

**TIJUANA RIVER VALLEY RECOVERY TEAM
STEERING COMMITTEE
CHARTER**

Adopted March 16, 2015

Table of Contents

- 1. Purpose of the Charter..... 2
- 2. About the Steering Committee..... 2
- 3. Recovery Team Goals, Mission, and Vision 3
- 4. Steering Committee Charge and Recovery Strategy 3
- 5. Membership and Inclusion..... 5
- 6. Roles and Responsibilities..... 7
- 7. Sub-Groups 8
- 8. Decision-Making within the Steering Committee 9
- 9. Process Agreements, Meeting Ground Rules, and Media Protocol 10

1. Purpose of the Charter

This charter explains the charge and roles; structure; planning and decision-making process; and procedural guidelines for Steering Committee members who advise the Tijuana River Valley Recovery Team (Recovery Team) on implementation of the Tijuana River Valley Recovery Strategy.

2. About the Steering Committee

The Recovery Team is a collaboration of more than 30 federal, state, and local agencies and other interested parties from both sides of the border focused on addressing sediment, trash, and associated environmental issues. The collaborative stakeholder-led approach to integrate the diverse scientific, environmental, regulatory, and private stakeholder perspectives with the existing planning documents of this Recovery Strategy is intended to reduce the impacts of anthropogenic (human caused) sediment and trash on the Valley's resources.

The Recovery Team consists of the following U.S. member agencies and organizations, as well as agencies and organizations in Mexico:

- ❖ California Coastal Commission
- ❖ California Coastal Conservancy
- ❖ California Department of Conservation, Office of Mining and Reclamation
- ❖ California Department of Fish and Wildlife
- ❖ California Department of Resources
- ❖ Recovery and Recycling (CalRecycle)
- ❖ California Environmental Protection Agency
- ❖ California State Parks
- ❖ California State Water Resources Control Board
- ❖ City of Imperial Beach
- ❖ City of San Diego
- ❖ County of San Diego
- ❖ International Boundary and Water Commission
- ❖ National Marine Fisheries Service
- ❖ National Oceanic and Atmospheric Administration
- ❖ San Diego Coastkeeper
- ❖ San Diego County Water Authority
- ❖ San Diego Regional Water Quality Control Board
- ❖ San Diego State University
- ❖ Scripps Institution of Oceanography
- ❖ Southern California Coastal Water Research Project
- ❖ Southwest Wetlands Interpretive Association
- ❖ State Coastal Conservancy
- ❖ Tijuana River National Estuarine Research Reserve
- ❖ Tijuana River Valley Equestrian Association
- ❖ U.S. Army Corps of Engineers
- ❖ U.S. Bureau of Reclamation
- ❖ U.S. Customs and Border Protection
- ❖ U.S. Department of Agriculture
- ❖ U.S. Environmental Protection Agency
- ❖ U.S. Fish and Wildlife Service
- ❖ U.S. Navy
- ❖ University of California at San Diego
- ❖ WILD Coast/COSTASALVAJE

The Steering Committee is comprised of Tijuana River Valley land managers, government agencies, and representative property owners and non-governmental organizations. These representatives are signatories to a *Letter of Commitment* and serve as the Recovery Team's Steering Committee.

3. Recovery Team Goals, Mission, and Vision

General Recovery Team Goals:

- Bi-national collaboration
- Operation and maintenance of sustainable trash and sediment controls
- Flood control to protect life and property
- Hydrologically connected, naturally functioning habitats
- Maintenance of recreation opportunities
- Informed and engaged community
- Long-term plan to restore the floodplain and estuary
- Respect existing uses

The Mission is to bring together the governmental, administrative, regulatory, and funding agencies in tandem with advice from the scientific community, the environmental community, and affected stakeholders to protect the Tijuana River Valley from future accumulations of trash and sediment, identify, remove, recycle or dispose of existing trash and sediment, and restore the Tijuana River floodplain to a balanced wetland ecosystem.

The Vision is a Tijuana River Valley free of historical trash and sediment, protected from future deposits of trash and sediment, restored to a sustained physical, chemical and biological integrity, and performing its hydrologic functions, while respecting the interests of current and future landowners and users.

4. Steering Committee Charge and Recovery Strategy

The charge of the Recovery Team's Steering Committee is to advance implementation of the Recovery Strategy. A key result of the Recovery Team's efforts has been the development and release of the Tijuana River Valley "Recovery Strategy: Living with the Water." The purpose of the Recovery Strategy is to concisely summarize the first phase of actions in a way that allows stakeholders, policy makers, and potential funding sources have a clear understanding of both the problems and the solutions and help the Recovery Team to achieve its vision of a healthy Tijuana River Watershed in a manner that is credible, durable, and acceptable to the

communities on both sides of the border. Accordingly, the Recovery Strategy acknowledges that resolution to the sediment and trash issues requires partnerships between the U.S. and Mexico to provide watershed-based solutions. The Recovery Team recognizes that source control and pollution prevention activities are often the best and most economically feasible long-term solutions to sediment and trash and other water quality problems. The Recovery Strategy's strategic vision includes seven Priority Action Areas with 27 specific projects focused on successfully reducing the sediment and trash currently degrading water quality, exacerbating flooding, affecting sensitive habitat, and impacting recreation. Those Priority Action Areas are:

- Partner with Mexico to Implement Optimum, Watershed-based Solutions
- Understand How Water, Sediment and Trash Flow
- Reduce Sources of Sediment and Trash
- Implement Sediment and Trash Capture Devices in the Watershed
- Fund and Perform Ongoing Operations and Maintenance (O&M)
- Involve and Inform the Community in Mexico and U.S.
- Protect and Enhance Natural Resources

Accordingly, Steering Committee members recognize the benefit of using a collaborative approach to build and enhance cross-border communication and relationships that will lead to our common goals of a healthy Valley and watershed.

Steering Committee Members shall:

1. Collect and assess data and other information to determine priority project implementation needs.
2. Identify and prioritize measures to effectively and cost-efficiently reduce sediment and trash sources while balancing flood risk, ecosystem management, and recreational opportunity needs.
3. Evaluate findings and develop an action plan for additional implementation activities and priority projects.
4. Implement priority projects in an integrated and collaborative approach that may include bi-national cooperation, interagency coordination, and/or cost-sharing components.
5. Evaluate implementation activities to refine future planning and implementation efforts.

5. Membership and Inclusion

The Recovery Team recognizes the importance of continuing to work collaboratively to implement actions to achieve its vision. The member agencies of the Recovery Team have developed a *Letter of Commitment* that serves as a basis for collaboration in implementing priority projects. The *Letter of Commitment* recognizes that collaboration can be limited to individual agency responsibilities, jurisdictions, and legal mandates and is subject to the availability of funding.

Land managers, government agencies, and representative property owners and non-governmental organizations are signatories to the *Letter of Commitment* and serve as the Steering Committee for the Recovery Team. Other Recovery Team stakeholders that are not signatories to the *Letter of Commitment* are considered Members of Good Standing. These include: the environmental community, scientific community, and Valley stakeholders, such as private land owners and users. Additionally, the Recovery Team recognizes the importance of collaboration with agencies and organizations in Mexico and has agreed to jointly communicate common messages regarding its activities. Mexican agencies, environmental groups, and scientific organizations are also welcomed as members to the Recovery Team.

The San Diego Regional Water Quality Control Board (San Diego Water Board) serves as sponsor signatory to the Recovery Team, chairs the Steering Committee, and believes the Recovery Team is an innovative model that could demonstrate how water quality improvements can be made without the contentious and costly regulatory and legal remedies typically employed.

New Members. The Steering Committee may choose to broaden its representation if it feels that there are significant gaps in its membership. In the event a new person/organization requests to become a member on the Steering Committee (beyond attending as a member of the public), the Steering Committee invites a new person/organization, or a member is removed and an open position is created on the Steering Committee, the person/organization must do the following, and the Steering Committee will conduct the following review steps:

1. The prospective new member will submit a letter of application to the Chair describing why his/her interest is unique and is not adequately represented on the Steering Committee.
2. The Chair will agendaize consideration of the request at the next appropriate Steering Committee meeting.
3. The Steering Committee will review the application and will decide if the requested

position is warranted to be added to the Steering Committee. Criteria for new member addition will include the following: unique interests/perspectives, geographic representation, funding capacity for the TRVRT, and/or other some form of diversity not currently served on the Steering Committee.

The Steering Committee will make an administrative decision and will provide a recommendation to the Chair. If the applicant is approved, the Chair will issue a standard invitation letter to the applicant.

Attendance Requirements. Members must attend Steering Committee meetings, or notify the Chair in advance and make arrangements for an alternate to attend in their stead. This is to ensure that the range of interests is represented at each meeting.

Alternates. Given the volume of information to be considered and various demands on Members' schedules, alternates may be used by a participating organization. Alternates must be identified in advance, fully briefed, and able to represent the Member and the Member's constituents during decision-making. Alternates are expected to be kept up to date on all project activities by their Member representatives and are expected to attend on behalf of a Member, fully prepared to discuss agenda items. No items addressed at previous meetings will be revisited to accommodate an alternate.

Member Resignation / Replacement. Members and/or their organization may resign from the Steering Committee. If this must happen, they are encouraged to do the following:

1. Provide written resignation communication (e.g., letter, email) to the Chair
2. Recommend a replacement either from the Member's organization or from a similar interest organization.

Steering Committee Member Removal. Members are expected to uphold their commitments to participate in all Steering Committee meetings, review all materials in a timely manner, and be prepared to provide input and participate in decision-making. If a member does not fulfill these commitments, he/she can be removed from the Steering Committee and be replaced by either another person from the previous member's organization or a new organization that represents similar interests as those of the previous organization. A member will be removed through the following steps:

1. The Chair (or a designee as directed by the Chair) will directly intervene and contact the member in question to inform them that they are not fulfilling their commitments.

This intervention may come as a result of anecdotal information provided to the Chair or as a result of a report from any other member(s) of the Steering Committee.

2. The member in question (and organization) will be allowed time (as determined by the Chair or a designee) to resolve his/her participation challenge and fulfill his/her commitments to the process.
3. If after the prescribed period of time, the member in question does not resolve his/her participation challenges, the Chair (or a designee as directed by the Chair) will provide a removal recommendation to the Steering Committee for discussion.
4. Steering Committee discussion will take place at either the next available meeting or through a special session (if needed) to discuss the proposed removal and a summary of the discussion will be provided to the Chair.
5. The Chair will be advised by the Steering Committee; however the Chair will retain the sole decision authority to remove the Member and or organization and to start member replacement steps.

6. Roles and Responsibilities

Committee Chair. The Executive Officer of the San Diego Water Board (1) serves as a resource for policy and technical guidance, (2) is accountable for the overall development and completion of the Steering Committee deliverables, and overall project management, (3) helps develop and provides substantive input to meeting materials and deliverables, and ensures meeting materials are distributed approximately one week in advance of meetings, (4) ensures adequate review and comment periods for draft deliverables (minimum 10 days), (5) manages the technical experts and facilitation support staff that serve the Steering Committee, (6) periodically reports back to the San Diego Water Board (Board Members), and (7) serves as a point of contact for outside parties interested in Recovery Team activities.

Steering Committee Members. Members are expected to be actively involved in the process, which means to (1) to participate in meeting discussions, and thereby advise the Steering Committee Chair and consultants on how issues might best be addressed and documents improved, as well as on periodic progress reports to the San Diego Water Board, (2) contribute expertise, data and information to clarify statements, avoid false assumptions, and advance innovative implementation of the Recovery Strategy, (3) assist with action items identified during meetings, as needed, (4) serve as the liaison to communicate information to and from their organizations and constituencies, (5) act in a manner that will enhance trust among all

partners and interested parties. Members are responsible for reviewing material in advance and being prepared to engage in substantive discussions during meetings, and (6) make interim and final decisions about TRVRT actions and project implementation in a timely manner either by the Members present representing their organization, and vested with decision authority, through rapid review by necessary decision-makers within their respective organizations and delivery of these discussions back to the Steering Committee, or including necessary decision-makers from the respective organization in Steering Committee meeting(s) to represent decision authority for said organization and to conclude a decision milestone. Prolonged procedural discussions that inhibit timely decisions to achieve the goals and vision of the TRVRT will not be acceptable. All Steering Committee members will approach such discussions and decision milestones with an awareness of regulatory urgency.

Technical Consultants. Technical consultants function as advisors to and resources for the Steering Committee and Recovery Team. Consultants also help develop and draft meeting materials and deliverables, participate in meetings, and serve as an important resource to the Steering Committee and Recovery Team on complex issues and project deliverables.

Facilitators. On occasion, the Steering Committee may seek third-party, impartial leadership to accelerate the dialogue process and support meeting management. Facilitation is content neutral, which means that facilitators will not try to promote a particular outcome for the group, but will advocate for a fair, transparent, effective, and credible process. When called upon, a facilitator will help the Steering Committee stay within scope and follow the terms of the charter. Specific duties may include (1) helping to design the collaborative process, (2) helping to formulate meeting goals and agendas, (3) managing meetings, including ensuring respectful dialogue, building mutual understanding and shared responsibility, balancing participation, and helping members work productively through conflict, (4) overseeing the preparation of draft and final meeting summaries, including discussion highlights, action items, and points of agreement and disagreement, and (5) serving as a confidant for members who wish to express concerns privately, whether about the substance of discussions or the collaborative process.

7. Sub-Groups

Working Groups, Sub-committees and/or Task Forces

Steering Committee sub-groups may consist of a project leader, multiple Steering Committee members, technical consultants, and/or facilitation consultants. From time to time, sub-groups may be formed to complete a specific task or deliverable.

8. Decision-Making within the Steering Committee

In working with the Steering Committee, the Chair and technical consultants will use a consensus-seeking approach and work diligently to find common ground on issues. To the extent that members reach consensus on recommendations, the final decision maker (the Recovery Team) is likely to implement the recommendations.

The consensus decision method is based on principles of “consensus with accountability.” Consensus with accountability requires all participants to try to reach consensus while at all times supporting and expressing their self-interest. In the event a participant must reject a proposal, that participant is expected to provide a counter proposal that attempts to achieve their interest and the interests of the other participants.

In seeking consensus on an interim or final recommendation, participants will voice their opinions with specific proposals along the way, rather than waiting until a final recommendation has been developed. At all times, participants will ensure that they are providing input commensurate to their prescribed role and constituency. The basic decision-making process is as follows:

Straw Polls. Participants will use straw polls to assess the degree of preliminary support for an idea before it is submitted as a formal proposal for final consideration by the group. Participants may indicate only tentative approval for a preliminary proposal without fully committing to its support.

Draft and Final Decisions. The Steering Committee will use the following three levels to indicate members’ degree of support for any proposal being considered and to likewise determine the degree of consensus:

- Thumbs Down: I do not support the proposal.
- Thumbs Sideways: I am not enthusiastic about it, but I can live with the proposal.
- Thumbs Up: I support the proposal
- Abstention: At times, a pending decision may be infeasible for a participant to weigh in on. Certain members may also consider themselves “Ex Officio” or similar and will consistently abstain.

The goal is for all participants to be in the ‘Thumbs Up’, or ‘Thumbs Sideways’ levels of agreement. The Steering Committee will be considered to have reached consensus on an item when there is a quorum of participants present, and all members present are at Thumbs Up or Thumbs Sideways levels. For the purpose of the Steering Committee, the numeric quorum for each will be defined and memorialized. If any member is at a ‘Thumbs Down’ level, that member must provide a counter proposal that legitimately attempts to achieve their interest and the interests of the other members. The Steering Committee will then evaluate how best to

proceed. Members that abstain from particular proposals are encouraged to explain why abstention is in their best interest.

Decision actions will be made at each appropriate meeting and will be publicly noticed in advance. The Steering Committee will not revisit previously agreed on decisions or recommendations unless new information is brought to light that would likely affect the outcome of the Steering Committee's previous work.

Majority Rule Decision Method. Should consensus not be achievable, the Steering Committee uses a majority rule method to complete and memorialize a decision process (as described below). For all circumstances, decision-making will take place using the following criteria:

- **Administrative Decisions.** Administrative decisions are about the day-to-day activities of the Steering Committee (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. Administrative decisions will be made by the Steering Committee using a simple majority of all participants present (51 percent or more) at any given meeting.
- **Resource Decisions.** Resource decisions are made by the Steering Committee using the consensus rule after sufficient discussion and deliberation has been conducted. In the event consensus cannot be achieved, a final decision will be made by the Chair (or designee).

9. Process Agreements, Meeting Ground Rules, and Media Protocol

Process Agreements

1. Members agree to act in good faith in all aspects of this process and to communicate their interests. Members agree to make a concerted effort to provide requested information to other members or to explain the reason why not. Tentative or sensitive information is treated appropriately. In addition to providing information, acting in good faith also means that members will work to understand each other's concerns and interests, and to develop inclusive recommendations, as explained in the next item.
2. Members agree to address the issues and concerns of the participants. All members have a stake in the issue at hand. Members agree to validate the issues and concerns of other parties, and work to develop agreements that include all the issues under consideration. This includes the range of ecological, economic, and social interests represented. Disagreements are viewed as problems to be solved, rather than battles to be won.

3. Members will express concerns and support in discussions of the Steering Committee that are consistent with concerns and support they express in other forums, including in sessions with the press and through social media.
4. Members agree to only make commitments that they intend to keep.
5. Meeting summaries shall be prepared by the Chair (Chair's staff) with a focus on discussion highlights, agreements, and action items, rather than verbatim transcription of statements. Unless required to advance negotiated agreements, comments will not be attributed. Meeting summaries shall be circulated within two weeks of meetings. Meeting summaries shall then be made publicly available on the public website.

Meeting Ground Rules

1. **Electronic courtesy.** Most of the participants have demanding responsibilities outside of the meeting room. We ask for your attention during the full meeting. Please turn cell phones, or any other communication item with an on/off switch to "silent." If you do not believe you will be able to participate fully, please discuss your situation with the Chair.
2. **Be comfortable.** Please help yourself to refreshments or take personal breaks.
3. **Humor is welcome** and important, but humor should never be at someone else's expense.
4. **Stay focused on the charge and deliverables.** There are many related topics that people care about. The Chair will help the group stay focused on the deliverables.
5. **Use common conversational courtesy.** Don't interrupt others. Use appropriate language. Avoid third party discussions.
6. **Treat each other with respect.** People are passionate about these issues and in many cases have invested their careers in this work. People offer their time, expertise, insight, and resources in these discussions. Please respect the work that people do to advance the conversation and create common ground.
7. **All ideas and points have value.** You may hear something you do not agree with. You are not required to defend or promote your perspective, but you are asked to share it. All ideas have value in this setting. If you believe another approach is better, offer it as a constructive alternative.

8. **Avoid editorials.** Please avoid ascribing motives to or judging the actions of others. Please speak about your experiences, concerns, and suggestions.
9. **Honor time.** In order to achieve meeting objectives it is important to follow the time guidelines provided by the Chair.

Media Protocol

Outside of meetings and if contacted by the press or an external party, members should:

1. Clarify that they are not speaking on behalf of the Steering Committee or Recovery Team.
2. Avoid personal references or expressing or characterizing the views or statements of others. Refer the media directly to that member.
3. Avoid using the press or social media as a vehicle for negotiation.
4. Refrain from reporting on the activities of other committee members or their member agencies
5. As a courtesy, notify the Chair if contacted.

Infractions of the above mentioned Process Agreements, Meeting Ground Rules, and Media Protocol may be grounds for dismissal from the Steering Committee.