

**Lower Yolo Bypass Planning Forum
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Section 1: Background and Purpose of Project

The Lower Yolo Bypass (Lower Bypass) is the most downstream portion of the Yolo Bypass (Bypass). The Bypass is a leveed 59,000 acre floodway located west of the lower Sacramento River and within Yolo and Solano Counties. The Bypass was built between 1917 and the mid 1930s to provide flood conveyance for the lower Sacramento River. It is a primary component of the Sacramento River Flood Control Project (FCP) and carries the cumulative high flows from several northern California waterways to the Sacramento-San Joaquin River Delta (Delta).

There is no legal definition of the Lower Bypass. For the purpose of this project, the Lower Bypass project area extends from the southern boundary of the Department of Fish and Game (DFG) Yolo Bypass Wildlife Area downstream to and including the City of Rio Vista. This includes a large area of privately and publicly owned lands including Liberty Island (Reclamation District [RD] 2093), Little Holland Tract, and Yolo Ranch. To the east, the project area includes RDs 999, 1667 (Prospect Island), and 501 (Ryer Island). To the west the project area includes RDs 2068, 2098, 536, 2084 (Egbert Tract) and Hastings Tract.

Liberty Island, Little Hastings Tract and Little Holland Tract have been flooded for over a decade. Prospect Island has flooded periodically. Areas on these and some other parcels are not actively managed. These flooded and non-flooded areas include conditions of rapidly growing wetland / riparian habitats. Flooding on some islands is believed by some adjacent landowners to cause subterranean passage of water that then ponds on adjacent properties. Conveyance capacity of the floodway is potentially impacted by existing vegetation conditions. Similarly, wave energy from open water conditions on these flooded islands has caused erosion damage on adjacent FCP and restricted height levees. In some areas, islands have flooded and previous agricultural infrastructure is inundated. Agricultural land management has been rendered infeasible in many locations. Public and private landowners of these islands and lands adjacent to these islands have been impacted by these conditions. Diverse, largely unmanaged, recreational use occurs in the area (i.e., motorized and self propelled boating, angling, hunting, bird watching, etc.).

Typical habitats (terrestrial, riparian, and aquatic) associated with the Lower Bypass are cited routinely by specialists as offering ecological benefit and productivity to the Delta. Aquatic species decline (particularly pelagic organisms) in the Delta has prompted increased concern by advocacy groups, water contractors, and local, State, and Federal governments. Judicial decisions regarding State and Federal pump operations in the South Delta are related to these species impacts and have further heightened the need and interest for Delta habitat improvements. A range of public and private organizations have purchased, and are considering purchasing lands in the Lower Bypass as a means to expand tidal wetland habitats. Water quality is potentially degrading due to methylmercury and dissolved organic carbon production from wetlands and other physical conditions. Diverse recreationalists use the area for a variety of largely unmanaged purposes (i.e., motorized and self propelled boating, angling, hunting, bird watching, etc.).

The conflicting conditions described above have existed for many years. In 2004, the California State University Sacramento, Center for Collaborative Policy (CCP) was facilitating a Bypass watershed stakeholder process on behalf of the Yolo Basin Foundation (Foundation) through a grant from the CALFED Bay-Delta Program (CALFED). CCP and the Foundation approached CALFED with an idea to assess stakeholder conditions in the Lower Bypass to see if a stakeholder process would be feasible to address and potentially resolve the conflicts described above. In 2005, CCP completed the Lower Yolo Bypass Stakeholder Process Feasibility Assessment (<http://www.csus.edu/ccp/projects/recent.stm#loweryolobypass>). CCP recommended that a stakeholder process would be feasible and beneficial and that the Foundation and Delta Protection Commission (Commission) would be effective sponsors of such an effort due to their respective constituencies and responsibilities in the Bypass and Delta. DFG offered to fund this effort. Contracting was completed in mid-2008.

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1 The purpose of the Lower Yolo Bypass Planning Forum is to convene a set of representative stakeholders directly
 2 associated with the Lower Bypass. This group is intended to work in a collaborative manner to develop mutually
 3 supported, mutually beneficial management options for the Lower Bypass. This work will be coordinated with the
 4 efforts of the Delta Vision process, the Bay-Delta Conservation Plan (BDCP), the Central Valley Flood Protection
 5 Plan (CVFPP), the CALFED Bay-Delta Program, the North Bay Aqueduct Alternate Intake Project, the Delta
 6 Conveyance study, and likely other efforts. This process is also expected to coordinate closely with, and provide
 7 opportunities for input from stakeholders throughout the Delta and the Sacramento River system.
 8 Recommendations made by the Planning Forum may have an affect in these other regions and their input is vital
 9 to the Planning Forum process. Stakeholders in these neighboring processes and areas will be invited to
 10 participate in many Planning Forum activities but they are not intended to become Planning Forum Members
 11 (defined in Section 2)

12
 13 The purpose of the Charter is to memorialize the protocols and operating rules for the membership, roles and
 14 responsibilities, decision making, and communications of the Planning Forum. This Charter does not delegate to
 15 any participant, or the collective group of participants, the authority to: (1) control any agency's final decision on a
 16 project; (2) modify or halt an agency's project; or (3) compromise an agency's discretion to pursue projects
 17 according to their individual agency legal authority. This Charter facilitates cooperation and advice among the
 18 participants; it shall not be interpreted to form a partnership, joint venture, or contract

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 20 **Section 2: Membership**

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 22 No stakeholder group can be completely inclusive. Time, budget, and size considerations mandate that a
 23 stakeholder group must be a representative and manageable cross-section of interests rather than a
 24 comprehensive collection of all parties. Related public participation efforts can and will support a broader number
 25 of interested stakeholders to also be involved. The Planning Forum represents a comprehensive cross-section of
 26 directly affected landowner and advocacy stakeholders, and directly involved (through statute, guidance, and
 27 policy) government stakeholders. These stakeholders will be most directly affected by resource management
 28 decisions in the Lower Bypass. Table 1 describes Planning Forum Members (Members) and membership
 29 rationale. These Members have been invited to participate by DFG, the Commission and the Foundation using
 30 neutral process design advice from CCP.

31
 32
 33 **Table 1**

Stakeholders	Rationale
RDs 999, 501, 536, 2068, 2098, 2084,	Private agricultural landowners in districts directly adjacent to the Lower Bypass and sharing adjacent FCP and restricted height levees.
Hastings Tract	Sole ownership island supporting agricultural production and upland bird species hunting. The island is adjacent to the Bypass geographically but it is protected by an FCP levee and is not part of the statutory Yolo Bypass flood facility.
Trust for Public Land	Primary landowner in RD 2093 (Liberty Island) which flooded in the mid-late 1990's due to levee breaches. Purchased in late 1990s with Federal funding; intended to be a part of the proposed US Fish and Wildlife Service (USFWS), North Delta National Wildlife Refuge. The Refuge was not approved and the island has been maintained in private ownership by the Trust for Public Land
Wildlands Inc.	Private landowner of upper northeast corner of Liberty Island. General corporate mission is to conduct for-profit restoration of habitats. Intending to

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	create / restore their portion of Liberty Island into tidal wetland habitat
Westlands Water District (WWD)	Owner of Yolo Ranch, located immediately upstream of Liberty Island. Intending to create / restore tidal wetland habitat on half or more of their property.
Metropolitan Water District of Southern California	Partner with WWD on Yolo Ranch activities.
Mound Farms	Private land holding adjacent to Liberty Island and Yolo Ranch. Property is managed for agriculture throughout the year, except during hunting season when part of it is flooded for privately managed freshwater wetlands and is used for waterfowl hunting by a family partnership.
DFG – Yolo Wildlife Area	Largest single landowner in the Bypass. Creates the upstream boundary of the proposed Lower Bypass Project Area. The Wildlife Area provides refugia for migratory waterfowl, which potentially impacts private hunting clubs and partnerships located between the Wildlife Area and Liberty Island / Yolo Ranch restoration areas.
DFG – Bay-Delta Program / Region 3	Lead implementing agency for the CALFED Ecosystem Restoration Program, State resource trustee and regulator for special status species and streambed alterations, signatory to the Delta Fisheries Agreement, State resource manager and regulator for game species and related recreation (e.g. angling, hunting) land manager in the Lower Bypass. Coordinator with Federal agencies responsible for Delta special status species protection (USFWS and National Marine Fisheries Service)
US Bureau of Reclamation (USBR)	Principal landowner of Prospect Island.
Port of Sacramento	Manager of the Deep Water Ship Channel which is part of the Bypass FCP. Minority landowner on Prospect Island.
Yolo Natural Heritage Program	Multi-jurisdiction Joint Powers Agency developing a Habitat Conservation Plan (HCP) and Natural Communities Conservation Plan (NCCP) for all of Yolo County focusing on terrestrial species
Solano County Water Agency	Beneficiaries of the North Bay Aqueduct. Managers of the Solano HCP.
Solano County	Part of the Lower Bypass is located in unincorporated Solano County (excluding the City of Rio Vista). Solano County will play a role assessing local impacts of proposed projects and the consistency of proposed projects with other County conditions and policies. Representatives will also coordinate with emergency service providers that are often called on to respond to conditions in the Lower Bypass.
Yolo County	Part of the Lower Bypass is located in unincorporated Yolo County. Yolo County will play a role in assessing local impacts of proposed projects and the consistency of proposed projects with other County conditions and policies. Representatives will also coordinate with emergency service providers that are often called on to respond to conditions in the Lower Bypass.
City of Rio Vista	The City of Rio Vista is at the downstream end of the project area and is adjacent to Cache Slough, the river channel that the Lower Bypass flows to. It is an incorporated jurisdiction and is the only population center in the project area.
US Army Corps of Engineers	Landowner of Little Holland Tract, a flooded parcel east of Liberty Island. Also the Federal trustee for wetlands regulation and certification, and flood

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	conveyance through the FCP
Central Valley Flood Protection Board / Department of Water Resources (DWR), Division of Flood Management	Regulator for any projects that might encroach on the FCP. Agency responsible for statewide flood management. Manager of the CVFPP process.
DWR – Division of Environmental Services	Coordinates the environmental mitigation, documentation, monitoring and reporting responsibilities needed to operate and complete the State Water Project (including water quality) and support the implementation of the CALFED. Signatory to the Delta Fisheries Agreement
North Delta Water Agency	Administrator of the 1981 settlement contract with DWR protecting water rights and supplies for historic North Delta water users. Collects a fee assessment from Agency customers.
City of Davis Fire Department / No Man’s Land Fire District	Principal emergency first responder for the project area and the East Davis County Fire Protection District
Sacramento - Yolo Mosquito and Vector Control District / Solano County Mosquito Abatement District	Principal agencies responsible for vector control and management in the Lower Bypass. The districts engage with land managers to establish control options including best management practices.

2.1 - Addition of Members

During the course of its work, the Planning Forum may decide it is in the best interest of project outcomes to add members. If this occurs, the following is a general procedure to do so:

1. The Planning Forum will create a Membership Committee. The Membership Committee will include the Co-Sponsors and a representative cross-section of stakeholder types from the Planning Forum. All inquiries for membership expansion (either by an existing Member or an external party) will be directed to the Membership Committee.
2. Any Member or non-member may suggest the need for a new member and may suggest a stakeholder type, specific organization, and/or specific individual to be added. When suggesting the addition, the proposing party will provide a written rationale to the Membership Committee. The rationale will include, but not be limited to:
 - Reason for proposed addition,
 - Benefits to the project, and
 - Potential implications / challenges to the project.

The Membership Committee will develop a recommendation to the Planning Forum for the proposed member(s) based on the following criteria:

- Does the proposed member occupy a niche not currently filled by the existing Planning Forum membership?
- Can the proposed member show that they are reasonably and directly affected by the actions of the Planning Forum?
- Is the proposed member willing to commit the resources and time necessary to be an active participant in all the Planning Forum’s work?

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- Is the proposed member willing to accept existing Planning Forum recommendations with the understanding that previously agreed to items will not be revisited based on his or her interests?

3. The Planning Forum will discuss the proposal and recommendations from the Membership Committee and make a decision based on the decision-process described above.

2.2 - Replacement of Members

If a Member is no longer able to participate, said Member will notify the Planning Forum in writing of his/her resignation and will recommend a replacement member. Upon receipt of the resignation letter, the Planning Forum will either accept the recommended replacement or suggest a different individual that is of the same type of constituency leaving the Planning Forum. If the Planning Forum rejects the proposed replacement, they will advertise, through the Commission's, Foundation's, and project website and associated email contact lists the vacancy to be filled. Prospective members will be invited to make a proposal to the Membership Committee (as described in Section 2.1). The Membership Committee will make a recommendation to the full Planning Forum and the prospective member will make a brief presentation to the Planning Forum regarding their experience and reasons for addition. After hearing presentations, the Planning Forum will determine the new member. The Planning Forum facilitator will coordinate new member orientation after their selection (See Section 2.4).

2.3 - Member Succession

All Members should maintain a comprehensive record of their activities and personal work to be passed along to a replacement, if necessary. The facilitation team will also do so.

2.4 - New Member Orientation

New Members, whether they are providing additional or replacement representation, will be provided with an orientation to the Planning Forum process. The facilitator will provide new Members with an overview of the process to date, as well as a binder of materials from past activities.

2.5 – Member Alternates.

Several Members will need an Alternate due to their respective busy schedules. Alternates will be identified by each Member requiring one. When a Member must miss a meeting, they will notify the facilitator as soon as feasible before a meeting and will coordinate the attendance of their Alternate. Members are encouraged to use the same Alternate every time to ensure the highest degree of institutional memory about the process. The facilitator will meet (in person or via telephone) with the Member and Alternate to ensure shared understanding of the Member's perspectives about any items due for discussion at the pending meeting. The responsibilities of Alternates are described below in Section 3.

2.6 – Member Attendance

Members have a very important responsibility representing the interests of similar stakeholders. The decisions to be made by the Planning Forum will have far reaching impacts on the future and functions of the Lower Bypass. It is essential that Members (and their Alternates when necessary) attend all Planning Forum meetings. Members that miss and do not arrange an Alternate for any more than three Planning Forum meetings can be subject to replacement by the Planning Forum. Members should strive to inform the facilitator within 5 days of a meeting that they can not attend.

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1 2.7 – Member Withdrawal

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3 Any Member may withdraw from the Planning Forum at any time. Those withdrawing will be asked to
4 communicate to the Planning Forum the reasons for withdrawal and to maintain the integrity of the ground rules
5 and the process once they have left. Members that must withdraw are asked to provide as much advance notice
6 to the facilitator and Planning Forum as feasible.
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8 **Section 3: Roles and Responsibilities**

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10 This section describes the expected roles of Planning Forum participants.
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12 3.1 – Planning Forum Members

13 Members represent the interests of stakeholders directly affected by conditions and decisions in the Lower
14 Bypass (i.e., RD members, agency staff and leadership, advocacy group constituents, etc.). Members are
15 expected to communicate with, and be informed by the types of people they represent. Members will be informed
16 by other interested parties through public comment periods at Planning Forum meetings, as well as through
17 periodic public participation events sponsored by the Commission and Foundation. Members are encouraged to
18 attend or have their Alternates attend all Planning Forum public participation events. Specific Members may be
19 assigned to particular public participation events based on their level of expertise regarding the topic(s) of the
20 event in question. Members are encouraged to also use other methods of communication with stakeholders and
21 will be supported in this effort whenever feasible by the facilitator, Commission, and Foundation. Additional
22 responsibilities of Members include:
23

- 24 • Identify, assess and review data needs and sources that are relevant and appropriate to Planning Forum
25 discussions and actions,
- 26 • Attend each Planning Forum meeting (including Subcommittees that they may voluntarily serve on),
- 27 • Attend each meeting prepared to discuss agenda items, and
- 28 • Represent the perspectives, concerns, and interests of similar organizations and/or constituencies
29 whenever possible.
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31 3.2 – Planning Forum Alternates

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33 Alternates will attend meetings as requested by the Member. Alternates will be informed by the Member and
34 facilitator in advance of a meeting on all aspects of the pending meeting. Alternates will participate on the
35 Member's behalf, work with other Members in reaching consensus on agenda items only, and participate on
36 behalf of the missing Member. Alternates and new members should not ask to be brought up to speed by the
37 Planning Forum during meetings on any agenda items (historical data/information). Background discussions
38 should happen before a meeting occurs and should be provided by the respective Member and/or the facilitator.
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40 3.3 – Planning Forum Facilitator

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42 The facilitator will be a neutral advisor to the Planning Forum. He/she will:
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- 44 • Facilitate each Planning Forum meeting,
- 45 • Prepare draft and final meeting agendas,
- 46 • Prepare draft and final meeting summaries,
- 47 • Work with Members, Alternates, Co-Sponsors, and interested public to address and resolve any issues,
- 48 • Assist in the development of Planning Forum correspondence and deliverables,
- 49 • Maintain the project record,
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- Represent the Planning Forum in external presentations (when deemed appropriate by the Planning Forum),
- Provide orientation to new Members, and
- Ensure the Planning Forum is considering all public viewpoints

3.4 – Co-Sponsors

The Commission and Foundation will provide and support public participation opportunities. They will also ensure that broader Delta and Yolo Bypass constituencies are being informed and served by the Planning Forum process. They will assist in the coordination of Planning Forum events and will represent the Planning Forum in external presentations (when deemed appropriate by the Planning Forum). They will play a specific role ensuring that diverse recreation advocates are aware of and participating in public input formats for the Planning Forum.

3.5 - Technical Advisors

The Planning Forum may invite other individuals and consultants with special knowledge and expertise related to the Lower Bypass to attend meetings to provide information and/or advice. Advisors will be encouraged to participate in discussions but will not participate in the decision-making of the Planning Forum. Advisors will participate in meetings only at the request of the facilitator and/or Member (as coordinated with the facilitator).

Section 4: Decision Making

The Planning Forum is a collaborative, consensus-seeking group; making decisions in a structured manner, as informed by a broader community of regional and local stakeholders. The Planning Forum's decisions will take the form of Lower Bypass management recommendations to other parties. The consensus decision rule is based on principles of "consensus with accountability". Consensus with accountability requires all Members to try to reach consensus while at all times supporting and expressing their self-interest. In the event a Member must reject a proposal, that Member must provide a counter proposal that legitimately attempts to achieve their interest, and the interests of the other Members. The Planning Forum will not vote and will not seek to identify numeric "winners and losers" on key topics. Rather, the Planning Forum will seek mutually acceptable and beneficial conclusions.

In seeking consensus on an interim or final recommendation, Members will voice their opinions with specific proposals along the way, rather than waiting until a final recommendation has been developed. At all times, Members will ensure that they are providing input on a decision commensurate to their prescribed role and constituency regarding the Lower Bypass. That said, it is understood that at any time, Members may speak as individuals without purporting to represent their principals and/or organizations. The basic sequential decision process will be as follows:

Straw Polls: The Planning Forum 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 Planning Forum. Members may indicate only tentative approval for a preliminary proposal without fully committing to its support.

Draft and Final Decisions: The Planning Forum will use the following three levels to indicate a Member's degree of approval and support for any proposal or decision being considered and to determine the degree of consensus.

Thumbs Down:	I do not agree with the proposal. I feel the need to block its adoption and propose an alternative.
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1 Thumbs Sideways: I am not enthusiastic about it, but I can accept the proposal.
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3 Thumbs Up: I think this proposal is the best choice of the options available to us.
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5 Abstention At times, a pending decision may be infeasible for a Member to weigh in on.
6 Examples could include but not be limited to: a topic that has statutory
7 implications that an agency representative can not be on record conflicting with; a
8 landowner representative can not get a consensus of his/her partners and
9 therefore can not offer a proposal or opinion; and other similar conditions.
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11 The goal is for all Members to be in the 'Thumbs Up', or Thumbs Sideways' levels of agreement. The Planning
12 Forum will be considered to have reached consensus if all Members are at those two levels. If any Member is at a
13 'Thumbs Down' level, that Member must provide a counter proposal that legitimately attempts to achieve their
14 interest and the interests of the other Members. The Planning Forum will stop and evaluate how best to proceed.
15 Members that abstain from particular proposals are encouraged to explain why abstention is in their best interest.
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17 In the event of disagreements, the Planning Forum, in consultation with the facilitator, will decide how best to
18 move forward. For example, additional discussion may be needed to help understand unresolved concerns
19 before proceeding further; or the group may benefit from creating additional options; or the question may be set
20 aside and addressed at a later time. Discussions to reach resolution may take place with the full Planning Forum
21 or the facilitator may request smaller groups (such as committees, interest-based Caucuses, or individual
22 Members) to draft proposal language during or between Planning Forum meetings.
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24 Conditional Approval In some cases, the level of agreement for a Member may be dependent on
25 approval by their managers, governing boards, or elected officials. In this case,
26 the facilitator will ask for a conditional level of agreement (see Section 5.3.1) with
27 the acknowledgement that a final decision may not be reached until the issue at
28 hand is approved by the necessary outside parties. Members agree to work in
29 good faith to discuss these issues in advance with their supervisors and
30 determine their organization's level approval before the next Planning Forum
31 meeting. In cases where an organization requires approval of a full
32 board/commission/etc., Members will determine the necessary level of
33 agreement at their organization's next appropriately noticed meeting.
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35 All Members are provided a "go solo" clause. By example, in some cases, a compelling mandate for a Member
36 may be inconsistent with the goals / sentiments of another Member(s). In such cases, the individual Member may
37 need to proceed with an approach, even if it is not the priority of the Planning Forum. In all cases, the proposing
38 Member should show a good faith effort to reach a mutually acceptable conclusion but should that be
39 unachievable, the Member must be afforded the right and responsibility to continue with a project absent Planning
40 Forum consensus. This clause will not prohibit other Members from seeking to obstruct the proposal but merely
41 reflects that a good faith effort has been made by all participants to collectively resolve an issue.
42 Members will also have the right to revisit issues / decisions on the grounds of substantial new information
43 becoming available during the Planning Forum's discussions. In such a situation, Members are encouraged to
44 notify the facilitator in advance of a presentation / discussion of such new information so that the facilitator can
45 adjust the meeting plan / agenda to accommodate these revisions.
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47 4.1 - Absence When Decisions Are Made.
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1 All resource planning and procedural decisions by the Planning Forum must be agendized to provide all Members
2 the opportunity to consider and be present for the decision process. The process should also allow for immediate
3 decisions depending on the issue at hand. If a member cannot attend a Forum meeting where a key decision is
4 planned, they are encouraged to communicate to the facilitator and their Alternate, their views (in writing) on any
5 issues or pending decisions to be discussed. The facilitator or Alternate is responsible for expressing the
6 Member's views to the Planning Forum.

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8 **Section 5: Communications**

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10 This section describes expectations about how Planning Forum Members will communicate.

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12 5.1 - Internal Communication

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14 5.1.1. Every Member is responsible for communicating their position on issues under consideration. It is
15 incumbent on each Member to state the interests of their organization or constituency. Voicing these
16 interests is essential to enable meaningful dialogue and full consideration of issues. After a decision is
17 made, no Member will work to undermine that decision

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19 5.1.2. Members will freely exchange documents and other information that are not otherwise determined
20 to be privileged or confidential (such a determination is at the discretion of individual Members and/or
21 their organizations). Materials / products prepared by the Planning Forum are in various draft formats (see
22 Section 5.3) until they are finalized by the Planning Forum using its decision-making steps. Materials
23 provided to the Planning Forum will be considered draft unless otherwise noted. All draft documents will
24 be treated as interim materials and will never be characterized to represent final opinions or conclusions
25 of the Planning Forum or an individual Member(s).

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27 5.2 – External Communication

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29 5.2.1. Members are free to discuss the work of the Planning Forum with other stakeholders outside of
30 meetings and with members of other related planning efforts. Members should neither characterize the
31 positions and views of, nor should they ascribe motives or intentions to the statements or actions of other
32 Members. No Member will work to undermine the Planning Forum's work or the interests of any Planning
33 Forum Members. Since membership on the Planning Forum is voluntary and since the Forum has no
34 binding or legal authority, there are limits to the types of consequences that can be brought to bear on a
35 Member that does not communicate in good faith. That said, all Planning Forum Members, guests of a
36 Forum event, and the Forum as a whole are afforded the opportunity to call into question any conduct of a
37 Member that is perceived to undermine the full group's work. Should such a condition occur, Members
38 are encouraged to address the issue first with the facilitator and to allow the facilitator to address
39 conditions with other Member(s). Resolution of such conditions may come through a range of options
40 including but not limited to direct intervention by the facilitator with the Member in question, small group
41 discussions between affected Members, or discussions and resolutions in a full Planning Forum meeting.

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43 5.2.2. Members and their Alternates serve as conduits for information exchange with their organizations /
44 constituencies and are encouraged to solicit input and participation. Constituents wanting to provide input
45 to the process are encouraged to channel their concerns and suggestions to specific Members who they
46 feel can represent these interests. To ensure that reasonable privacy of Members is protected, all
47 incoming external communications (email, postal mail, telephone message, etc) will be encouraged to be
48 provided to the facilitator with immediate distribution to the appropriate Member(s). Members are
49 encouraged but not required to inform the facilitator of any feedback they receive from internal and

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external sources. Members may provide, but are not expected to provide, personal and/or professional contact information to the public.

5.2.3. The Planning Forum may be asked periodically to present descriptions of its work to outside parties (i.e., BDCP, Delta Vision, CVFPP, local governments, local advocacy groups, etc.). If solicited to make such a presentation, the Member(s) in question and/or the facilitator will contact the full Planning Forum to inform them of the request and assess the appropriateness of such a presentation. If the Planning Forum decides that such a presentation is appropriate, the Planning Forum, likely through email communications and/or telephone conference calls lead by the facilitator, will decide the appropriate presenter and information to be provided.

5.3 - Information Publication

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

5.3.1. Document Development. Documents being developed for and by the Planning Forum will follow a general sequence of completion. All the following stages of a document will be dated to ensure that users have the most current version

- **Informational** documents prepared for the Planning Forum will be initially distributed in DRAFT format. These documents are for information purposes only. They may be subject to comments and revisions by Members and will be finalized to FINAL stage at some point in the Forum process.
- **Decision** documents prepared by the Planning Forum will be initially distributed in PRELIMINARY DRAFT format. These documents will reflect ongoing work by the Forum that will eventually be revised to DRAFT status. All DRAFT and PRELIMINARY DRAFT documents are for discussion purposes only and are not to be widely circulated. Sensitivity of materials will be at the discretion of the Member and/or stakeholder and/or facilitator providing them and will be respected by recipients of said materials.
- DRAFT **decision** documents will be revised through Forum discussions. When a DRAFT document reflects an appropriate level of completion by the Forum, it will be retitled as DRAFT FINAL. DRAFT FINAL documents reflect Conditional Approval by some Members until such time as their respective supervisors and/or governing bodies approve the decision (to be conducted on an as-needed basis by respective Members – See Section 4)
- All **decision** documents will remain in a DRAFT FINAL stage until they are ratified by the Forum as completed, at which point a document will be retitled as FINAL.
- FINAL documents may be revised at the discretion of the Forum. Generally speaking, FINAL documents should only be revised if new information is identified that makes the conclusions of the Forum insufficient. FINAL documents that are revised will be titled REVISED FINAL.

5.3.2. Public notice of meetings will take place within 2 calendar weeks of a meeting and will be communicated through the Working Group participant distribution list, and will be posted on the Commission, Foundation and project websites.

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2 5.3.3. Preliminary Planning Forum meeting agendas and non-confidential materials will be provided to the
3 Planning Forum at least 5 business days before each meeting. Agendas and non-confidential materials
4 will be posted on the Commission, Foundation and project websites at least 5 business days before each
5 meeting.
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7 5.3.4. Meeting Action Items will be prepared by the facilitator and distributed to the Planning Forum within
8 3 business days following a meeting.
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10 5.3.5. Meeting summaries will be prepared by the facilitator within 7 business days following each
11 meeting. Summaries will identify the meeting participants, major issues discussed, decisions made, and
12 actions to be taken. Members will have 5 business days to review DRAFT summaries and provide
13 comments to the facilitator (and Planning Forum if desired). The facilitator will revise summaries and
14 send a DRAFT FINAL version to the Planning Forum and public distribution channels within 2 additional
15 business days. Any conflicts between two or more summary reviews will be resolved by the facilitator with
16 the Members in question. DRAFT FINAL Summaries will be reviewed at the next Planning Forum
17 meeting. The facilitator will call for any further revisions by Members to ensure the correct
18 characterization of all Member comments. New comments will be addressed by the facilitator with the
19 commenter at the next meeting. If no comments are received, the Summary in question will be entered
20 into the project record as a FINAL document.
21

22 5.3.6. Related data in support of Planning Forum efforts may be periodically available. All participants are
23 encouraged to contribute and share information that helps inform discussions and clarify questions of
24 fact. As appropriate, support materials that explain, interpret or analyze data or policies should also be
25 provided. Privileged information may be shared confidentially with the facilitator, if a stakeholder feels
26 uncertain about bringing information forward to the full group (see 5.1 above).
27

28 5.4 - Media.

29
30 While the Planning Forum is studying, discussing or evaluating issues, no Member will represent the Planning
31 Forum to the media except as mutually agreed. No statements prejudging outcomes will be made and no
32 communication to the media about Planning Forum activities / deliberations will be provided except under the
33 collective approval and development by the Planning Forum. At all times, Planning Forum members are expected
34 to work in good faith with fellow Members regarding deliberations and to not use Media to publicly influence
35 decisions.
36

37 5.5 – Legislation

38
39 During the Planning Forum process, any Member(s) may seek to establish local, State, and/or Federal regulations
40 and statutes that might affect physical and jurisdictional conditions in the Lower Bypass, and the work of the
41 Forum. To the extent that their self-interest is protected, all Members are encouraged to use the Planning Forum
42 as an early venue to discuss such efforts in a transparent and proactive way.
43

44 **Section 6: Ground Rules**

45
46 The personal integrity, values, and legitimacy of the interests of each Member and public participant will be
47 respected by other participants. The motivations and intentions of participants will not be criticized.
48

49 All Members, the facilitator, and public participants of a meeting agree to:
50

**Lower Yolo Bypass Planning Forum
FINAL Charter and Operating Rules
November 10, 2008**

1 **Section 7: Planning Forum Sunset Procedures**

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The Planning Forum is expected to complete all documents and recommendations by October 2009. The provisions of this Charter will expire in December, 2009. If Members agree additional time is needed to complete their recommendations, the facilitator will call for the approval of a new sunset date based on the decision making criteria in Section 4.

**Lower Yolo Bypass Planning Forum
FINAL Charter and Operating Rules
November 10, 2008**

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