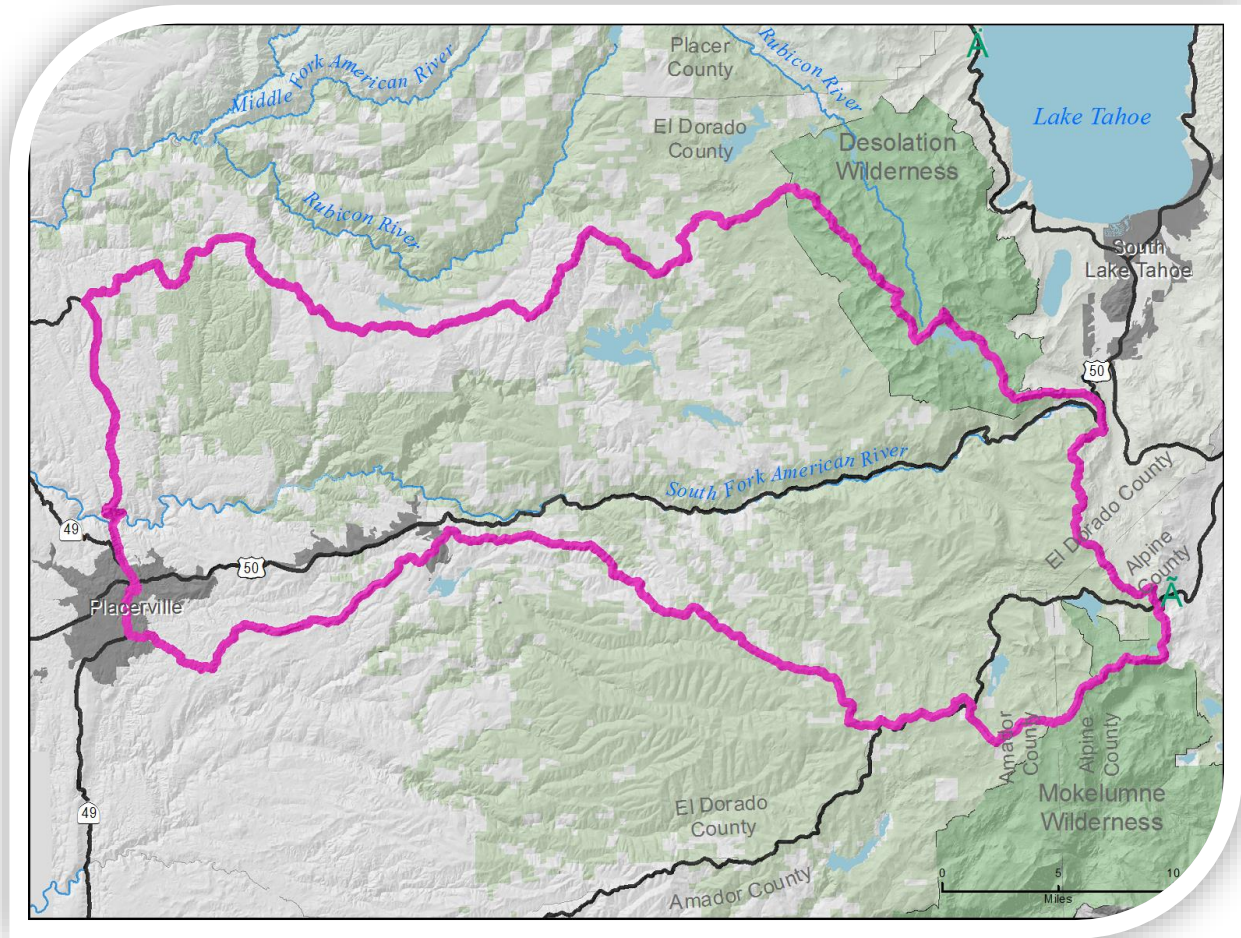


South Fork American River Cohesive Strategy Charter



A diverse Collaborative working to promote a fire-resilient, healthy forest ecosystem.

May 15, 2017

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Background

The South Fork of the American River (SOFAR) Watershed was proposed for implementing the National Cohesive Wildland Fire Management Strategy in 2014 because of the many values at risk to wildfire. The result of a century of fire exclusion and past management decisions have resulted in complex fire issues that are exacerbated by drought, climate change, uncharacteristic stand structures, fuel loading, and insects and disease. Communities, infrastructure, private timber, water, power, recreation, at-risk species, insect and disease designated areas, a high frequency of unplanned human ignitions and significant acres of young dense plantations are all reasons that this watershed is a high priority for collaborative action. The need for proactive fuels management and implementing a cohesive strategy in this watershed was underscored by the 2014 King Fire which burned 12% of the project area, including large patches with high severity fire effects. The King Fire also yielded low and mixed burn severity that was in the natural range of variability for fire effects.

The SOFAR Cohesive Strategy project area is approximately 410,000 acres, including approximately 250,000 acres of the Eldorado National Forest. The project area includes the upper 75% of the South Fork of the American River Watershed, 50% of the King Fire burned area, and 49 miles of the Highway 50 corridor. The Hwy 50 corridor has had five large fires within the last 40 years which have spread throughout the watershed: the Pilliken Fire (1973), Wrights Fire (1981), the Cleveland Fire (1992), the Freds Fire (2004) and the King Fire (2014), all of which were human starts. Values at risk within the watershed include communities, private recreation cabins, private timber, sensitive species and habitat, old growth forest remnants, managed forested lands, water delivery systems, hydroelectric power generation facilities, the Highway 50 transportation corridor (Gateway to South Lake Tahoe), and cultural sites.

Charter Purpose

This charter explains the charge, structure, the recommendation making process, and the procedural guidelines for stakeholders who will work to achieve the Cohesive Strategy goals in the South Fork American River Watershed. This Charter provides clarity of intent, shared vision, membership eligibility and accountability, and basic policies and procedures for key organizational functions.

This Charter is not intended to, and does not, impose any legally binding requirements on the individuals and entities that adopt and participate in this Charter. Participating in the deliberations, recommendations and activities of the SOFAR Cohesive Strategy Collaborative (Collaborative) does not create a legal obligation for any of its participants. Members recognize and respect that each participant is first bound to their organization and within their organization's constraints bring what resources that they can to the Collaborative's efforts.

Collaborative Vision and Goals

Through the open and transparent collaboration among a dedicated group of diverse members, and using the best-available science, the Collaborative will promote a healthy, productive forest ecosystem across all lands. On a watershed scale, we will work to create a fire-resilient ecosystem that supports viable populations of all native species, sustainable fisheries, functioning and restored watersheds and water quality, protected cultural resources, and diverse recreational opportunities.

The Collaborative will make steady progress towards the three primary goals of the National Cohesive Strategy:

- ***Restoring and maintaining resilient landscapes*** –Landscapes across all jurisdictions are resilient to fire related disturbances in accordance with management objectives.

- ***Creating fire-adapted communities*** – Human populations and infrastructure can withstand a wildfire without loss of life or property.
- ***Responding to Wildfires*** –All jurisdictions participate in making and implementing safe, effective, and efficient risk-based fire management decisions.

Membership

Participation and membership is open to all stakeholders: individuals, businesses, agencies or organizations that live, work, operate, manage public and/or private forest or watershed lands, or assist in local sustainability of the environment, community, and economy. Membership requires signing this Charter and acceptance as a member by the group at a regularly scheduled meeting. A member may leave the Collaborative at any time and for any reason with a letter to the Collaborative withdrawing from the Charter. Members will work to understand each other’s interests, and develop recommendations that include and address the range of interests represented. This commitment to inclusion is a foundation of the collaborative process, and constitutes a fundamental part of acting in good faith.

New Members: Individual or groups must formally commit to uphold the spirit and guidelines of the charter by signing the charter. The Collaborative aims for members to make informed recommendations. New members must therefore commit to understanding the information being analyzed and previous Collaborative discussions to effectively participate. New members can join during their second meeting attended within 6 months.

Attendance Recommendation: Members, or their alternative, must attend 6 meetings (Collaborative or Committee meetings) per calendar year to be considered in good standing. Members who are unable to meet attendance requirements will be deemed “inactive” and will not be consulted in their absence before recommendations are finalized. The facilitator will record attendance at each meeting. Inactive members can rejoin during their second consecutive meeting.

Alternates: To promote problem solving and continuity of discussions, members are encouraged to participate in meetings as much as possible. When unable to attend, the member is should send an alternate. However, the member must brief the alternate with regards to previous discussions and agenda items so the alternate is informed enough to participate. Likewise, if a member can no longer participate, they are encouraged to find a replacement that could represent their agency or group.

Collaborative Structure

The governance structure of the Collaborative consists of a governance body comprised of an inclusive membership of agencies and individuals that have signed this Charter and working committees where much of the initial discussions, planning, and work occurs. Committee deliberations and recommendations are brought forth to the Collaborative through the meeting agenda process.

Governance

The overall membership provides organizational strategic guidance, provides recommendations, approves strategies, resolves policy and procedural conflicts, and resolves differences. These functions occur during the regular scheduled meetings with the entire membership. The recommendation framework described below applies at this level. The governance body can refer a topic to a committee or create an ad hoc committee for greater consideration.

Collaborative meetings are regularly scheduled (monthly) and posted on the SOFAR Cohesive Strategy website. The Collaborative can schedule additional meetings when and if needed or drop regularly

scheduled meetings. Agenda items for monthly meetings can be requested by contacting a member of the Steering Committee or the Facilitator. Likewise, agenda items for committee consideration can be submitted to committee participants. All meeting participants are welcome to provide comments at the meetings.

Working Committees

The day-to-day functions of the Collaborative are largely guided by committees. Each committee is open to participation by any interested member. Committees shall strive to include members representing diverse interests. All committees will establish their own meeting schedule to research, deliberate, and recommend position on issues relevant to the Collaborative. The recommendation framework described below applies within the working committees. The Collaborative may establish, modify or drop any committee.

Roles and Responsibilities

Working Committees

Committee roles and responsibilities include, but not limited to:

Steering

- Provides guidance for the day-to-day management of the organization.
- Develops monthly agendas, scheduling and coordinating Collaborative meetings.
- Evaluates and recommends policy and budget options.
- Assures broad participation of stakeholders.
- Updates the Collaborative Charter and signatories.
- Identifies strategic topics and presenters to support work of committees and help establish shared vision.
- Acts as the liaison contact with the facilitator.
- Resolves communication and coordination issues that may arise between committees to minimize duplication of effort or conflict.
- Assesses meeting needs and provides appropriate space and technology for facilitating meetings.

Landscape Vision / Planning

- Provides analysis for policy and program development at the landscape and project scale.
- Assesses project and landscape planning needs and provides background and recommendations.
- Assesses and coordinates planning and reporting issues that may arise between projects to minimize duplication of effort or working at cross-purposes.
- Assists in project designs that are consistent with approved policy and available resources.
- Drafts position papers and assesses opportunities.
- Oversees and maintains a comprehensive public archive of available information (e.g. reports, studies, plans, data, analysis, surveys, etc.) related to the cohesive strategy goals.
- Acts as the liaison contact with regional, state, federal and corporate entities as appropriate for coordinating planning activities.
- Propose project areas and project alternatives to the Collaborative for prioritization and consideration by land owners and land managers.

Infrastructure (Wood Product)

- Assesses the current forest product infrastructure in the region and provides leadership to enhance expansion of infrastructure.
- Seeks diversification in value added product utilization.
- Encourages local infrastructure to bid on local contracts.

Science (Monitoring and Research)

- Identifies strategic information gaps that limit the ability of the Collaborative to reach informed outcomes. Example: Fire resilient reforestation strategies and plantation management.
- Promotes scientific understanding and use of best available science in Collaborative recommendations.
- May serve as a member(s) on fact finding processes.
- Assesses monitoring and evaluation needs and provides background and recommendations to Collaborative membership.
- Identifies and/or develops metrics and best practices for monitoring and measuring local indicators for a healthy and sustainable equilibrium between local natural environments, communities and economies.

Finance

- Provides assistance with fundraising, grant writing, accounting, and auditing issues, fiscal reporting, determines financing requirements for fiscal transparency and accountability.
- Develop public private partnerships to assist in securing diverse funding.
- Works with the other committees where financial issues are identified.

Communication

- Maintains a current list of primary public information / public affairs / media contacts for organizations within the membership.
- Recommends tools and templates for information sharing, such as a website and an email distribution system.
- Recommends guidelines and protocols for public communication.

Collaborative Members

Member roles and responsibilities include, but not limited to:

- Attend Collaborative meetings regularly, participate in deliberations and recommendations, and when appropriate, be involved in Collaborative supported or sponsored activities.
- Members are responsible for reviewing material in advance and being prepared to engage in substantive discussions during meetings.
- Treat everyone involved with courtesy and respect and act in a manner that will enhance trust among all partners and interested parties.
- Work towards collaborative resolution of issues.
- Contribute expertise, data and information to clarify discussions, eliminate false assumptions, and advance innovation.
- Share pertinent information with the Collaborative, its committees and individual members.
- Assist in and advocate for achievement of the Collaborative's goals.
- Share experience and expertise as a means of advancing the Collaborative's common interests.
- Voice opinions and concerns openly and listen to the opinions and concerns of others.
- Serve as the liaison to communicate information to and from their organizations and constituencies.
- If a member has a concern about the neutrality or performance of the facilitator, s/he should first speak with the facilitator and then the group. If the concern is unresolved, the member should discuss it with the appropriate program manager at the U.S. Institute for Environmental Conflict Resolution

Facilitator(s)

Provides impartial leadership to the dialogue process and meeting management. Staff are content neutral, which means they will not try to promote a particular outcome for the group, but will advocate for a fair, effective, and credible process. Staff will help the Collaborative stay within scope and follow the terms of the Charter. Specific responsibilities include:

- Compile and maintain an email distribution list to share information.
- Assists in the development and maintenance of the Collaborative website.
- Assists the steering committee to formulate meeting objectives and agendas.
- Ensuring that all perspectives have an opportunity to be heard during discussions and captured in written documents.
- Overseeing the preparation of meeting notes, including points of agreement and disagreement.
- Serving as a confidant for members who wish to express concerns privately, whether about the substance of discussions or the dialogue process.
- Facilitation staff will also actively suggest methods to accomplish tasks.
- Responsible for meeting(s) documentation.

Media Protocol

Participants are encouraged to refer media inquiries about the SOFAR Cohesive Strategy to the Communication Committee when inquiries are not time sensitive. A list of primary public affairs contacts for each member organization within the collaborative will be maintained by the Communication Committee and posted on the SOFAR website. Media inquiries should be referred to the primary public affairs contacts when they are time sensitive, such as when a reporter has a deadline.

Project specific inquiries should be directed to the project manager who will follow protocols established by the agency or organization responsible for the project or which have been jointly established for multi-jurisdictional projects.

The Collaborative, through the Communication Committee, may periodically develop and approve joint statements and public information materials to keep the public and media informed of its work, agreements, and progress. Members can speak freely on behalf of the Collaborative when using these joint statements. Members are also free to speak on behalf of their own organization regarding their organization's interests in the SOFAR Cohesive Strategy and their organization's activities which support the goals of the Cohesive Strategy. Each member organization is encouraged to develop a statement regarding its individual involvement in the SOFAR Cohesive Strategy for use in public communications.

Recommendation Framework

Individual agencies, jurisdictional units, and private landowners will retain their individual decision authority. The Collaborative is an advisory group rather than a final decision making group. The ability for the Collaborative to provide recommendations can provide powerful information for the Federal, State, County, or private decision-maker, and greatly increases the likelihood that the recommendation(s) would be implemented.

Many of the Collaborative's discussions do not require formal recommendations, but are exchanges of information or technical updates. For this reason, it is recommended that agenda items note one of the three categories for each agenda topic:

- (1) Informational/educational items;
- (2) Discussion/dialogue items; and
- (3) Recommendation items.

Consensus

The Collaborative relies on a consensus-seeking approach to make recommendations 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.

The definition of consensus spans the range from strong support, feel neutral about it, or choose to abstain from the recommendation. A “consensus” agreement does not have to mean unanimous enthusiastic support.

If extended deliberation is needed to benefit the recommendation on the motion, the issue may be referred to a committee or an ad hoc committee that would include at least the points of views represented by proponents, opponents, and those neutral to meet and work out a resolution and recommendation for a future meeting.

Supermajority Vote

If consensus cannot be reached after good faith efforts (i.e., sharing of information, working to understand each other’s concerns and interests, and working to develop inclusive solutions), the different recommendations on how to proceed will be documented, and members will use a 75% supermajority vote of members present at the meeting to decide which recommendation to adopt.

Each organization, agency, or private member that is in ‘good-standing’ and has signed the Charter will have one vote. An organization, agency, or private member does not need to recuse themselves from the voting process when the action concerns them. However, some organizations or agencies may choose to recuse themselves from the vote to demonstrate impartiality with the process. Every effort will be made to announce in advance whether any recommendations are anticipated at a meeting, and members encouraged to attend, because without the benefit of hearing the Collaborative’s discussion they will not be able to make a fully-informed recommendation. The different recommendations, the final vote, and organizations, agencies, or members that recused themselves, will be recorded in the meeting summary.

Dispute Resolution and 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 Collaborative’s vision/mission.

Joint fact-findings allows stakeholders to engage with scientific experts to frame questions, interpret research results, and resolve potential technical or policy issues. The Collaborative will employ a joint fact-finding process in reviewing and using scientific information to inform its recommendation framework. When an issue emerges that merits scientific inquiry and discussion, the Collaborative will organize a committee to address the issue. The committee can include members of the Collaborative, outside experts, or some combination of both to supplement existing expertise, reach an informed outcome, and promote understanding and resolution. The committee will develop a recommendation for the Collaborative’s consideration consistent with the Collaborative recommendation framework.

Collaborative Activities

Recommendations for Collaborative activities (letters of support, grant applications, etc.) will follow the consensus recommendation model described above, followed by the supermajority vote model when consensus cannot be reached. The fact-finding procedure will be used as needed.

Project Actions or Alternatives

The greater the Collaborative involvement in project planning, the greater the likelihood that projects will yield a shared vision and reach consensus on proposed actions. However, there may be cases where members are unable to reach consensus on project actions. In these instances, the following steps should be used:

- 1) Use fact-finding procedures previously described.
- 2) If consensus cannot be reached, document areas of agreement and disagreement in writing.
- 3) Submit detailed documentation to agency.

All members can still submit individual comment letters to agencies, regardless if their comments are consistent with the Collaborative.

Documentation of Recommendations

Meeting notes will be prepared with a focus on key points, ideas, and action items rather than as transcripts. All agreements, recommendations, and reservations will be documented in the meeting notes. Names of those who support or oppose specific agreements or recommendations may be included in the notes if it is crucial to understanding the note content. Otherwise, references will generally be made to the content rather than the members. Meeting notes will be circulated prior to the next meetings. Meeting notes will then be made available to the public.

Meeting Agreements

- 1) **Members agree to act in good faith in all aspects of this process and to communicate their interests.** Members agree to make a concerted effort to provide requested information to other members or to explain the reason why not. Tentative or sensitive information will be treated appropriately. In addition to providing information, acting in good faith also means that members will work to understand each other's concerns and interests, and to develop inclusive recommendations, as explained in the next item.
- 2) **Members agree to address the issues and concerns of the participants.** All members have a stake in the issue at hand. Members agree to validate the issues and concerns of other parties, and work to develop agreements that include all the issues under consideration. This includes the range of ecological, economic, and social interests represented. Disagreements will be viewed as problems to be solved, rather than battles to be won.
- 3) **Members agree to only make commitments that they intend to keep.**
- 4) **Members can request a caucus with other members of its interest group at any time.** This allows members to consult with other members that share their interests or with constituents outside of the meeting, for the purpose of exploring topics of concern and advancing agreements. Upon request from any caucus the facilitator will attend and consult with the parties during their caucus session.
- 5) **Focus on Interests not Positions.** Focusing on positions typically entails advocating a fully formulated solution to a problem, often with little room for trade-offs (and sometimes antagonistic of other positions). Conversely, recognizing and articulating one's interests typically means getting to the underlying needs, motivations, and desires, 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.

- 6) **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.” If you do not believe you will be able to participate fully, please discuss your situation with the facilitator.
- 7) **Be comfortable.** Please help yourself to refreshments or take personal breaks.
- 8) **Humor is welcome** and important, but humor should never be at someone else's expense.
- 9) **Stay focused on the charge and deliverables.** There are many related topics that people care about. The Collaborative cannot address all of these. The facilitator will help the group stay focused on the deliverables.
- 10) **Use common conversational courtesy.** Don't interrupt others. Use appropriate language. Avoid third party discussions.
- 11) **Treat each other with respect.** People are passionate about issues. 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.
- 12) **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.
- 13) **Avoid editorials.** Please avoid ascribing motives to or judging the actions of others. Please speak about your experiences, concerns, and suggestions.
- 14) **Honor time.** In order to achieve meeting objectives it will be important to follow the time guidelines provided by the facilitator.

Charter Modifications

At the end of each year, the Collaborative will evaluate its progress towards meeting the Collaborative Goals and Vision. Modifications to this Charter must be made by mutual consent of the parties, and will be drafted by the Steering Committee. Requests for modification should be made, in writing, and discussed with the overall membership.

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