City of Porterville
- Poplar Community Service District
- Tipton Community Services District
- Woodville Public Utility District
- Pixley Public Utility District
- Alpaugh Irrigation District
- Alpaugh Community Services District
- Allensworth Community Services District
- Deer Creek Storm Water District
- Angiola Water District

### **B.2.4 Notice of Intent to Prepare the IRWM Plan (Blanks appeared in original draft)**

Notice and Hearing on Intent to Prepare an Integrated Water Management Plan On \_\_\_\_\_, 20\_\_ a Notice of Public Hearing was published in the \_\_\_\_\_ by a Regional Water Management Group, formed pursuant to California Water code Section 10539. The aforementioned Notice of Public Hearing states that a public hearing will be held to consider whether or not the aforementioned entities would “prepare an Integrated Regional Water Management Plan.” As noticed, the public hearing was held on \_\_\_\_\_. This IRWM Plan for the Tule River Basin has been prepared pursuant to said notice.

### **B.2.5 Notice of Intent to Adopt the IRWM Plan**

On \_\_\_\_\_, 2018, and \_\_\_\_\_, 2018, a Notice of Intent to Adopt an Integrated Regional Water Management Plan was published in the \_\_\_\_\_. It provided notice that “the Regional Water Management Group comprised of the member units, less the Stone Corral Irrigation District, of the Deer Creek and Tule River Authority” would hold a public hearing on \_\_\_\_\_, 2018, regarding “their intent to adopt an Integrated Regional Water Management Plan for the Tule River Basin.” The Notice stated that “the public may comment on the proposed plan during the public hearing.” A copy of the Certificate of Publication of the aforementioned Notice of Intent to Adopt an Integrated Regional Water Management Plan is attached hereto as Appendix XXX. The public meeting was held on \_\_\_\_\_, 2015, as noticed. A copy of a document memorializing the decision of the Regional Water Management Group is attached hereto as Appendix XXX.

## **B.3 Long Term Implementation of the IRWM Plan**

### **B.3.1 Governance**

As the primary body involved with the governance of the Plan, the RWM Group as described in the Memorandum of Understanding, dated \_\_\_\_\_, a copy of which is attached as Appendix A (“MOU”), shall be led by a governing board (“RWM Group Governing Board”) composed of one designated primary representative from each of the parties (individually “Party” and collectively “Parties”) to the MOU, one designated member from the Tule River Basin RWM Stakeholder Advisory Group, together with those who may hereafter be added as members of the RWM Group by any subsequent majority vote of the Parties. Each Party shall also designate an alternate representative to attend meetings of the RWM Group Governing Board when the designated primary representative is unable to do so and in such situations the alternate representative shall represent the Party. The Chair of the RWM Group Governing Board shall be elected for a two (2) year term by the members of the RWM Group Governing Board from among its members, the members shall also elect a Vice Chair, which will also have the same two-year term.

### **B.3.2 Stakeholder Advisory Group**

A Tule River Basin Stakeholder Advisory Group has participated extensively in many of the details involving the formation of the Plan. The Tule River Basin RWM Stakeholder Advisory Group has elected from among its members a Chair and a Vice Chair to conduct the meetings of the RWM Stakeholder Advisory Group. The Tule River Basin RWM Stakeholder Advisory Group shall appoint one (1) individual and one (1) alternate to serve on the Tule River Basin RWM Group Governing Board for a term of two (2) years. Actions of the RWM Stakeholder Advisory Group shall be by majority vote of those present at a duly called and noticed meeting and shall be limited to action to advise the RWM Group Governing Board and to appoint members to such Board in the manner provided in the following paragraph.

### **B.3.3 Actions of the RWM Group Governing Board**

Actions requiring the approval of the RWM Group Governing Board shall only be taken after approval of a majority of the Parties during a duly noticed meeting of the RWM Group Governing Board with a quorum present. The quorum for the RWM Group Governing Board to conduct a valid meeting is a majority of the parties to the Memorandum of Understanding dated \_\_\_\_\_. The aforementioned actions include how formal changes to the Plan will be performed. Before taking any action to direct the performance of formal changes to the Plan, the RWM Group Governing Board shall hold a public hearing and consider any and all advice from the RWM Stakeholder Advisory Group and comments from other members of the public.

### **B.3.4 Meetings**

All meetings of the RWM Group Governing Board or the RWM Stakeholder Advisory Group may be called by the Chair of the respective group or any two members of the group by providing the notice of such meeting as required by law. Meetings of either shall be held in the Board Room at the office of the Lower Tule River Irrigation District, located at 357 Olive Avenue, Tipton, California, or other meeting place designated by the Authority, unless the RWM Group Governing Board or the RWM Stakeholder Advisory Group takes action to hold one or more of its meetings at a different location. All meetings of the RWM Group Governing Board and the RWM Stakeholder Advisory Group shall be in compliance with the requirements of the Ralph M. Brown Act found in California Government Code Sections 54950 *et seq.*

### **B.3.5 Updating or Amending the IRWM Plan**

#### Plan Review

Whenever the RWM Group Governing Board deems it necessary to keep the Plan current, but not less frequently than four (4) years after the date of the adoption of the Plan and every five (5) years thereafter, the Chair of the RWM Group Governing Board shall appoint individuals who shall constitute a committee (“Plan Review Committee”) composed of an equal number of members of the RWM Group Governing Board and the RWM Stakeholders Advisory Group, which shall be tasked with reviewing the Plan and recommending Plan updates or amendments (“amendments”) to the RWM Group Governing Board. The Plan Review Committee shall elect a Chair and an alternate Chair.

Each Plan Review Committee shall complete its review and make its recommendations to the RWM Group Governing Board within one (1) year after its formation. The Chair of the Plan Review Committee shall set the frequency of the meetings and call as many meetings as he or she deems necessary to timely complete its assigned tasks. The Plan Review Committee shall obtain the permission of the RWM Group Governing Board to employ consultants to assist it in reviewing the Plan and in preparing any recommended amendments.

### Interim Change

The Plan shall be subject to adaptive management processes in order to timely respond to changing conditions. A minor process, organizational, or water management change (“Interim Change”) that occurs relatively frequently may be made informally and without formal action of the RWM Group Governing Board pending the next scheduled meeting of the RWM Governing Board. The RWM Stakeholders Group may take action to recommend an Interim Change. Either staff of a Party or the RWM Stakeholders Group may ask the RWM Group Governing Board to determine whether a minor process, organizational, or water management change constitutes an Interim Change.

### Formal Plan Changes

Given that the Board of Directors of the DCTRA has chosen to select an interval for review and update of other plans created and maintained under the jurisdiction of the DCTRA, action to establish a review and update period can be assumed to be taken soon for this IRWMP. At the time of the establishment of that interval, the update format policy will also be established by the Board of Directors. Looking again to existing plan update policies, formal plan updates are usually accompanied with a complete replacement of the plan document. It has been proven in other cases to not be as efficient to issue amendment additions to critical plans, thus causing a party utilizing the particular plan to circuit back and forth between an auxiliary amendment documents and the principal plan document. The authority to affect this policy resides currently with the DCTRA Board of Directors.

### Consideration of Recommendations by the Plan Review Committee

The Plan Review Committee shall provide its recommendation to the RWM Group Governing Board, which shall review the same and consider whether to adopt the recommendation in whole, in part or not at all. The RWM Group Governing Board may consider other amendments to the Plan not recommended by the Plan Review Committee.

### Notice and Hearing on Intention to Adopt Amendments to Plan

If the RWM Group Governing Board decides that it will consider adopting amendments to the Plan, it shall publish notice of its intention to amend the Plan in accordance with California Government Code Section 6066.

### Adoption of Amendments to Plan

After providing the notice required in paragraph above, the RWM Group Governing Board shall have a public meeting at which it may adopt amendments to the Plan. If it decides to adopt amendments to the Plan, the RWM Group Governing Board shall determine whether to adopt the amendments by amending the Plan or by adopting an amended or restated Plan.

### **B.3.6 Outreach to DACs and Tribal Communities**

Continuous outreach is considered to be a critical aspect of long term IRWMP implementation at both a project and programmatic level. Community Outreach will be conducted through a variety of outlets as projects and programs are proposed for integration into the IRWMP.

Outreach to Native American Tribal Communities will take place in accordance with AB 52, which requires consideration of Tribal cultural values in determination of project impacts and mitigation. Compliance with this legislation will include coordination with tribal group representatives during the CEQA process to ensure protection of cultural resources. Additional information regarding coordination with Native American Tribal Communities is presented in Section N – Planning Coordination.

Outreach to disadvantaged communities will take place through the Proposition 1 IRWM Disadvantaged Communities Involvement Program. This program provides funding to support a variety of activities intended to increase DAC involvement in water management programs. Eligible DAC Involvement activities, as identified by the Prop 1 DACI RFP, are noted in the table below. Information regarding consideration of DACs and Tribal Communities in project benefit/impact analysis is presented in Section H – Plan Benefits and Impacts.

**Table B-1. Eligible Prop 1 DAC Involvement Program Activities**

General Activity	Examples of Activity	Desired Outcome
<b>Technical assistance</b>	Service provider trainings, local circuit rider programs to train water and wastewater staff	Technical, financial or managerial assistance that results in community staff that are able to support local water resource decision making, gain knowledge, and retain technical skills within the Funding Area
<b>Needs assessments</b>	Surveys or meetings with community members to identify water management needs	Needs assessments provide a better understanding of water management needs of the community to help direct resources and funding
<b>Project development activities</b>	Planning activities, environmental compliance, or pre-construction engineering/design activities	Project development activities for future implementation/construction funding
<b>Site assessment</b>	Water quality assessments, median household income surveys, data and mapping activities	Site assessment that results in extensive knowledge gained by staff and DAC members on specific water management needs, data, and development for future water-related project(s)
<b>Engagement in IRWM efforts</b>	DAC regional engagement coordinator role, DAC Advisory Committee to RWMG, DAC representatives in governance	Engagement activities should result in increased activity and roles of DACs in RWMG decision making and increased participation in IRWM efforts
<b>Governance Structure</b>	Evaluation of existing governance structures and related plan financing efforts, assessments of the level of DAC involvement in decision making processes	Development or implementation of RWMG governance structures that ensure participation in IRWM efforts regardless of the ability to contribute financially to the IRWM plan
<b>Community outreach</b>	Public project meetings open to community members, door-to-door outreach	Outreach should result in increased participation of DACs in project development activities and IRWM planning activities
<b>Education</b>	Translation or interpretive services for information sharing, water education campaigns for community members, education for RWMGs on DAC needs	Education and interpretive services should result in the better understanding by community members of their water management needs
<b>Facilitation</b>	Facilitated RWMG meetings, facilitated project development meetings	Facilitation services should result in community participation and stakeholders being able to resolve or overcome obstacles in communicating water management needs
<b>Enhancement of DAC aspects in IRWM Plans</b>	Development of Funding Area-wide DAC plan to be utilized as a unified approach for all IRWM plans	IRWM Plan DAC-related changes should result in tangible changes to the IRWM plan that support the IRWM’s understanding of their DAC water management needs in the region