

**AGENDA | Thursday, March 11, 2010**  
**9:00-12:30**  
**Owens Lakebed Planning Committee**

**Location: Boulder Creek Lodge, 2550 Highway 395 South of Lone Pine**

**Information**

Brian Tillemans, DWP, Tel: 760-873-0214  
Facilitator Gina Bartlett, Center for Collaborative Policy  
Tel: 415-255-6805, Cell: 415-602-0311

**Meeting Purpose**

- Provide briefing on stakeholder interviews
- Organize the Owens Lakebed Planning Committee
- Conduct an external / internal assessment of key trends

9:00	<b>Welcome</b>
9:10	<b>Introductions</b>
9:15	<b>Review Agenda</b>
9:20	<b>Center for Collaborative Policy Briefing on Stakeholder Interviews</b>
9:50	<b>Center for Collaborative Policy Recommendations for Structuring the Planning Process</b> <ul style="list-style-type: none"><li>▪ Charter</li><li>▪ Process Table</li><li>▪ Membership</li><li>▪ Meeting Times</li></ul>
10:45	Break—Work on the Timeline
11:00	<b>Environmental Scan</b> <ul style="list-style-type: none"><li>▪ What internal and external trends will affect the Owens Lakebed planning process?</li></ul>
12:05	<b>Prepare for Site Visit Meeting 2</b>
12:15	<b>Next Steps &amp; Wrap Up</b>

# Owens Lakebed Planning Committee (Draft)

Updated 3/8/2010

NOTE: The Planning Committee will make decisions to develop the Owens Lakebed Plan. The Center for Collaborative Policy, in conversation with the interested parties in the Owens Lakebed, has proposed membership for the Owens Lakebed Planning Committee. **The Planning Committee will finalize its membership at its early meetings.** All Planning Committee meetings will be open to the public; everyone is welcome. The Planning Committee will also engage a broad stakeholder forum and keep member constituents informed about its work.

## Interests to be Represented

Air Quality  
Community: Keeler and Lone Pine  
Economic / Local Business  
Energy / Solar  
Environmental: Bird and Native Plants  
Governmental: County, State, & Tribal  
Open Space  
Public Access  
Public Trust  
Landowners  
Ranchers  
Recreation  
Water

## Members

### Business

Paul Lamos, Rio Tinto Minerals, Owens Lake Operation

### Business/Recreation

Bruce Ivey, Ducks Unlimited and California Waterfowl

### Community

Sam Wasson (Keeler)  
Lone Pine Resident

### Energy / Solar

Mike McMenamin, Department of Water & Power

### Environmental: Habitat, Birds and Native Plants

Mark Bagley, Owen Valleys Committee and Sierra Club  
Andrea Jones, Audubon California  
Steve McLaughlin, Bristlecone Chapter, California Native Plant Society

Mike Prather, Audubon Chapter  
Pete Pumphrey, Audubon Chapter

Governmental: County, State, Tribal, Air & Water  
*County*

Supervisor *to be announced*, Inyo County  
Kevin Carunchio, Inyo County

*State*

Julie Bear, Sierra Nevada Conservancy  
Brad Henderson, California Department of Fish & Game

*Public Trust*

Marina Brand, State Lands Commission  
Colin Connor, State Lands Commission

*Air Quality*

Ted Schade, Great Basin Air Pollution Control District

*Water*

Brian Tillemans, Department of Water & Power  
Bill VanWagoner, Department of Water & Power

Open Space

Eastern Sierra Land Trust

Ranchers

Scott Kemp  
Mark Lacey, California Cattleman's Association

# Owens Lakebed Planning Committee

## DRAFT CHARTER

(3/9/2010)

### Goal

The goal of the Owens Lakebed Planning Committee is to develop a “master” plan for the Owens Lakebed. The Planning Committee will recommend the plan for adoption by agencies and organizations responsible for implementation.

The plan will be a document that identifies a vision, broadly-supported goals, objectives, actions and projects to enhance the Owens Lakebed, including dust mitigation, habitat and wildlife, water efficiency, and renewable energy resources. The plan will build upon concepts and technical information developed during the Conservation Action Plan process and provided within the Owens Lake Habitat Management Plan (OLHMP), as well as any other relevant plans and efforts.

To this end, the goals of the Planning Committee are to:

- Work collaboratively in an open process with other members who represent interests in the Owens Lakebed.
- Develop common understanding on present and future conditions of the Owens Lakebed.
- Negotiate in good faith to achieve consensus on how the Owens Lakebed will be managed into the future.

### Membership

The Planning Committee consists of members that represent the following interest groups:

- Air Quality
- Community
- Economic / Local Business
- Energy / Solar
- Environmental: Bird and Native Plants
- Governmental: County, State, & Tribal
- Open Space
- Landowners
- Public Access
- Public Trust
- Recreation
- Ranchers
- Water

Members live throughout the Owens Valley or work in agencies that have jurisdiction in or around the Owens Lakebed.

Additional stakeholders may join the Planning Committee after its initial formation with the concurrence of other Committee members. Member organizations may change their individual representatives if necessary by notifying the project manager or facilitator.

## **Stakeholder Structure**

1. **Planning Committee:** The Planning Committee, comprised of organizations representing diverse interests, is the decision-making body of the Owens Lakebed planning process. The Planning Committee has a collaborative governance structure: agencies with jurisdiction over the lakebed will join non-governmental and community organizations, business associations, and individuals to develop the Owens Lakebed Plan.
2. **Agency Forum:** The Agency Forum, comprised of state and local agencies with two ex-officio Planning Committee representatives, will meet periodically to discuss and resolve regulatory and statewide policy issues.
3. **Coordinating Committee:** The Coordinating Committee, appointed by the Planning Committee, is a smaller, representative group of the Planning Committee that meets in-between Planning Committee meetings to assist staff with process planning and developing proposals for Planning Committee consideration.
4. **Stakeholder Forum:** The Stakeholder Forum is the term used to describe the broad range of organizations and the general public interested in the Owens Lakebed planning process that seek information about activities either by attendance at meetings or through other means of communication. The Owens Lakebed planning process will seek input from the Stakeholder Forum on the Plan's direction and content.
5. **Work Groups:** The Planning Committee can establish Work Groups as needed. Work Groups would focus on preparing recommendations for Planning Committee consideration.

## **Roles and Responsibilities**

### **Planning Committee**

1. Organizations and governmental agencies participating in the Owens Lakebed process will select one formal designee to represent them on the Planning Committee. The designee will represent the views of the organization that selected them to participate in the process.
2. Planning Committee members will attend meetings consistently and, if unable to attend any session, will send an alternate also chosen by their participating group. However, use of alternates is not encouraged as this can interfere with the continuity of discussion and decision-making.

3. Planning Committee members agree to arrive at each meeting fully prepared to discuss the issues on the agenda. Preparation would include reviewing meeting summaries, technical information, and draft documents distributed in advance of each meeting.
4. The Planning Committee is the decision making body of the planning process, and its members will make a good faith effort to achieve consensus to produce a Plan with the strongest support possible.
5. Members will present their constituent members' views on the issues being discussed and be willing to engage in respectful, constructive dialogue with other members of the working group.
6. Members will develop a problem-solving approach in which they consider the interests and viewpoints of all group members, in addition to their own.
7. Members will regularly communicate information about the process to their organizations or agencies, as well as to the individual constituencies and communities they represent and actively seek their constituents' input.
8. The Planning Committee will make decisions in accordance with the rules set out in the section on Decision Making below.

#### **Agency Forum**

1. The Agency Forum consists of the following: State Lands Commission, California Department of Fish & Game, County of Inyo, Los Angeles Department of Water & Power, plus two ex-officio members of the Planning Committee as determined at the Planning Committee's DATE meeting:
2. The Agency Forum will consult with other agencies as needed, such as the California Department of Water Resources, California Public Utilities Commission, or U.S. Forest Service.
3. The Agency Forum's role is to create an opportunity for the agencies to discuss and coordinate regulatory and state policy issues that affect the Owens Lakebed planning process.
4. The Agency Forum may play a role in the development of the Plan including preparation of substantive proposals for final approval in the Planning Committee.
5. The Agency Forum will strive for consensus within the Forum and craft proposals that are responsive to the diverse interests participating in the Planning Committee.

### **Coordinating Committee**

1. The Coordinating Committee consists of **the following organizations** ... as determined at the Planning Committee's DATE meeting:
2. The role of the Coordinating Committee is that of process planning and logistics to assist staff with scheduling, recommendations for process modifications, communication, and other issues for which staff needs advice in between Planning Committee Meetings.
3. The Coordinating Committee may play a role in the development of the Plan, at the request of the Planning Committee, including preparation of substantive proposals, but has no decision-making authority.
4. The Coordinating Committee will strive for consensus and, lacking that, will present the full range of opinions on any proposal to inform the Planning Committee's decisions.

### **Stakeholder Forum**

The Stakeholder Forum is the term for the interested organizations and the public. The Planning Committee will provide information and seek input from the Stakeholder Forum on the Plan's direction and content.

Strategies for reaching this larger audience include:

1. Public comment time at Planning Committee meetings in a flexible and inclusive manner rather than limited to a single period.
2. Periodic workshops or briefings at Forum member organizations to keep stakeholders abreast of progress on planning and solicit input on planning issues.
3. Interactive communication through a website with full publication of work products, reports, public meeting materials, regional resource databases and other resources.
4. A master mailing list compiled by the convener consisting of lists contributed by member organizations as well as public inquiries, meeting attendance lists and website sign-ins.
5. Multi-media materials created by member organizations to assist members in updating constituent and other community groups on planning activities and to inform local and regional media of milestone achievements.
6. Special outreach to tribal governments to elicit their input in a manner consistent with protocols on government-to-government relationships

7. Other public participation strategies as developed by the Planning Committee or Coordinating Committee.

### **Work Groups**

1. The Planning Committee may establish Work Groups to assist with developing the plan. Work Groups may develop recommendations or proposals for the full stakeholder group's consideration.
2. Work Groups will strive for consensus and, lacking that, will present the full range of opinions on any proposal to the Planning Committee to inform the Planning Committee's decisions.
3. Planning Committee Members may participate in more than one Work Group. Members of the work group need not be members of the Planning Committee.
4. Work Groups are encouraged to seek additional participants from outside the Planning Committee to increase the diversity of interests represented, provide additional expertise to the Work Group, or for other reasons deemed necessary by the Work Group. Work Group membership must balance interests and diversity but should be kept to a workable number to facilitate in-depth discussions.

### **Convener**

The Los Angeles Department of Water & Power is convening the Planning Committee to develop the Plan. The convener will sponsor committee meetings, garner necessary funding to complete the plan, and provide in-kind staff support to manage the project. In addition, the convener has contracted with the Center for Collaborative Policy to facilitate the planning process.

### **Facilitator**

In cooperation with all stakeholders, the facilitator from the Center for Collaborative Policy will design Committee meetings and guide the overall process toward achieving its mutually agreed-upon purpose and goals. The facilitator will:

- Formulate the agenda and desired outcomes for all meetings based on input of stakeholders and the chair and facilitate those proceedings.
- Identify and synthesize points of agreement and disagreement for the written meeting summaries.
- Assist in building consensus among members.
- Ensure compliance with all process agreements and working ground rules.
- Serve as a confidential communication channel for members, alternates, and observers who wish to express views privately because they do not feel comfortable doing so in front of the large group.
- Advocate for a fair, effective, and credible process, but remain impartial with respect to the outcome of the deliberations.

## **Planning Committee Meeting Schedule**

The regular meeting day for Planning Committee meetings will be the \_\_\_\_ Day / Week of the month as follows. Planning Committee meetings will be held from 9:00 a.m. to 3:00 p.m. due to the large amount of issues that require discussion and decision-making.

Schedule to be Added

## **Attendance**

Given the volume of information to be considered and the short time frame, regular attendance by each member or his/her designated representative is essential. Designees must be identified in advance, fully briefed and able to represent the member during decision making.

## **Communication**

1. Meeting summaries will be provided following each Planning Committee meeting.
2. The Planning Committee is encouraged to develop common statements for periodic public release. Suggested text for such statements may be developed by staff and facilitators or may be offered by a group member. The Planning Committee may delegate this responsibility to the Coordinating Committee.
3. Members are asked to speak only for their organization or themselves when asked by external parties, including the media, about the committee's progress, unless there has been a formal adoption of a statement, concepts, or recommendations by the Planning Committee. When asked about another member's views, the member should refer the inquiry to that party directly.
4. The facilitator will not speak to the media.
5. In addition, staff or members will be available to provide presentations of the group's work at meetings, conferences or other venues. Members are strongly encouraged to provide or arrange presentations about the group's work wherever feasible to increase awareness of Owens Lakebed planning. The facilitator and staff can assist with materials and presentations to that end.
6. The Planning Committee will develop a communications plan early in its process that specifies its outreach activities.

## **Planning Committee Decision Making**

**Consensus as the Fundamental Principle:** The Planning Committee shall strive for consensus (agreement among all participants) in all of its decision-making. Working toward consensus is a fundamental principle of the process.

**Definition of "Consensus":** In reaching consensus, some Planning Committee members may strongly endorse a particular proposal while others may accept it as "workable." Others may be only able to "live with it." Still others may choose to "stand aside" by verbally noting a disagreement, yet allowing the group to reach a consensus without them if the decision does not affect them or compromise their interests. Any of these actions still constitutes consensus.

**Less than 100% Consensus Decision Making:** The Planning Committee shall not limit itself to strict consensus if 100% agreement among all participants cannot be reached after all interests and options have been thoroughly identified, explored, discussed and considered. Less-than-consensus decision-making shall not be undertaken lightly. If, after full exploration and discussion, the Planning Committee cannot come to 100% agreement, it will use the less-than-consensus decision-making protocols determined by the Planning Committee.

**Conditional Endorsements:** It is also understood that Planning Committee members represent organizations and, in some cases, may not be unable to make final commitments without conferring first with their organization. In this case, agreements will be considered conditionally endorsed, pending organizational confirmation.

### **Approving the Plan**

The Owens Lakebed Plan will be approved by the Planning Committee and adopted by the implementing agencies and organizations. The Plan shall not go forward to the adopters until committee members have approved the plan using its decision-making process outlined above. The plan will also undergo a California Environmental Quality Act analysis before it is finalized and adopted.

### **Process Agreements**

To hold a successful planning forum, the parties must agree to the procedures that the group will use as well as define individual behaviors or ground rules.

**Everyone agrees to negotiate in good faith and hold to the agreement that is reached by participants.** All participants agree to participate in decision making, to act in good faith in all aspects of this planning committee and to communicate their interests in group meetings. Good faith also requires that parties not make commitments they do not intend to follow through with, and that parties act consistently in the planning committee and in other forums where the issues under discussion in this planning process are also being discussed.

**Everyone acknowledges that Planning Committee members and their organizations live in two worlds.** This means that members or their organizations may have to occasionally unilaterally pursue their interests during the planning process. This does not imply that an organization is violating their good faith participation. No one participating in the planning process is being asked to abandon their obligations to their organizations or give up any type of rights.

**Everyone agrees to address the issues and concerns of the participants.** Everyone who is joining in the planning forum is doing so because the organization that s/he represents or s/he individually has a stake in the issue at hand. For the Planning Committee to be successful, all the parties agree to validate the issues and concerns of the other parties and strive to reach an agreement that takes all the issues under consideration. Disagreements will be viewed as problems to be solved, rather than battles to be won.

**Everyone agrees to focus on the present and future, and not dwell on the past.** Individual perceptions of the past change over time. While the past informs everyone's thinking and perspectives, the past cannot be changed. The purpose of this Planning Committee is to problem solve today about how to address the issues and concern for tomorrow.

**Everyone agrees to inform their constituents about the outcome of the Planning Committee.** Time will be built into the Planning Committee for participants to inform and seek advice from their constituents about the discussions and the negotiated outcome.

### **Working Together**

The facilitator and participants will work together to create a problem solving environment and to implement these agreements to that aim.

The group agrees to:

- Listen and openly discuss issues with others who hold diverse views.
- View disagreements as problems to be solved rather than battles to be won.
- Refrain from ascribing motives or intentions to other participants.
- Respect the integrity and values of other participants.
- Honor time.
- Use conversational courtesy.
- Keep cell phones silent during meetings. Please return calls during breaks.
- Appreciate humor but do not engage in humor at the expense of others.

### **Open Process**

1. All meetings of the Owens Lakebed planning process are open to the public.
2. Planning Committee agendas will be sent out in advance of the meetings and posted on a web site. At each meeting, the public will be given an opportunity to comment.
3. Members of the public are expected to adhere to process agreements.

**Amendments to this Charter**

The Planning Committee, utilizing the Charter decision-making process as described above, may adopt changes to this Charter.

## Suggested Owens Lakebed Planning Process

Developed by Gina Bartlett, Center for Collaborative Policy

Version 2: 3/9/2010

Phase & Timeline		Stakeholder Tasks	Key Technical Tasks & CEQA	Outreach
<b>Phase I: Building the Foundation</b>  March- May 2010		Organize Stakeholder Group (Participants, Work Plan, etc.)		Agency Forum
		Internal/External Assessment		
		Conduct Site Visit		
		Inventory the Present <i>What do we know?</i> <i>What have we learned?</i> <i>What are we already doing?</i>	Review existing plans, documents & research CAP SIP Habitat Management Plan Groundwater Study Soil Conditions	Develop Communication Plan (plans for newsletter, web site, briefings, etc.)
		Inventory Existing Uses	Identify data gaps & needs	
		Understand Conditions Necessary for Solar		
		Explore & Select Planning Framework	Review plan options: Master Plan, NCCP, HCP, etc)	
	Identify Stakeholder Interests and Planning Issues & Concerns			
<b>Phase II: Plan Development</b>  June- October 2010		Define Project Area	Boundaries Springs	Agency Forum
		Identify Vision for Lakebed		Stakeholder Forum & Briefings
		Define Plan Objectives		
		Define Planning Zone Characteristics and Criteria (i.e. dust mitigation,	Habitat Requirement Water Requirements Energy Requirements	

		habitat, solar...)	Initiate CEQA	
		Assign Zones	Conduct technical analysis of zone assignments, reviewing benefits and performance	
		Review Zone Assignments with Stakeholder Interests		Agency Forum Stakeholder Forum & Briefings
		Design Implementation	Review Draft Plan  Brainstorm Actions and Projects  Select, Integrate, and Prioritize Actions and Projects  Who will implement, long-term financing, timeline, and performance measures  Compliance  Plan for long-term institutional support	
		Identify Monitoring		Agency Forum
<b>Phase III: Planning Committee Recommendation</b>  November - December		Resolve / Address Remaining Planning Issues  Planning Committee Reviews & Comments on Draft Plan  Planning Committee Reviews and Recommends Final Plan for Adoption	Revised Draft Plan  Produce Final Plan  Produce Draft Programmatic EIR	Conduct briefings with stakeholder forum and constituent organizations

<b>Phase IV: Environmental Review</b> December -January		Draft Final Plan Circulated	Programmatic EIR Circulated	Conduct briefings with stakeholder forum and constituent organizations
<b>Phase V: Adoption</b>  Early 2011		Agencies Adopt Plan and Programmatic EIR  Share Plan Broadly Begin Implementation	Agencies Adopt Programmatic EIR	

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