

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

Section 1 - Project Purpose and Background

The Central Valley Regional Water Quality Control Board's (Water Board) Delta Methylmercury (MeHg) Total Maximum Daily Load (TMDL) was initiated by the Water Board's 1990 303(d) listing of the Delta for mercury. The Water Board identified the Delta as impaired by mercury because Delta fish have elevated levels of MeHg that pose a risk for human and wildlife consumers. The Water Board's development of a water quality attainment strategy to resolve the mercury impairments in the Delta has two components: the MeHg TMDL for the Delta and the amendment of the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan) to implement the TMDL program.

The TMDL development and Basin Planning and amendment process involves:

1. Technical analysis of the extent of impairments and methyl and total mercury sources;
- 1.2. Identification of a range of possible water quality objectives that correspond to safe levels of MeHg in fish tissue that reasonably protect humans and wildlife that consume Delta fish;
- 1.3. Identification of a range of possible implementation program (Implementation Plan) options and corresponding source reductions strategies needed to attain safe fish tissue MeHg levels;
- 1.4. Environmental analysis of the potential impacts of reasonably foreseeable methods of compliance with the recommended implementation program to comply with the California Environmental Quality Act (CEQA).

Formatted: Bullets and Numbering

Items 1 and 2 above are collectively referred to as the "TMDL Report". For the purpose of this Charter, the TMDL Report and Implementation Plan are collectively referred to as the TMDL which also will include the proposed Basin Plan Amendment (BPA). A draft TMDL report was first released for public review in August 2005. A revised draft TMDL report and draft BPA staff report was released in June 2006 for scientific peer review. In February 2008 updated versions of the proposed TMDL were released for public review. This was followed by a Water Board hearing in April 2008 at which, based on significant stakeholder input, the Water Board agreed to start a comprehensive and inclusive stakeholder process to reconcile increasing differences of opinion regarding the scale and efficacy of the proposed TMDL. In summer 2008, the Water Board created an interagency agreement with the California State University Sacramento, Center for Collaborative Policy (CCP) to act as a third-party neutral and convene the stakeholder process. In fall 2008, CCP conducted a standardized Stakeholder Assessment, through which they interviewed over 50 stakeholders.

From the Assessment, CCP identified issues that can be easily resolved, issues that appear intractable but may benefit from negotiations, and related information. With this information, CCP proposed an approach for stakeholder involvement in the TMDL process, and to support a phased, adaptive approach to TMDL implementation. Regarding this phased approach, the Water Board's mercury control program is intended to include two phases. During Phase 1 (currently presumed to be through eight years after the effective date of approval of the Basin Plan Amendment (BPA), dischargers and State agencies will conduct mercury and methylmercury characterization and control studies. Phase 1 is intended to include:

- actions to minimize increases in mercury and methylmercury discharged to the Delta.
- development of a program to reduce mercury related risks to humans.
- development of mercury control programs for tributaries to the Delta.

Throughout Phase I, the Regional Board will address key Program milestones. These milestones will occur at predetermined dates and/or Program conditions. The milestones will reflect key points in Phase 1 that require Board analysis of Program progress.

At the end of Phase 1, the Water Board is expected to re-evaluate the methylmercury allocations for all sources and consider adjustments to the methylmercury allocations, compliance schedule, and implementation of the

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

1 Delta Mercury Control Program (based on the information from Phase 1 and other activities). The Water Board
2 will involve stakeholders in the program review and will consider possible adjustments in a public hearing.

3
4 Phase 2 is intended to start after the Water Board reviews and considers amendments to the Delta Mercury
5 Control Program and upstream control programs are adopted. Phase 2 will likely require discharger
6 implementation of the mercury and methylmercury controls developed in Phase 1. Prior to implementing Phase
7 2, the Water Board will consider the technical and economic feasibility of potential total mercury and
8 methylmercury control methods and to minimize or avoid significant negative impacts to the environment that may
9 results from control methods. Phase 2 is currently expected to extend from eight years after the effective date of
10 the BPA through 2030.

11 This Charter describes the purpose, roles, responsibilities, rules and process that the TMDL Stakeholder Group
12 (Stakeholder Group) will fulfill. The purpose of the Stakeholder Group is to provide input on matters related to the
13 development of the TMDL. Specifically, the Stakeholder Group will advise and provide comment to Water Board
14 staff (Staff) on the development of the TMDL and associated documents. Presuming TMDL approval by the
15 Water Board, State Water Resources Control Board (SWRCB), and US Environmental Protection Agency (EPA),
16 the Stakeholder Group (and this Charter) may be modified to address TMDL implementation.

17
18 Stakeholder Group participants are expected to review and evaluate TMDL program components and
19 implementation measures. They are expected to comment on all aspects of the TMDL. The proposed
20 recommendations will be used by Staff to develop a TMDL Report and BPA. Given the expeditious Stakeholder
21 Group schedule, it is understood that the Implementation Plan will be flexibly designed to adapt to future
22 information needs and with future information sources. For the purpose of this Charter, it is commonly understood
23 by Stakeholder Group participants that the Implementation Plan will address aspects of the “governance” of
24 TMDL implementation. Governance will be informed by the combined use of several documents. These
25 documents include the mandatory TMDL report, and BPA, both of which will undergo formal review and approval
26 by the Water Board, State Board, and USEPA. Additional governance documents making up the Implementation
27 Plan may include a “memorandum of intent” that will be developed by the stakeholders and Water Board as a
28 means to define what adaptive steps may be taken at different times to implement the phased TMDL. It will also
29 include control study workplans which may memorialize formal agreements and intentions between stakeholders
30 regarding what steps, studies, and other actions they will take during the different TMDL phases.

31
32 **Section 2 – Draft Schedule and Milestones**

Date	Program Element
December 2008	Kickoff meeting. Review outcomes of Stakeholder Assessment Report. Introduction of bifurcated process.
January 2009	Review key issues
February 2009	Formation of various Workgroups (see below)
July 2009	Staff prepare Preliminary Draft Basin Plan Amendment (BPA)
July – December 2009	Staff and Stakeholder Group refine BPA and develop the draft “memorandum of intent”
January 2010	Board hearing to review staff Delta MeHg TMDL recommendations

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

Section 3 - Stakeholder Group Organization

No stakeholder group can be completely inclusive. Time, budget, and size considerations mandate that a stakeholder group must be a representative and manageable cross-section of interests rather than a collection of all parties.

3.1 - Participant Selection

The Stakeholder Group will represent a comprehensive cross-section of stakeholders directly affected by the TMDL and its implementation plan. These stakeholders will be invited to participate in the process and to provide formal letters of interest and commitment to the Water Board Executive Officer (EO). The letters of interest should ideally come from the highest level of authority possible within the participant's respective organization and should confirm the organization's intent to fully participate in the process. To the extent possible, the Stakeholder Group will be limited in size to a group of representatives that will act on the behalf of their interest groups. Specific distribution of the numbers of stakeholders representing each interest will be decided by the EO, with the advice of a neutral facilitator. Whenever possible and acceptable to affected stakeholders, Stakeholder Group participants should represent multiple similar organizations as a means to ensure representation while maintaining a feasible Stakeholder Group size. Stakeholder Group participants are expected to have some knowledge and understanding of the current Delta MeHg TMDL. Proposed interest groups to be represented are presented in Attachment A.

Due to the necessary timeframe to develop the TMDL, and the specific recommendations that will be developed at each meeting, it is not optimal to add new participants to the Stakeholder Group once started. Should a stakeholder request inclusion to be a participant on the Stakeholder Group after the process has started, (rather than participating as a public meeting attendee) they are expected to do the following:

1. Contact the Water Board Project Manager, Patrick Morris, (916) 464-4621, pmorris@waterboards.ca.gov, and identify an interest to become a Stakeholder Group participant.
2. Attend the next available meeting and describe to the Stakeholder Group, their desire to become a participant. Stakeholder requests should include a description of the following:
 - Rationale of the stakeholder niche not currently filled by an existing participant.
 - Description of how the stakeholder is reasonably and directly affected by the Program.
 - Willingness to commit the resources and time necessary to be an active participant on the Stakeholder Group.
 - Willingness to review previous documents prepared by and/or for the Stakeholder Group (i.e. meeting summaries, draft and final reports, etc).
 - Willingness to consider all Stakeholder Group recommendations to-date and a commitment to provide counter proposals that reconcile the interests served by the Stakeholder Group's existing decision, with the interests of the new member.
3. The Stakeholder Group and Water Board staff will discuss the stakeholder request. Final determination of inclusion will be provided by the EO with advice from the neutral third party facilitator.

NOTE: As of the initial, conditional ratification date of this Charter, several stakeholders intended and/or invited to participate in the Stakeholder Group have not participated. These include some Environmental Justice representatives, one proposed Environmental Health organization representative, a State public health agency representative, a California Department of Fish and Game, CALFED / Ecosystem Restoration Program

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

1 representative, and a Bay Delta Conservation Planning process representative and a local county representative.
2 Efforts will continue to be made by the Water Board to ensure additional participation by these proposed
3 stakeholders.

4
5 **3.2 - Participant Responsibilities**

6
7 Participants on the Stakeholder Group will attend meetings; report back to the organization(s) they represent; and
8 communicate the interests, concerns, and recommendations of their organization(s) and constituents to the
9 Stakeholder Group. Participants should attend every meeting or arrange for alternates (see below) to attend on
10 their behalf. If possible, participants should notify Water Board staff in advance of anticipated absences. All
11 Stakeholder Group meetings will be open to the public and will be publicized to encourage public attendance.
12 However, the Stakeholder Group will always represent a select group of representative stakeholders within this
13 larger public meeting context. Public comments will be received at each meeting so that Stakeholder Group
14 participants are informed by the larger populace. The Stakeholder Group will take such public comments as
15 advice to their deliberations and recommendation process.

16
17 Alternates: Stakeholder Group participants may need an Alternate due to their respective schedules and the pace
18 of the Stakeholder Group meetings. Alternates will be identified by each participant requiring one. Participants
19 are encouraged to use the same Alternate every time to ensure the highest degree of institutional memory about
20 the process.

21
22 **3.3 - Participant Replacement/Succession**

23
24 If a participant is no longer able or willing to attend meetings, said individual will notify the Water Board staff in
25 writing of his/her resignation and will recommend a replacement. The recommendation will include the
26 participant's rationale about why the replacement is appropriate. The facilitator will coordinate new participant
27 orientation after their appointment. All participants should maintain a comprehensive record of their activities and
28 personal work to be passed along to a replacement, if necessary. The facilitation team will also do so.

29
30 **3.4 - Water Board Responsibilities**

31
32 Water Board staff, the facilitation team and Stakeholder Group participants will work collaboratively to develop
33 agenda topics and other materials related to the development of the TMDL. All meeting materials will be
34 distributed as early as possible before a scheduled Stakeholder Group meeting.

35
36 Summaries of Stakeholder Group discussions and recommendations will be recorded at all meetings by Water
37 Board staff and/or neutral facilitation team staff. The summaries will be distributed to Stakeholder Group
38 participants and made available to the public on the TMDL project website (www.deltamehgtmdl.net/), and the
39 Water Board's website
40 (www.swrcb.ca.gov/rwqcb5/water_issues/tmdl/central_valley_projects/delta_hg/index.shtml). Meeting information
41 and TMDL updates will also be circulated via email on the Water Board's email listserv.

42
43 Water Board members will be informed of the progress of the Stakeholder Group in a variety of ways, including,
44 but not limited to: EO reports and informational items at Water Board meetings as needed, attendance at
45 Stakeholder Group meetings by Board members when possible, public comment at Board meetings by
46 Stakeholder Group participants. If needed, a Water Board workshop and/or subcommittee can also be convened.

47
48 Water Board staff will be responsible for the following:
49
50

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

1 *Stakeholder Group Input and Products:* Stakeholder Group participants will make a substantial investment of time
2 and resources to develop recommendations for the TMDL. This time commitment is in addition to any investment
3 participants make in the formal review and comment process as part of the adoption of the TMDL by the Water
4 Board, SWRCB, and EPA. To ensure all participants positively benefit from this process, Water Board staff and
5 the EO will make the following commitments:

- 6
- 7 1. Thoughtfully and objectively consider all Stakeholder Group comments and recommendations;
- 8 ~~4.2.~~ Communicate all Stakeholder Group participants' recommendations and associated rationale to
9 Water Board members;
- 10 ~~4.3.~~ Address the stated interests of Stakeholder Group participants to the extent allowed by the Water
11 Board's legal mandates

Formatted: Bullets and Numbering

12 At a minimum, Stakeholder Group products, recommendations, and feedback will be described in the revised
13 BPA staff report and administrative record.

14
15 *Program Coordination:* TMDL project staff will communicate and coordinate Stakeholder Group ideas and
16 alternatives with other Water Board programs and local, state, federal, and tribal agencies. Staff will consider all
17 Water Board Programs in general, but will focus coordination efforts with the Total Maximum Daily Load (TMDL),
18 and Basin Planning Programs. Coordination efforts will include: enlisting the help of other program staff to
19 comment on Stakeholder Group products, MeHg presentations at Stakeholder Group meetings (as needed), and
20 regularly scheduled coordination meetings among staff.
21

22 **3.5 - Consultant Responsibilities**

23
24 Facilitation services will be provided to support the Stakeholder Group process. The facilitator and facilitation
25 team serves as a "professional neutral" whose primary responsibility is to ensure an open process where all
26 participants' interests, views and opinions are heard and thoughtfully considered. Specific responsibilities of the
27 facilitator include:

- 28
- 29 • Design and conduct a consensus-seeking process where the Stakeholder Group can best assist the
30 TMDL process.
- 31 • Facilitate meetings and generate draft agendas and meeting summaries.
- 32 • Capture the range of views and ideas presented by participants and report on where there are areas
33 of agreement and differences.
- 34 • Develop preliminary draft proposals that reflect participants' discussions and project opportunities
- 35 • Assure that Stakeholder Group participants have seven days to respond to information or requests
36 submitted between meetings.

37 **3.6 - Meeting Methods**

38
39 The goal of the Stakeholder Group is to develop consensus recommendations (as described in Section 3.7) for
40 Water Board staff to incorporate into the TMDL BPA, and for stakeholders to incorporate into a "memorandum of
41 intent" or other similar document, and a related TMDL Implementation Workplan all related topics that will not go
42 into the BPA. The timeframe of the process, and the fact that final decisions on the TMDL are made by the Water
43 Board, SWRCB, and EPA limits the responsibilities of the Stakeholder Group to an advisory capacity. Consensus
44 may not be feasible and is not required by the stakeholders. Therefore, the Stakeholder Group will *seek*
45 consensus, rather than be mandated to *achieve* consensus on all topics. The decision to proceed with a
46 recommendation absent a consensus will be based on discussions between Water Board staff and the
47 Stakeholder Group; however, final determination on whether to continue seeking consensus will be made by
48 Water Board staff and the EO. If consensus is not reached on a given topic, the range of recommendations
49

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

1 supported by the different interests will be documented for staff and Water Board consideration. Any reports
2 developed for the Water Board by staff or the stakeholders will describe Stakeholder Group consensus
3 recommendations and non-consensus items.

4
5 Full Stakeholder Group meetings are expected to occur approximately once a month. Stakeholder Group
6 meetings will not occur based on a quorum but rather, will proceed with the available participants. Decisions will
7 be made as agreed. With the exception of administrative-type decisions (e.g. meeting logistics), no TMDL
8 decisions will be made by the Stakeholder Group if the topic and decision milestone have not previously been
9 communicated via the agenda to the full Group. The facilitator may periodically ask for a “conditional agreement”
10 in a meeting without having memorialized this request in advance. A conditional agreement will reflect a non-
11 binding survey of the Stakeholder Group participants present and will be asked when a general sense of direction
12 is needed from the Group to proceed with some next level discussions or actions.

13
14 Workgroups. Workgroups will be created as needed to address specific topics (i.e., geographic, technical, policy,
15 etc). In general, the goal of Workgroups will be to discuss and refine a topic and provide a range of
16 recommendations (or single recommendation if feasible) to the larger Stakeholder Group for its consideration and
17 decision process. Workgroup composition will consist of any willing and interested Stakeholder Group members
18 and other volunteers / stakeholders as reviewed and approved by the Stakeholder Group (see decision-making
19 process). All Workgroup meetings will be open to the public (whether in person or via conference call options).
20 Agendas and meeting notes will be posted on the Delta TMDL websites.

21
22 Workgroups will seek consensus but will not spend significant time negotiating unanimous agreements. Because
23 of their advisory role, consensus is not required. Time spent to achieve consensus will be at the discretion of the
24 workgroup and their facilitator (if present). Workgroup work products will present recommendations for
25 Stakeholder Group consideration. All work products should include a description of the steps taken, and the
26 discussions held by the workgroup to create the recommendation(s). In the event that multiple and/or conflicting
27 recommendations are created and can not be resolved to a unanimous conclusion, the workgroup is expected to
28 memorialize the range of recommendations they create and to describe the steps taken to resolve differences. In
29 these circumstances, the workgroup should avoid identifying majority or minority numeric’s of specific proponents.
30 However, it is reasonable (with the approval of all workgroup members) for recommendations to be attributed to a
31 specific stakeholder type(s). This approach should also be practiced by the full Stakeholder Group as it develops
32 its documents. In the event that a workgroup participant(s) must revise their perspectives / recommendations
33 and thus impact the work of the group so far, that participant is expected to describe to the other participants why
34 they are pursuing this change so that all participants have shared understanding Workgroup work products will be
35 presented to the full Stakeholder Group membership and will be publicly available on the Delta TMDL websites.
36 Workgroups may follow (at the discretion of all workgroup members) the standard document development
37 protocols used for full Stakeholder Group documents (e.g. preliminary draft, draft, draft final, final – as described
38 below).

39
40 **3.7 - Decision-Making Protocols**

41
42 The consensus decision rule is based on principles of “consensus with accountability”. Consensus with
43 accountability requires all participants to try to reach consensus while at all times supporting and expressing their
44 self-interest. In the event a participant must reject a proposal, that participant should provide a counter proposal
45 that legitimately attempts to achieve their interest, and the interests of the other participants. The Stakeholder
46 Group will not vote and will not seek to identify numeric “winners and losers” on key topics. Rather, the
47 Stakeholder Group will seek mutually acceptable and beneficial conclusions.

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

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

5
6 Straw Polls: Participants will use straw polls to assess the degree of preliminary support for an idea before it is
7 submitted as a formal proposal for final consideration by the Stakeholder Group. Participants may indicate only
8 tentative approval for a preliminary proposal without fully committing to its support. This method will be used
9 when the facilitator seeks a conditional agreement (as described in Section 3.6)

10
11 Draft and Final Decisions: The Stakeholder Group will use the following three levels to indicate participants'
12 degree of approval and support for any proposal being considered and to determine the degree of consensus.

13
14 Thumbs Down: I do not agree with the proposal. I feel the need to block its adoption
15 and propose an alternative.

16
17 Thumbs Sideways: I can accept the proposal.

18
19 Thumbs Up: I think this proposal is the best choice of the options available to us.

20
21 Abstention At times, a pending decision may be infeasible for a participant to weigh in on.
22 Examples could include but not be limited to: a topic that has statutory
23 implications that an agency representative can not be on record conflicting with; a
24 participant can not get a consensus of his/her partners and therefore can not offer
25 a proposal or opinion; and other similar conditions.

26
27 The goal is for all participants to be in the 'Thumbs Up', or Thumbs Sideways' levels of agreement. The
28 Stakeholder Group will be considered to have reached consensus if all participants are at those two levels. If any
29 participant is at a 'Thumbs Down' level, that participant must provide a counter proposal that legitimately attempts
30 to achieve their interest and the interests of the other participants. The Stakeholder Group will then evaluate how
31 best to proceed. Participants that abstain from particular proposals are encouraged to explain why abstention is in
32 their best interest.

33
34 The Stakeholder Group will not revisit previously agreed to recommendations, alternatives or evaluation
35 measures unless new information is brought to light that would likely affect the outcome of the Group's previous
36 work.

37
38 **3.8 - Communication protocols**

39
40 Stakeholder Group participants and their Alternates serve as conduits for two-way information exchange with their
41 constituencies. Constituents wanting to provide input to the process are encouraged to channel their concerns
42 and suggestions through their individual participants on the Stakeholder Group. Stakeholder Group participants
43 will make a concerted outreach effort to communicate regularly with their agencies or constituencies to keep them
44 informed about the process and the issues under discussion.

45 Stakeholder Group participants will in no way be prohibited from speaking with the media, but must indicate that
46 they are providing their individual perspectives and are not speaking for the group. Participants should neither
47 characterize the positions and views of any other party nor should they ascribe motives or intentions to the
48 statements or actions of other Stakeholder Group participants.

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

1 A list of Stakeholder Group participants will be made available to the public on the Water Board's website. The
2 list will include the following information: participant name and represented interest(s). Should an interested
3 party have focused comments for a Stakeholder Group participant, the individual(s) will be encouraged to work
4 through Water Board staff to convey the comments to the appropriate Stakeholder Group participant(s).

5
6 Meeting Summaries will be prepared and distributed to Stakeholder Group participants by the facilitator and Staff
7 following each meeting. Summaries will identify the meeting participants, major issues discussed, decisions
8 made, and actions to be taken. Participants will have 5 business days to review DRAFT summaries and provide
9 comments to the facilitator (and other participants if desired). The facilitator will revise summaries and send a
10 DRAFT FINAL version to the Stakeholder Group. Any conflicts between two or more participant's summary
11 reviews will be resolved by the facilitator with the participants in question. DRAFT FINAL Summaries will be
12 reviewed at the next Stakeholder Group meeting. The facilitator will call for any further revisions by participants to
13 ensure the correct characterization of all comments. New comments will be addressed by the facilitator with the
14 participant at the next meeting. If no comments are received, the Summary in question will be entered into the
15 project record as a FINAL document.

16
17 Meeting Action Items will be prepared and distributed to Stakeholder Group participants by the facilitator and Staff
18 within 2 business days following each meeting.

19 Public notice and public accessibility to meeting materials will be posted on the Water Board's Project website for
20 all Stakeholder Group and Group related meetings (i.e. Workgroups, formally convened Caucuses, etc).

21
22
23 **Section 4 - Information Publication**

24
25 Materials will be prepared / provided on a regular basis to support the Stakeholder Group process. These include
26 the following materials and general sequence for development and distribution (subject to flexibility as agreed on
27 by the Stakeholder Group).

28
29 **4.1 - Document Development**

30
31 Documents being developed for and by the Stakeholder Group and Workgroups will follow a general sequence of
32 completion. All the following stages of a document will be dated to ensure that users have the most current
33 version

- 34
35 ○ **Informational** documents prepared for the Stakeholder Group will be initially distributed in DRAFT
36 format. These documents are for information purposes only. They may be subject to comments and
37 revisions by Members and will be finalized to FINAL stage at some point in the Forum process.
- 38
39 ○ **Decision** documents prepared by the Stakeholder Group will be initially distributed in PRELIMINARY
40 DRAFT format. These documents will reflect ongoing work by the Group that will eventually be
41 revised to DRAFT status. All DRAFT and PRELIMINARY DRAFT documents are for discussion
42 purposes only and will not be cited.
- 43
44 ○ DRAFT **decision** documents will be revised through Stakeholder Group discussions. When a
45 DRAFT document reflects an appropriate level of completion by the Group, it will be re-titled as
46 DRAFT FINAL.

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

- 1 ○ All **decision** documents will remain in a DRAFT FINAL stage until they are ratified by the Stakeholder
2 Group as completed, at which point a document will be re-titled as FINAL.
3
4 ○ FINAL documents may be revised at the discretion of the Stakeholder Group. Generally speaking,
5 FINAL documents should only be revised if new information is identified that makes the conclusions
6 of the Forum insufficient. FINAL documents that are revised will be titled REVISED FINAL.
7

8 **4.2 – Charter Revision and Amendment**

9
10 This Charter is subject to revision and amendment. If a proposed revision is identified, a participant will
11 communicate this to the facilitator and ensure the topic and proposed revision is agendaized for a following
12 meeting. No revision of the Charter will take place without prior communication to the Stakeholder Group that the
13 topic will be addressed. The participant(s) proposing the revision will describe the proposed revision to the
14 Stakeholder Group participants present and the Group will vote. The Charter will be revised by a simple majority
15 vote of Stakeholder Group participants present.
16

17 **Section 5 – Stakeholder Group Ground Rules**

18
19 All Stakeholder Group participants, the facilitator, and public participants of a meeting agree (to the extent
20 feasible) to:

- 21
22 • Arrive promptly to all meetings and be prepared for the meeting agenda.
23 • Stay for the duration of the entire meeting.
24 • Turn cell phones to silent.
25 • Minimize actions that could be distracting to participants discussions. Should meeting attendee behavior
26 become distracting to participants, those individuals should speak with the facilitator to intervene.
27 • Participate in a problem-solving approach based on respectful and constructive dialogue, where the
28 interests of all participants and the public are considered in developing proposals and recommendations.
29 • Openly discuss issues with others who hold diverse views; acknowledge and seek clarification of others'
30 perspectives; and verify assumptions when necessary.
31 • Assure that all participants are heard and that one person speaks at a time. Refrain from side
32 conversations.
33 • Keep commitments once made.
34 • When appropriate, distinguish between personal vs. organizational perspectives.
35

36 All Stakeholder Group meetings are open to the public and observers are welcome. All public participants are
37 expected to abide by the Ground Rules described above. Periods for public comment will be scheduled into each
38 meeting agenda.
39
40
41
42
43
44
45
46
47
48
49
50

Conditional Final Charter
Delta Methlymercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

Attachment A
Proposed Stakeholder Group Participants

STAKEHOLDER / STAKEHOLDER TYPE	PROPOSED MEMBERS
Private Habitat Conservation Advocates	
Ducks Unlimited	Rudy Rosen
Nature Conservancy	Sally Liu or Pablo Garza
Delta Dredging	
Port of Sacramento	Tom Sheeler
Port of Stockton	Jeff Wingfield
US Army Corps	Corey Koger
Environmental Justice Caucus	PROPOSED: 3 Rotating Participants to be selected by an Environmental Justice Caucus
Environmental and Public Health Advocates	
Clean Water Action	Andria Ventura
TBD	TBD
Regional Water Treatment Dischargers (POTW)	
Central Valley Clean Water Association	Debbie Webster
City of Vacaville	Tony Pirondini
Sacramento Regional County San. Dist	Terrie Mitchell or Lysa Voight
Public Health Agencies	TBD
Regional Watershed Issues	
Tuleyome / Sierra Club - Yolano Group	Bob Schneider
Regional Agricultural Representatives	
California (CA) Rice Commission	Paul Buttner
California Farm Bureau	Kari Fisher
Northern California Water Assoc	Bruce Houdesheldt
Delta Agricultural Representatives	
South Delta Water Agency	John Herrick or Mike Wackman
Regional Stormwater Agencies	
Sacramento Urban Area	Hong Lin
Stockton Urban Area	Jeff Willet
Delta County Governments	1 Rotating Representative appointed by Delta Counties Coalition

Conditional Final Charter
Delta Methylmercury Total Maximum Daily Load
Stakeholder Group
Version – September, 2009

1	Delta Environmental Advocates	
2	California Sportfishing Protection Alliance	Richard McHenry
3	Restore the Delta	Barbara Barrigan-Parrilla
4		
5	CA Dept. of Fish and Game Water Branch (DFG)	Tim Stevens
6		
7	CA DFG CALFED	TBD
8		
9	CA Dept of Water Resources, Division of	Marianne Kirkland
10	Environmental Services	
11		
12	CA Central Valley Flood Protection Board	Dan Fua or Nancy Moricz
13		
14	DWR Division of Flood Management	Mark List
15		
16	CA State Lands Commission	Steve Mindt
17		
18	Central Valley RWQCB	Patrick Morris
19		
20	US EPA Region 9	Diane Fleck
21		
22	US Fish and Wildlife Service	Tom Maurer
23		
24	Bay Delta Conservation Plan	Karla Nemeth
25		
26	POTENTIAL TOTAL	34

27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50