

- Develop a thorough understanding, not only of their interests, but also the interests of the other parties at the table.
- Negotiate in good faith fair agreements, with the intent to satisfy as many of the varied interests as possible.

It is understood that all the parties must continue to operate under their own guidelines and timetables. As such, some Members may need to take action related to those requirements that could have a negative impact on the discussions taking place. Even so members agree to work in good faith within the process.

While all parties are expected to act in good faith, it is expressly understood that no party is asked to waive any right or to forego any obligation related to water resource issues. To facilitate these values and principles, USC Members agree to the following:

- To the extent possible and without jeopardizing any legal rights or activities, any member of the USC who anticipates taking an action which will impact either the collaborative process or other parties engaged in the process, will disclose their action in advance (such disclosure is not intended to restrict action but to inform other participants). Examples of such activities include introduction of legislation or legal action, staging of press conferences, or release of reports.
- In the interest of preserving working relationships within the collaborative process, such disclosure will be made at the earliest time practicable.
- In those circumstances in which for whatever reason, advanced disclosure of an intended action is not possible, USC Members are asked to attempt to mitigate any negative consequences of an intended action by taking actions that could include but not be limited to: consultation with staff or facilitators, concurrent special notification to all interest groups, and/or side-bar conversation with other affected parties as soon as possible following an action, etc.

Decision Making

In some cases DWR may seek recommendations from the USC. This is a consensus seeking process. The USC will strive to reach consensus though it is not mandatory to making a decision and moving the process forward. When seeking consensus, the USC will consider a range of definitions for support in order to provide the most accurate picture of their collective viewpoint. The range of support will include:

Unqualified Support: Full agreement with all aspects of proposal

Strong Support for most aspects of proposal. No fundamental disagreements with any aspect of proposal.

General Support for all or most aspects of a proposal. No fundamental disagreement with key aspects of proposal. Includes having unanswered questions that need additional information or clarification.

Qualified Disagreement: Significant disagreement with one or more aspects of proposal; however, can live with the proposal as packaged. (i.e. Overall, suggested proposal is better than leaving things as they are now). In this “not happy, but I’ll live with it” option, parties will be asked to work on generating alternative options or language that address the concerns of all.

Fundamental Disagreement with key aspects of proposal. Not willing to support or live with the proposal as it stands. Parties with this opinion must suggest alternatives that move the proposal toward accommodating the interests of all.

To determine if the USC is moving in a particular direction, the facilitator will periodically ask for an informal “read” or “straw poll” of the group’s perspective. Answers to this question are used for the purpose of developing the dialogue and not binding.

When there appears to be general agreement regarding a proposal, a more formal question may be asked of the USC to determine if they have reached consensus and can provide a final recommendation. If consensus has been reached, the decision of the group will be memorialized (e.g. through meeting summaries, reports, memos, etc.) and will take the form of a recommendation from the USC to DWR. DWR will seek consensus among USC members and it will give high priority consideration to proposals and recommendations for which there is consensus and/or significant agreement among USC members. DWR is not bound to adopt a proposal or recommendation where consensus exists. If DWR report differs from USC consensus recommendation, DWR will provide explanation.

If consensus is not possible, the USC in coordination with the DWR staff will decide if the topic / proposal warrants more discussion to try to reach consensus. Due to the expedited nature of the overall SBX7-7 program, prolonged discussions by the USC on a specific topic may not be feasible. Relative to DWR Role #9 and #10 (described above), DWR will retain final decision responsibility on whether the USC should continue to seek consensus or move on to other topics. If USC Members find that consensus is not feasible on a specific topic, the USC will prepare a summary (e.g. through meeting summaries, reports, memos, etc.) describing the full range of perspectives including minority opinions.

Regarding final recommendations, it is understood that some USC members may represent organizations and are unable to make final commitments without a concurrence of a board or other body. In this case, agreements will be considered tentative pending approval. Such confirmation does not need to return to the group unless it affects the recommendation.

The AT and USC are advisory committees and DWR will consider their comments and recommendations. DWR will seek consensus among USC members and it will give high

priority consideration to proposals and recommendations for which there is consensus and/or significant agreement among USC members. Consistent with DWR Role #9 and #10 (described above), DWR may accept or modify, or may not follow the recommendations of the USC and AT as it prepares documents or final products. Related to this, consensus seeking can be time consuming; therefore it will only be used for cases where DWR seeks a unified USC recommendation on a particular subject or item of discussion. Otherwise, DWR will benefit from the review comments, data, and information exchange at USC meetings and will utilize the knowledge as it prepares its products and makes final decisions.

The USC will periodically make "administrative decisions". Administrative decisions are about the daily activities of the USC (including but not limited to: logistics, meeting dates and times, agenda revisions, schedules, etc.). All administrative decisions will be made on a simple majority vote of all Members present at any USC meeting or subcommittee meeting.

Ground Rules

The USC will utilize standing ground rules regarding meeting protocol and may modify them as appropriate.

USC Members agree to:

- Listen and openly discuss issues with others who hold diverse views
- View disagreements as problems to be solved rather than battles to be won
- Not engage in stereotyping and personal attacks on other participants
- Not ascribe motives or intentions of other participants
- Respect the integrity and values of other participants
- Keep commitments once made

Several specific rules apply during meetings: The USC agrees to:

- Honor time
- Use conversational courtesy
- Follow 25-mile rule
(This ground rule refers to pagers and phones. Electronic devices should be in the "silent" or "off" mode. If an individual receives a call, the call should be taken IF the caller would have driven 25 miles to deliver the message in person. In other words, phone business that causes you to leave the room should be urgent. If calls are not urgent you are asked to wait for breaks or meals to return calls)
- Appreciate humor but not engage in humor at the expense of others.

Open Process