

**SAN PASQUAL VALLEY  
GROUNDWATER SUSTAINABILITY PLAN  
ADVISORY COMMITTEE  
BY-LAWS**

**Article 1 PURPOSE, ROLE AND FORMATION OF THE ADVISORY COMMITTEE**

**Section A** – On October 25, 2016, San Diego City Council (City Council) held a public hearing and approved a resolution to become a Groundwater Sustainable Agency (GSA) for the San Pasqual Valley Groundwater Basin (Basin). On June 21, 2017, the Board of Supervisors of the County of San Diego (County) approved the Memorandum of Understanding (MOU) between the City of San Diego (City) and County for the Basin. On June 27, 2017, City Council held a public hearing and also approved the MOU, which memorializes each agency’s role and responsibility for developing a Groundwater Sustainability Plan (GSP) by January 31, 2022, and establishes a multi-agency GSA for the Basin. The MOU establishes a Core Team comprised of City and County staff tasked with coordinating the activities of the Advisory Committee (AC) for the Basin GSP.

**Section B** – In consideration of the interests of all beneficial uses and users of groundwater in the basin, stakeholder engagement and education of both stakeholders and the general public will be conducted in part via the deliberations of the AC pursuant to California Water Code Section 10723.2. The purpose of the AC is to provide input and community perspective to aid in the development of the GSP. As information supporting the GSP is prepared by the GSA, these items will be brought before the AC for discussion, analysis, and input.

**Section C** – The AC is a non-partisan, non-sectarian, non-profit advisory organization. The AC is not empowered by ordinance, establishing authority, or policy to render a binding decision of any kind. [Membership on the AC shall not waive or preclude comment or participation, formally or informally, on any related decisions or process.](#)

**Section D** – The AC is advisory to the Core Team. The Core Team will develop a GSP that is technically sound, meets the requirements of the Sustainable Groundwater Management Act (SGMA), and is acceptable to the City and to the County. The GSP shall include, but not be limited to, groundwater use enforcement measures, a detailed breakdown of each GSA Party’s responsibilities for GSP implementation, anticipated costs of implementing the GSP, and cost recovery mechanisms, if necessary.

**Article 2 MEMBERSHIP AND TERM OF OFFICE**

**Section A** – The AC shall consist of individuals with interests in developing, deliberating, planning, and/or advocating for sustainable use of groundwater in the San Pasqual Basin, under the requirements of SGMA.

**Section B** – The AC is limited to nine (9) members. Potential representatives shall be apportioned as follows:

- (1) One member to represent San Pasqual Academy
- (2) One member to represent Rancho Guejito/Large Land Owner
- (3) One member to represent Small Land Owner/Aggregate Group
- (4) One member to represent San Diego Zoo Safari Park
- (5) One member to represent Agricultural/Crop
- (6) One member to represent Agricultural/Animal
- (7) One member to represent San Dieguito River Valley Conservancy
- (8) One member to represent San Diego County Farm Bureau
- (9) One member to represent San Pasqual Tribe

Each organization/category above may nominate another AC member appointee to represent their organization/category, if a vacancy occurs. Each person nominated to the AC by the above stakeholder/category must be endorsed by the Core Team before serving on the AC. Only endorsed members may serve on the AC.

**Section C** – Each AC member shall serve a term, which shall run concurrently with the development and completion of the GSP.

**Section D** – A vacancy shall be recognized for any AC member who: (1) dies; (2) resigns; (3) has unexcused absences from more than three of the scheduled AC meetings within a single calendar year; (4) misses three meetings in a row; (5) regularly fails to abide by the discussion covenants of the AC; (6) violates the Ralph M. Brown Act; or (7) fails to exercise the purpose and authority of the AC as described in Article 1 above. The AC member shall notify the Core Team if a position is deemed vacant pursuant to items 1-4 above, or if the AC member recommends the removal of a member as related to items 5-7 above. If a vacancy occurs, the stakeholder/category may nominate another AC member appointee for that position that must then be endorsed by the Core Team. The new appointee AC member shall serve through the development and completion of the GSP.

### **Article 3 DUTIES**

The AC shall have the following duties and responsibilities:

- (1) Serve as a resource to the Core Team on GSP development issues for the San Pasqual Basin;
- (2) Advise and provide input in the formation of the planning and policy recommendations to be included in the GSP. This may include reviewing technical materials and providing comments, data, and relevant local information to the GSA related to GSP development; assisting in communicating concepts and requirements to the [member's own](#) stakeholder constituents that they represent; providing comments on materials and reports prepared; assisting the Core Team to anticipate short- and long-term future events that may impact groundwater sustainability, trends and conditions that will impact groundwater management; and
- (3) Participate in AC and Core Team public meetings, expected to occur on an approximately quarterly basis or as needed during GSP development.

### **Article 4 STRUCTURE**

**Section A** – AC meetings may be facilitated by a Facilitator acceptable to the Core Team. The Facilitator shall convene the meeting, establish the existence of a quorum and oversee the meeting to insure the timely completion of the published agenda. If for any reason, the Facilitator cannot facilitate at a particular meeting, a Core Team member shall assume the facilitation responsibilities assigned above to the facilitator.

**Section B** – The Facilitator, in consultation with the AC, shall assign coordinating duties and/or specific tasks to subcommittees of the AC as necessary. The Facilitator will work with the Core Team to determine a meeting schedule, develop meeting materials, coordinate communications to the AC in advance of meetings, and other similar organizational responsibilities.

**Section C** – The City shall assign staff to record the minutes of all AC meetings, maintain a list of all active representatives, handle committee correspondence, and keep records of actions as they occur at each meeting. It is the responsibility of the Core Team staff to ensure that posting of meeting notices in a publicly accessible place for 72 hours prior to an AC meeting, to keep a record of such posting, and to reproduce and distribute the AC notices and minutes of all meetings.

## Article 5 ORGANIZATIONAL PROCEDURES

~~Section A—Robert’s Rules of Order govern the operation of the AC in all cases not covered by these by laws. The AC may formulate specific procedural rules of order to govern the conduct of its meetings.~~

**Section ~~B~~A** – AC meetings shall be held under the following discussion covenants:

- (1) Focus on the future as much as possible
- (2) All perspectives are valued. You are not required to defend your perspective, but you are asked to share it and to provide supporting rationale
- (3) All ideas have value; if you believe another approach is better, offer it as a constructive alternative
- (4) Everyone will have an equal opportunity to participate
- (5) Everyone will be encouraged to talk
- (6) One person speaks at a time
- (7) No side conversations
- (8) View disagreements as problems to be solved rather than battles to be won
- (9) Avoid ascribing motives to or judging the actions of others. Please speak about your experiences, concerns, and suggestions; treat each other with respect
- (10) Avoid right-wrong paradigms
- (11) When communicating outside of the AC, members are asked to speak only for themselves when asked about AC progress
- (12) AC members represent their group interest not personal interest
- (13) AC members are responsible for reaching out to others in their category/group

**Section ~~BC~~** – A majority of the AC members currently appointed shall constitute a quorum. A quorum is required for an official meeting to occur.

**Section ~~CD~~** – All meetings of the AC and its subcommittees are open to the public, to the extent required by the Ralph M. Brown Act. Meetings are to be held in accessible, public places in San Diego, California. Notice of all AC meetings shall be posted in a

publicly accessible place for a period of 72 hours prior to the meeting. AC members shall not use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any AC-related business outside of a public meeting in violation of the Ralph M. Brown Act.

**Section DE** –All members of the AC must abide by these by-laws. The City and County reserve the right to remove members that do not abide by the by-laws.

## **Article 6 TECHNICAL PEER REVIEW (TPR)**

To ensure quality assurance and the preparation of a scientifically sound GSP, the Core Team is requiring a technical peer review process for the development of the GSP, which shall include a quality assurance and quality control process.

Two (2) qualified specialists (independent technical reviewers) who are independent of the GSP development but with expertise to perform the work will be hired and shall meet the following qualifications:

- Be a professional Geologist in the State of California,
- Be a Professional Engineer in the State of California, and/or
- Have a PhD in Hydrology, Hydrogeology, Geology, or related field

The qualified specialists should also have appropriate expertise in hydrogeologic water supply investigations and/or related modeling and research. AC members may also hire **one** qualified specialist that meets the criteria above to serve as a **TPR member** for their own benefit, assuming all fees are borne by the AC member. **Only the TPR members will be allowed to engage in meeting discussions.**

The ~~technical peer reviewers~~**TPR members** will review and provide comments where technical concerns may arise for specific sections during the development of the GSP. They will also attend and participate in ~~Technical Peer Review~~**TPR** public discussion meetings with other key technical team members.

The Core Team will develop a mission and principles of participation for **Technical Peer Review****TPR** meetings, which will be held the same day as AC meetings. The ~~Technical Peer Review~~**TPR** meetings will be open to the public and a meeting summary will be available for public review.

## **Article 7 COMPENSATION**

Members of the AC shall serve without compensation.