

## GROUP CHARTER & GROUND RULES

### Little Lick Creek Local Watershed Planning Group



#### Background

The North Carolina Ecosystem Enhancement Program (NC EEP) is a non-regulatory program charged with wetland, stream, and riparian buffer restoration activities across the state. To implement projects, the NC EEP is initiating Local Watershed Planning efforts within several small watersheds statewide. The purpose of a Local Watershed Planning effort is to find local solutions to a particular watershed's water quality, wildlife habitat, and floodwater retention problems. The NC EEP recognizes that it is important to work with local stakeholders to identify and implement wetland, stream, and riparian buffer restoration projects in concert with other watershed restoration strategies. Some of the projects that the NC EEP works with local stakeholders to implement will help meet future compensatory wetland and stream mitigation requirements.

The NC EEP will develop a Local Watershed Plan in the Little Lick Creek watershed with the assistance of the local community. Little Lick Creek (hydrologic unit code 03020201050020) is a 25 square-mile watershed in eastern Durham City and County that flows into Falls Lake. The NC Department of Environment and Natural Resources has designated the entire main stem of Little Lick Creek as impaired because it has poor aquatic habitat and low dissolved oxygen levels. The suspected cause of water degradation is stormwater runoff from urban development.

The NC EEP has contracted with the nonprofit Upper Neuse River Basin Association and the Maryland-based Center for Watershed Protection to manage the project. The following partners ("Project Partners") will manage all technical aspects of the process:

- Upper Neuse River Basin Association (UNRBA)
- Triangle J Council of Governments (TJCOG)
- Center for Watershed Protection (CWP)
- NC Division of Water Quality (NC DWQ)
- Durham City Stormwater Services (Durham Stormwater)
- Durham City/County Planning Department (Durham Planning)
- US Geological Survey (USGS)

## **The Purpose of Local Watershed Planning**

Local Watershed Planning, initiated by the State through the NC EEP, is unique in that local community members are asked to help direct how state resources will be spent in their watershed. Stakeholders have a vested interest in improving water quality in the watersheds where they live and work because of the positive benefits such improvements can bring to their own health, safety, and enjoyment. The framework of the Local Watershed Planning process allows stakeholders to use the State as a technical and funding resource to develop and implement local recommendations. The NC EEP believes that this is how good resource planning occurs and that water quality improvements cannot occur without local understandings of the issues and solutions to address those problem areas. The insight and experience brought to the Local Watershed Planning process by local citizens and groups who live in the area is extremely valuable and complements the information collected by the Division of Water Quality and other project partner organizations.

## **The Local Watershed Planning Group**

The Local Watershed Planning Group consists of Project Partners, a Technical Team, and a Community Stakeholder Group. The primary purpose of the Local Watershed Planning Group as a whole is to develop watershed improvement and protection recommendations for the watershed area based on an assessment of watershed functions. The Local Watershed Planning Group consists of people who represent various interests related to water quality, water quantity and habitat management in the watershed described above. The roles and responsibilities appointed to each component of the Local Watershed Planning Group are described below.

### ***The Community Stakeholder Group***

The Community Stakeholder Group consists of members of the local community who can affect or are affected by the Local Watershed Plan. The Community Stakeholder Group may include local landowners, businesspeople, elected officials, members of religious or environmental organizations, and others who are interested in improving the quality of the community's environment. The Community Stakeholder Group has few ongoing commitments to the project. Their main role is to provide input into the process and to ensure that the Local Watershed Planning Group considers a broad, diverse range of community interests. The Community Stakeholder Group also has the critical role of helping the Local Watershed Planning Group understand and account for local watershed conditions and problems.

### **Community Stakeholder Group Tasks**

- ***Help identify intact and degraded watershed functions.*** Stakeholders will be provided with returnable cameras to photograph intact and degraded watershed functions within the defined planning watershed area. Stakeholders will also be asked to log the locations of various photographs taken and which functions they perceive as intact or degraded.
- ***Provide input to general watershed planning goals and objectives.*** Community stakeholders will provide input on issues and ideas for general planning goals and objectives. At minimum, community stakeholders help define goals (e.g., water quality protection and improvement, flood protection, habitat protection and improvement, etc.).

With the NC EEP, the UNRBA uses this input to establish watershed indicators, which are quantifiable parameters that can be used to measure progress toward goals and objectives.

- ***Facilitate interactions with local landowners.*** Community Stakeholder Group participants can promote the watershed planning process by assisting with landowner contacts within their neighborhoods and communities. One outcome of these activities might be to help create opportunities for voluntary assessment and monitoring activities within the watershed. Please note that these efforts are entirely voluntary and are not part of any wetlands or Clean Water Act regulatory enforcement.
- ***Involve local governments, constituents, and the community.*** The community stakeholders can introduce and promote recommendations and solutions to their local governments (as constituents) as well as other community groups / entities who have not been directly associated with the Local Watershed Planning process.

### ***The Technical Team***

The Technical Team provides technical support and expertise to the Local Watershed Planning Group with regard to watershed characteristics and activities. Members of the Technical Team represent various interests within the watershed (e.g., agriculture, forestry, wildlife / habitat protection, local government, economic development, etc.), and are expected to participate in all meetings or send alternates to represent their identified interests. The Technical Team directly participates in the process of developing the recommendations that will create a viable Local Watershed Plan. In addition, the Technical Team may present relevant issues for consideration when investigating potential projects and potential sources of agency / program funding.

### ***The Technical Team***

#### ***Local Government***

Cherri Smith, Durham City/County Planning  
Dave Brown, City of Durham Stormwater Services  
Jacob Chandler, City of Durham Stormwater Services  
John Cox, City of Durham Stormwater Services  
Bobby Louque, City of Durham Stormwater Services  
Chris Outlaw, City of Durham Stormwater Services  
Laura Webb Smith, City of Durham Stormwater Services  
Kim Douglass, City of Durham Parks and Recreation  
Jane Korest, Durham County Engineering  
Joe Pearce, Durham County Engineering  
Glen Whisler, Durham County Engineering  
Dale Crisp, City of Raleigh Public Works

#### ***Farming Interests***

Eddie Culberson, Durham Soil and Water Conservation Service

#### ***Local Water Quality and Habitat Interests***

Chris Bouton, Durham Open Space and Trails  
Jeff Masten, Triangle Land Conservancy  
Dean Naujoks, Neuse River Foundation

#### ***Local Economic & Development Interests***

Homebuilders Association of Durham and Orange Counties

#### Agency /Program Technical Advisors

Eric Alsmeyer, US Army Corps of Engineers  
Shari Bryant, NC Wildlife Resources Commission  
Scott Pohlman, NC Natural Heritage Program  
Andy McDaniel, NC Department of Transportation  
Mack Wiggins, NC Division of Water Quality  
North Carolina Central University

#### Landowners in Watershed

Allen McNally, The Crossings Golf Club  
Amy Poole, Rollingview Marina

#### **Technical Team Tasks**

- ***Review existing assessment information.*** Review broad watershed characterization work conducted by the Project Partners to identify information gaps and existing / ongoing watershed protection and/or restoration strategies.
- ***Participate in identifying intact and degraded watershed functions.*** Technical Team members will be provided with returnable cameras to photograph intact and degraded watershed functions within the defined planning watershed area. Technical Team members will also be asked to log the locations of various photographs taken and which functions they perceive as intact or degraded.
- ***Provide feedback on the Preliminary Summary of Findings Report.*** The Technical Team will be asked to create a report that provides feedback on data and information compiled by the UNRBA from various technical memoranda. This technical information will be organized by sub-watersheds and delineated within the larger watershed area. The purpose of the summary of findings report is to communicate available watershed characterization information and to lay the foundation for the more detailed assessment needed to identify possible solutions to watershed functional deficits and threats.
- ***Identify high-risk areas (i.e. sub-watersheds, stream segments, and potential project sites) for further analysis.*** At certain points in the assessment process, the Project Partners will need guidance in identifying high-risk areas within the watershed (i.e. sub-watersheds, stream segments and problem locations) to pursue more detailed information. The UNRBA, Durham City Stormwater Services, and the Center for Watershed Protection (CWP) will conduct fieldwork and provide information to help the Project Partners identify high-risk areas.
- ***Identify protection and restoration/rehabilitation opportunities.*** Ultimately, the Technical Team will help rank proposed project sites and recommendations based on assessment information and results, agreed-upon project ranking criteria, and local experience.
- ***Help identify additional funding assistance.*** The NC EEP will also work with stakeholders to help identify other funding or technical assistance (state, federal and nonprofit) resources available to implement other project recommendations that will work to improve habitat and water quality within the watershed (beyond wetland, stream and riparian buffer restoration) throughout the planning process.  
The NC EEP cannot act as a grant sponsor / applicant on all projects proposed and

implemented through this process. The stakeholders will need to take the lead on some of these projects.

- ***Involve local governments, other constituents, and the community.*** The Technical Team introduces and promotes recommendations and solutions to their local governments (as staff) as well as other community groups / entities who have not been directly associated with the Local Watershed Planning process.

### **Technical Team Responsibilities**

- ***Prepare for meetings.*** Group members shall read appropriate materials and arrive prepared to work. Materials to be presented for discussion at the meeting should be distributed at least one week in advance or as practical.
- ***Attend meetings.*** Each member of the group or his/her alternate is expected to attend and fully participate in all meetings. Technical Team members will provide information and raise issues that they believe are important for the group to consider. When necessary, technical advisors other than those already listed as Technical Team members may be invited to attend meetings. In the event that neither member nor alternate attended a particular meeting, and the member is not in agreement with an action(s) taken by the group during his/her absence, that member will register his/her dissatisfaction with the actions taken at the beginning of the next meeting. E-mail may also be used between meetings to address such issues.
- ***Represent constituents.*** Group members will be expected to represent (1) themselves, (2) organizations to which they belong, or (3) coalitions of constituents. Representation will be made explicit by each group member.
- ***Keep constituents informed.*** Technical Team members are expected to keep constituents informed through active, but informal means. Members will receive meeting minutes and flip chart summaries for keeping constituents informed. On request, the facilitators will assist group members to convene constituency meetings to enable a two-way exchange of information between the group member and his or her constituency.
- ***Designate an alternate.*** In the event that a Technical Team member cannot attend a meeting, he or she may be represented by an alternate of his or her choosing without concurrence of the group. Alternate representatives should be fully briefed by the Technical Team member before attending the meeting. Any member alternates attending meetings should tell the facilitator for whom they are filling in. If both the group member and an alternate attend the same meeting, they are both welcome to participate in discussions. However, each stakeholder interest will have one voice in the decision-making process.

If a stakeholder group member withdraws from the group, he/she may appoint a replacement from the same organization without concurrence of the group. If the member is unable to appoint a replacement, the remaining group members may appoint a new member from the same organizational category.

## ***Project Partners***

Project Partners are the agencies working to initiate, facilitate, organize, guide (through the development of technical information), and financially support the development and implementation of recommendations contained in the Local Watershed Plan. Project Partners are listed on page 1. The people who develop or implement the plan as a part of their job are listed below:

### **Project Partners Staff**

Deborah Amaral, Planner, NC Ecosystem Enhancement Program  
Chris Dreps, Upper Neuse River Basin Association  
September Barnes, Triangle J Council of Governments  
Ben Bearden, Triangle J Council of Governments  
Sarah Bruce, Triangle J Council of Governments  
Mary Giorgino, US Geological Survey  
John Hodges-Copple, Triangle J Council of Governments  
Sally Hoyt, Center for Watershed Protection  
Stratford Kay, NC Division of Water Quality  
Kathy Paull, NC Division of Water Quality  
Steve Kroeger, NC Division of Water Quality  
Paul Sturm, Center for Watershed Protection  
Silvia Terziotti, US Geological Survey

### **Responsibilities of the Facilitators**

The Upper Neuse River Basin Association has been contracted by the NC EEP to manage the Local Watershed Planning Process and to facilitate stakeholder meetings. Chris Dreps with the UNRBA will provide project management and facilitation for the Local Watershed Planning process. On occasion, Dr. Deborah Amaral of the NC EEP may provide facilitation support.

***During meetings.*** The primary task of the facilitators is to guide the meetings of the group and/or task groups within the Group Charter and ground rules. Other responsibilities include managing the group's agenda, keeping a visible record of the meeting, helping the group stay on task and on process, protecting group members and their ideas from attack, and helping members reach consensus.

If the facilitator needs to express his or her own views or provide technical information to the group, he or she should ask the group for their permission to "switch hats" before doing so. It is important for the facilitator to be clear about the role he or she plays in the group's decision-making process, and for the group to be comfortable with that role.

***Outside of meetings.*** Outside of meetings, the facilitators will write up meeting summaries and make them available to the members of the group. Meeting summaries will be recorded and distributed by the facilitators to Community Stakeholders and Technical Team members prior to the next scheduled meeting. Summaries shall include an attendance record, a summary of actions taken at the meeting, and other information pertaining to the deliberations and proceedings.

## ***Authority of the Local Watershed Planning Group***

The Local Watershed Planning Group has the authority to provide technical guidance and direct input in the development of recommendations for the Local Watershed Plan.

## ***The Local Watershed Planning Group Report***

The Local Watershed Planning Group will develop a report that contains a set of consensus-based recommendations for protecting and improving water quality, habitat and water quantity issues in the watershed. If necessary, this report may also include a listing and description of issues for which consensus could not be reached. Recommendations will be delivered to the NC EEP, Durham County Commission, Durham City Council, and other appropriate organizations and government entities as necessary to achieve group goals. Although all recommendations will be a part of the final report, recommendations may be delivered to appropriate recipients throughout the process.

## **Process and Ground Rules**

### ***Agendas***

At the end of each meeting, the group will specify a tentative agenda for the following meeting. Draft meeting agendas will be developed by the group, with the assistance of the facilitator, prior to each meeting.

### ***Decision Process***

#### ***Use of Consensus***

The group will operate by consensus. Group decisions will be made only with concurrence of all members represented at the meeting. It will be the responsibility of the facilitator to assist the group in reaching consensus.

Consensus is the decision rule that allows collaborative problem solving to work. Consensus requires sharing of information and builds trust, leading to mutual education, which in turn provides the basis for crafting workable and acceptable alternatives. Consensus promotes joint thinking by a diverse group and leads to creative solutions. Also, because parties participate in the deliberation, they understand the reasoning behind the recommendations and are willing to support them. Consensus does not mean that everyone will be equally happy with the decision, but all do accept that the decision is the best that could be made at the time.

The group will reach consensus when it finally agrees upon a single alternative and each participant can honestly say:

- I believe that other participants understand my point of view;
- I believe I understand other participants' points of view;
- Whether or not I prefer this decision, I support it because it was arrived at openly and fairly, and it is the best solution for us at this time.

#### ***If Consensus Cannot be Reached***

If the group is unable to reach consensus on any component of the final recommendations, the pros and cons of the decision will be presented to Technical Team. If after this presentation

consensus still cannot be reached, the lack of consensus will be noted and the points of disagreement will be documented in the final report.

### **Ground Rules**

In order to have the most efficient and effective process possible, the following ground rules are required. Group members agree to:

- A. Make every effort to attend the meetings.
- B. Treat each other with respect at all times and put personal differences aside in the interest of a successful team.
- C. Stick to the topics on the agenda, be concise, and not repeat themselves.
- D. Speak one at a time.
- E. Work as team players and share all relevant information.
- F. Ask if they do not understand.
- G. Openly voice any disagreement with other members.
- H. Look for mutually beneficial solutions.
- I. Follow through on their commitments.
- J. Share information discussed in meetings with the group they are representing.
- K. Encourage free thinking and sharing of all ideas.
- L. Commit to issues in which they have an interest.

### **Input from and Information to the Public**

The group is intended to be representative of the public through the members' own organizations or affiliations, as well as through their work with coalitions of groups. All group meetings are open to observation by the public. A public comment period may be provided at meetings of the group. Summaries of group meetings will be available to the public upon request.

Members of the press are welcome to attend group meetings. Group members will not address specific positions held by other group members, or negatively characterize other group members to the media.

### **Schedule and Duration**

The group will meet about once every other month at times and locations of its choosing. The group effort is anticipated to last for approximately one year. The following major steps will be undertaken during the year-long process:

- ◆ Issue identification, characterization, and prioritization
- ◆ Action/solution identification and prioritization
- ◆ Matching actions and solutions with appropriate resources
- ◆ Focus on implementation
- ◆ Delivery of recommendations to appropriate entities
- ◆ Development of final report
- ◆ Communicate findings and recommendations to community and other appropriate groups

### **Changes to the Charter**

Changes to the charter can be made at any meeting of the group through a consensual procedure.