

BURNEY-HAT CREEK COMMUNITY FOREST AND WATERSHED GROUP CHARTER (June 2014)

1. Purpose of Charter

This charter explains the history, structure, planning, and decision-making process for member of the Burney-Hat Creek Community Forest and Watershed Group.

2. Background

The Shasta Resource Advisory Committee (RAC) first met in early 2008. The RAC was tasked with allocation of the renewed Title II program funds over the last four years. Grant proposals were reviewed and funded by the RAC to implement a variety of projects that met program objectives. Some on the Committee felt a scale of efficiency was lost when funding several smaller projects, although many of these small projects had merit. A discussion followed that advocated and supported the idea of funding a “larger” project that met the objectives of the statute to create jobs, develop economic stability for rural communities and stability for payment of counties, as well as having the components of many of the small projects previously funded by the RAC. This discussion eventually led to the idea of using RAC funds to form a type of community stewardship project that would serve as a “model” of how the local stakeholders could provide input regarding the management of federal lands in the area. RAC representatives approached the Fall River Resource Conservation District (FRRCD) in mid-March 2009 to introduce the concept and encourage a larger project submittal. The Fall River RCD submitted a proposal to the RAC in May 2009 and this proposal officially resulted in the formation of the Burney-Hat Creek Community Forest and Watershed Group. The purpose and goal of this project are as follows:

Project Purpose: The purpose of this project is to improve social, environmental, and economic conditions in the Burney Creek and Hat Creek watersheds. These two watersheds include all of the land that drains into Burney Creek and Hat Creek, totaling 364,250 acres. Fifty-eight percent of this land is in the Lassen National Forest; 29 percent is owned by large private forestland owners; four percent by large ranches; and tribal trust and allotment lands. The BIA owns 77 acres. The communities of Burney, Johnson Park, Hat Creek, Cassel, and Old Station lie within these two watersheds. Local communities suffer from high unemployment and face high risk of wildfire in many surrounding forests. There is a recognized need for a coordinated public-private effort to address these and many other concerns including water quality problems, stream, creek and meadow restoration needs, wildlife and fisheries needs, cultural sites protection needs, recreation needs and others.

The Group’s Goal: The goal of this project is to develop a plan to integrate sustainable natural resource management, and ecological restoration and stewardship with socioeconomic development (including local jobs) across the 364,000-acre, two-watershed project area.

Initial Steps and Formation of Burney-Hat Creek Community Forest and Watershed

Group: During the first year, public meetings were held and interviews were conducted with over 35 stakeholders and community members to clarify goals, identify resource and socio-economic issues, and establish a committee to lead the project. The Sierra Institute for Community and Environment (Sierra Institute) conducted interviews, summarized information, and presented policy innovations used by other collaborative efforts with similar goals in a report. The interviews and community meetings also led to the recommendation of initial “Group members” by the Sierra Institute. These recommended members were brought to the Fall River Resource Conservation District for discussion, and the Fall River RCD confirmed these members and thus the formation of the Burney-Hat Creek Community Forest and Watershed Group (Group) was borne. Since that time, the membership of the Group has grown based on recognition of important stakeholders; and the Group has continued to meet and discuss various watershed plans, projects and opportunities.

Guiding Document: The report provided by the Sierra Institute, “Burney Creek-Hat Creek Community Forestry Project, May 2010” has served as the guiding document for Group activities and process. The report summarizes a Socioeconomic Assessment, Stakeholder Analysis, and Institutional Assessment and Findings.

Recognizing Tribal Status: Tribal governments have a unique place and relationship with respect to the federal government and other State and local government entities. The following describes that unique status.

- The Pit River Tribe is a federally recognized Tribe composed of eleven autonomous bands located in Northeastern California since time immemorial, AND;
- The Pit River Tribe is governed by the Pit River Tribal Council, the body duly Constituted and elected under the Constitution of the Pit River Tribe adopted August 15, 1987 and approved by the Assistant Secretary of the Interior for Indian Affairs on December 3, 1987, AND;
- The Pit River Tribal Council is empowered by Article VII of the Constitution to enact all ordinances and resolutions which shall be necessary and proper for carrying into effect the Council’s powers and responsibilities, contract with federal, state, and Tribal government, private enterprises, individuals and organizations, AND;
- The Pit River Tribe has the authority to charter and regulate independent organizations, subordinate organizations, committee and boards of officials of the Tribe and delegate powers, AND;
- The Pit River Tribe has inherent sovereign governmental powers to protect and promote the health, safety, and/or general welfare of the people of the Pit River Tribe, AND;
- Government-to-government consultation with Federal, State, and County governments is established and assured by laws, regulations, policies, and executive orders such as; the National Environmental Policy Act, the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, Executive Order 13007, Executive Order 13175, California Environmental Quality Act, Senate Bill 18, etc. prior to the implementation of activities within Pit River Ancestral lands.

3. Vision and Mission of Group

In 2010, the Group developed and vision, mission, and bullet list of their intent.

Vision: The Burney Hat Creek Community Forest and Watershed Group (Group) will promote a healthy, productive forest ecosystem on public, private, and tribal lands. On a watershed scale these lands will serve to create a fire-resilient forest ecosystem with sustainable populations of wildlife, fisheries and habitat, functioning and restored watersheds and water quality, protected cultural resources and appropriate recreational opportunities. The forest ecosystem will help support quality of life, jobs for diverse community members and economic benefits in our local communities.

Who we Are/Mission: The Group is a community-based collaborative of citizens, businesses, organizations, governments and landowners who share a vision for a sustainable future of our communities and the surrounding landscape.

The Group will:

- Define a vision of sustainability that leads to healthy and ecologically productive watersheds, increased resiliency to fire, protection of key ecosystem and cultural resources, and appropriate types of community development, jobs and income to surrounding communities.
- Serve to educate the group and community members on forest health issues and sustainable ecosystem management.
- Work systematically to organize and prioritize projects on the landscape.
- Create a long-term demonstration of success by restoring livable rural communities within thriving ecosystems. The surrounding diverse ownerships will have healthy watersheds and abundant wildlife habitat

4. Collaborative Planning

This section describes the process used by the Group to engage in dialogue and plan and select projects. The facilitator (when available) with the Steering Committee will prepare agendas prior to Group meetings that identify topics for discussion. The agendas reflect topics of interest to the Group and the overall mission and vision. Agenda items are discussed, and when warranted, subcommittees are established to conduct additional work for action items. Long-term and short-term goals are reviewed on an annual basis, and scientific information and monitoring is used to provide the best information to the Group in order to make informed decisions. All meetings are open to the general public, and there will be time set aside at each meeting for the general public to comment on any issues on the agenda or within the purview of the Group.

Joint Fact-Finding: Joint fact-finding is the process by which a diverse group of stakeholders works together to understand complex policy issues, key questions, technical data or other information necessary to address their issues and meet their needs. Joint fact-finding involves all of the key interests around a particular issue, conflict or problem. The idea is to make sure everyone is “on the same page” and has a comparable starting point or base of knowledge relevant to the Group’s vision/mission. Typically, the Group (or a sub-committee) discusses and decides on what the key questions are, how to best assemble the information, who might be needed to answer key questions (e.g. consultants, agency personnel, etc.) and how to best communicate the information to the Group. The idea is to arrive at credible information on which to base judgments and policy decisions. While it is up to the Group to decide what information might be valuable in terms of future decision-making, some of the topics or areas that the Group might consider for joint fact-finding are the following (but certainly not limited to this list):

1. Full understanding of the existing laws, authorities/decision-makers, institutions, funding mechanism and opportunities, and processes that operate within the water shed (including those related to tribal authorities, priorities, and governing processes) that are relevant to the type of projects and programs in the vision.
2. Definitions, measures/indicators, and assessment of what a “healthy forest ecosystem” really is, and what it takes to sustain it. This might entail investigation of risks, analysis/monitoring methods and opportunities, as well as exploring model forest, water quality, tree, etc. conditions in other places that might be informative.
3. Clear, written definitions of the important issues and interests of each of the representative members of the Group.
4. Economic analysis of the surrounding communities (including tribal lands and resources) in terms of unemployment, job potential, income levels, tax revenues, and other indicators of community economic health. This analysis could also include consideration of future projections or scenarios based on different types of projects or programs (and how they are structured) such as co-generation facilities, salvage operations, timber harvest (on various scales and in various types of lands), recreational development, etc.
5. Other topics and areas of inquiry that the group feels it would benefit from.

5. Membership

The Group includes a diverse representation of interest groups who work and live within the region. The Fall River Resource Conservation District approved the initial member list recommended within the Stakeholder Assessment and Socioeconomic Findings Report (Sierra Institute 2009). Since that time, several members have regularly participated in meetings, while others have moved from the region or no longer work for their original interest group. A few members have not regularly participated. The Group has actively worked on finding replacement members for interest groups that are considered to be

underrepresented or who would have expertise and information that would be valuable for planning future work. The names and interest groups of these are provided below:

Pete Johnson – Director, Fall River Resource Conservation District
Kit Mullen – Hat Creek Ranger District, USFS
Todd Sloat – Fall River Resource Conservation District
Ray Barber – Burney Fire Department
Patricia Putterbaugh – Lassen Forest Preservation
Don Curtis – Hat Creek Fire Safe Council
Doug Lingren – forest contractor
Dave Worthington – Lassen National Park
Ryan Hadley – forest products industry
Dean Loftus – Fruit Growers Supply Company
Chance Joyce – Stewardship Council
Chris Dallas/Linda Hansen – Sierra Nevada Conservancy
Drew Braugh – Fall River Conservancy
Melinda Graves – Natural Resource Conservation Service
Bret Mauser – McArthur-Burney Falls State Park
Marissa Fierro – Pit River Tribe
Ben Rowe - Cal Fire

Adding New Members: The Group will continue adding new members as appropriate to ensure that the Group is representative of the diverse stakeholders in the Burney-Hat Creek Watershed area. The process of adding new members will follow the decision-making process outlined later in this Charter. The Group aims for members to generally agree with the concepts in the Charter, follow the protocols and ground rules, and make informed contributions and decisions. New members should commit to reading through past information, and understanding the directions, policies and projects that have gone on in the past. The Group will provide new members with adequate background information to ensure they will be “up to speed” and individual Group members will meet with new members to share insights.

Attendance Requirements: Members should attend as many meetings as possible to stay abreast of issues and decisions. If a member misses a meeting it is his/her responsibility to read the working notes and communicate any issues or concerns. If a member does not make at least half of the meetings in any given calendar year, it will be assumed that they are no longer interested in membership or cannot make the meetings. That member will be asked if he/she wants to remain on the Group, so we can either find a replacement or take them off the list. The facilitator or staff will record attendance at each meeting.

6. Steering Committee

A steering committee has been regularly meeting to develop meeting agendas and meeting materials and to help manage the Group process and work flow. The Steering Committee will consist of a member representing the Fall River Resource Conservation District, the Pit River Tribe, the U.S. Forest Service, a member on the Group representing an NGO, a

member of the Group representing private industry and the facilitator (if there is one), and others as the Group deems appropriate. The Steering Committee focuses on ensuring that the process runs smoothly, agendas and items are consistent with the vision of this Group, and all stakeholder interests are being heard in developing meetings and considering issues and projects.

Work Groups and Technical Advisory Groups:

To advance its work, the Group will create work groups to conduct specific tasks it identifies as well as technical advisory groups to conduct analyses and provide recommendations on scientific issues. The Group crafts a clear charge and scope of work (in the meeting summary) for any work group or technical advisory group.

As with the full Group, work groups and technical advisory groups seek consensus in their recommendations and work products. Highlights, decisions, and action items are recorded in meeting summaries or Issue Papers. In addition to regular progress updates, materials developed in work groups or by technical advisory groups are always brought back to the full Group for discussion, refinement as necessary, and adoption. Major projects are tracked on the schedule of activities, including dates to be reviewed by the full Group.

7. Decision-Making

The Group relies on a consensus-seeking approach to make decisions and works diligently to find common ground on issues. This can mean developing and exploring various alternative solutions to a question or problem, being sure that all have understood the various options and issues and their voices have been heard, and taking the “pulse” of the Group in terms of their level of agreement. A “consensus” agreement does not have to mean unanimous enthusiastic support (which is almost impossible to obtain). The definition of consensus spans the range from strong support to; “I can live with it.”

It is useful to acknowledge that many of the Group’s discussions do not require formal decisions, but are exchanges of information or technical updates. For this reason, it is recommended that all agenda items be broken down (and labeled on agendas) into one of three categories: (1) Informational/educational items; (2) Discussion/dialogue items; and (3) Decisional items. For items 1 and 2, no decision framework or structure is necessary. The Steering Committee (or any member) simply places the item on the agenda, the facilitator and Steering Committee allocate appropriate time for the item, and the Group engages in general discussion. Adequate time needs to be allocated for full questions and answers, and for any dialogue to ensue. If in the course of an “educational or discussion” item, a conflict, controversy, or decisional element arises, this will be scheduled as a decision item to be handled later in the agenda or at a subsequent meeting.

The third type of item (decisional) requires a decision structure for the Group. These are likely to be either fundamental changes to the Charter, basic operating rules, vision, etc. or major decisions on pursuing a particular project, requesting funding, pursuing a grant or

other funding proposal, or addressing a substantive policy matter with an allied agency or similar activity.

If a stakeholder raises a decisional issue not easily resolved by consensus agreement, the Group can assign the issue to an existing or new work group to make a recommendation back to the broader Group. The facilitator and/or one of the members of the work group would then write up a description of the key issues (possibly with alternative solutions or decisions) in a brief memo. The work group then discusses and makes a recommendation to the full Group. All opinions are included to inform the Group's decision. The Group may seek clarifying information before it reaches a final outcome. All outcomes are to be recorded in the Working Notes or Issue Paper.

If the Group is clearly divided and is not reaching consensus, a voting process ensues where approval of the decision resides in a super majority vote (requiring 75% of Group members). If a member cannot be present for a vote, they will be given the opportunity to vote via email – one email will be sent out, and one opportunity will be afforded. If a vote is not cast in person or via email, it will be assumed to be an abstention.

If members cannot attend a meeting where decisions are made, they are given an opportunity to review relevant materials, provide comments, and state whether they support the decision in advance of the meeting. Ensuring that decisions consistently reflect balanced representation and are responsive to member input is critical. In situations where members are unable to review materials in advance of a meeting, the Group will note conditional consensus and the facilitator will verify absent member support.

All decisions, agreements, recommendations, and reservations are documented in the meeting summary notes, including the names of those who support or oppose specific decisions, agreements, or recommendations. It is particularly important that any “minority” or dissenting opinions are reflected in the notes and report about a particular issue, or project.

8. Outreach and Communication

The Group has prepared an Outreach and Communication Plan to share information. The Group relies on members of the Group and Steering Committee to prepare outreach material and disseminate information. An email distribution list has been developed and is used to share information with individuals and groups that are not Group members.

9. Meeting Protocols

The following “ground rules” are designed to keep meetings organizing, professional and productive, and move items along to honor the Group members' time commitment.

- **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.”

- **Be comfortable.** Please help yourself to refreshments or take personal breaks.
- **Humor.** Humor is welcomed, but should not be at someone else's expense.
- **Stay focused.** There are many related topics that people care about. The Group cannot address all of these. The facilitator will help the Group stay focused on the agenda, topics and deliverables.
- **Use common conversational and social courtesy.** Don't interrupt others. Use appropriate language. Don't "roll your eyes" or use other inappropriate facial expressions if you don't agree. Avoid third party discussions.
- **Treat each other with respect.** People are passionate about 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. It is important not to impart negative motives to colleagues or to assume they favor one idea or another; rather, it is better to focus on the issues and problems to be solved not the personalities or affiliations.
- **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.
- **Treat Differences as a Strength.** Varying opinions and perspectives is exactly why the Group has formed in the first place. Recognize that some level of disagreement and conflicting or competing views is normal, expected and a strength for coming up with innovative and compelling solutions.
- **Focus on Interests not Positions.** Focusing on positions typically entails advocating fully formulated solutions to problems, often with little room for trade-offs, and often quite fixed (and sometimes antagonistic of other positions). It becomes difficult to negotiate and find common ground when people come in with opposing or conflicting positions. On the other recognizing and articulating one's interests typically means getting to the underlying needs, motivations, desires and hoped for outcomes, rather than being stuck on one particular solution, slogan or stance. Interest-based dialogue leaves room for trade-offs and finding creative common ground in a joint problem solving mode. This is often a much better way to reach agreements in a working group.
- **Open Data and Opinions.** All participants should express their views openly and directly, and provide any and all information, data, and ideas in an open, transparent way to maximize communication.
- **Avoid editorials.** Please avoid ascribing motives to or judging the actions of others. Please speak about your experiences, concerns, and suggestions.
- **Honor time.** In order to achieve meeting objectives it will be important to follow the time guidelines provided by the facilitator.

- **Note-Taking.** For each meeting, the facilitator (or assistant) or a member assigned to take notes will document major discussions, decisions, agreements, recommendations, and “to do” list items in the meeting summary notes. It is particularly important that any “minority” or dissenting opinions are reflected in the notes and report about a particular issue, or project.
- **Electronic Meeting Place.** At some time in the future, the Group could consider whether it would use electronic meetings to reduce travel times and costs. This would have to be agreed upon by the membership (see decisional rule), but could increase participation for one or several meetings each year, especially during winter weather.

10. Schedule of Activities and Charter Amendments

The Group meets approximately six times each year. At the beginning of each calendar year, the Group agrees to its schedule of activities. At the end of each year, the Group evaluates its progress toward meeting the overall project goal, and at this time, may choose to amend this Charter. At the end of each year, the Group will renew its commitment and revisit its membership.

11. Signature for the Charter

Group members will use this charter to conduct business and make decisions in planning and implementing projects and activities. Group members are asked to approve the charter verbally, which will be recorded in the meeting summary. Members are also invited to approve the charter by signing it. Approving the charter does not always imply agreement with specific projects or activities. The Group will review the list of charter signatories each year to ensure it remains current. We the undersigned affirm our commitment to the Burney-Hat Creek Community Forest and Watershed Group Charter.