

Charter for the Updating Water Rights Data for California (UPWARD) Advisory Group

I. Purpose

This document provides the protocols and guidelines for State Water Resources Control Board (Board) administration of the Updating Water Rights Data for California (UPWARD) Advisory Group.

II. Background

California water right holders are required to report information to the Board about their water use and the methods they use to divert water. This information provides the foundation for data-driven water management decisions, which are becoming increasingly important to mitigate the impacts of climate change on the people and natural resources of our state.

The state's current water rights data system lacks the basic functionality to collect high-quality water use data, streamline and guide reporters through the reporting processes, and ensure open and transparent public access to water information. Furthermore, millions of water rights records (dating back to the late 1800s) are stuck in paper format and cannot be accessed online.

In 2021, the Board initiated the UPWARD project to remedy the impacts of this aging data system, improve data processes, and advance the state's ability to collect, manage, and provide water rights data to the public, as called for by the California Water Resilience Portfolio and the California Water Supply Strategy. UPWARD is creating a modern electronic content management system that streamlines water rights online reporting processes and guides users through the system, step-by-step. This GIS-driven data system will help water right holders, staff, and the public find and access water rights records, including providing access to digitized records currently stored on paper. The new system will also accept real-time telemetric water use data. Specific details about system capabilities will be available as development progresses.

In accordance with the Board's commitment to engaging impacted communities, stakeholders, California Native American Tribes, and the public in its decision-making processes and projects, the Board formed the UPWARD Advisory Group to engage with experts and interested parties who are willing to lend their skills, guidance, and knowledge to help the Board achieve the goals of the UPWARD project.

III. Relationship of the UPWARD Advisory Group to the Board

The UPWARD Advisory Group (Group) is a consultative body that offers advice to Board staff on the UPWARD project. The Group is not authorized to approve any project materials or make policy decisions respecting the project. It is the role and sole prerogative of the Board to make final decisions regarding the project.

IV. Membership

- a. Composition: The Group consists of up to 20 members. To the extent possible, the Deputy Director of Water Rights or their designee will select participants so that:
 - A. Appointments provide geographic balance throughout the State.
 - B. Appointments provide a balance of the different water right interests that will interact with the future data system (e.g., water right holders with different water right types/reporting requirements and agents of water right holders).
 - C. Appointments provide a balance of the different water rights data users (e.g., governmental & non-governmental organizations and academia).
 - D. Appointments include at least one representative of a California Native American Tribe.
- b. Appointment and Term: Group members are appointed by the Deputy Director of Water Rights or their designee. Members serve two-year terms.
- c. Compensation and Expenses: Meetings will be held virtually so compensation of travel expenses or other costs associated with participating in meetings will not be provided.
- d. Member Responsibilities:
 - A. Members are expected to attend all meetings and contact the Group Coordinator if an absence is expected. Member alternates and proxies are not allowed.
 - B. Members may resign at any time by notifying the Group Coordinator in writing.
 - C. Members will maintain compliance with applicable ethics and conflict of interest laws, including Government Code section 87104.
 - D. Members may be terminated due to excessive absences if two consecutive meetings are missed. Exceptions may be made on a case-by-case basis due to serious illness or other circumstances as deemed acceptable by the Deputy Director of Water Rights or their designee. Terminations under this section are at the discretion of the Deputy Director of Water Rights or their designee.
 - E. Members will provide timely feedback on UPWARD-related items when requested. Feedback will generally be collected during Group meetings so Members should be prepared by reviewing any preparatory materials sent in advance of the meeting.

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- F. Board staff may request feedback on items outside of a scheduled Group meeting (e.g., to test software functionality). Parts A and D of this subsection (i.e., the attendance requirements) do not apply to these additional requests.

V. Procedural Rules

- a. Meetings: Two official Group meetings will be held each year. Official meetings will be between 2-4 hours long depending on the complexity of the agenda. These meetings are not subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). However, the meetings will be open to the public and be publicly noticed. Board staff may request additional voluntary meetings with the Group in addition to the two official meetings per year.
- b. Meeting Materials: Board staff will prepare meeting agendas and associated meeting materials. If Group members wish to prepare materials to present at a meeting the materials must be submitted in final form to the Group Coordinator at least five business days in advance of the meeting. The Group Coordinator may request changes to the material prior to the meeting or the materials may be rejected from the agenda.
- c. Meeting Locations: Meetings will be held virtually. Board staff will identify remote participation platforms.
- d. Facilitation: Board staff will facilitate Group meetings.
- e. Quorum: A quorum does not apply to the Group.

VI. Meeting Protocol

- a. Meeting Guidelines: The following meeting guidelines encourage productive deliberation:
 - A. Listen actively and do not interrupt others.
 - B. Speak briefly and allow everyone to participate.
 - C. Respect each other and disagree without being disagreeable.
 - D. Prepare for each meeting.
 - E. Attend each meeting or review the video of the meeting if unable to attend.
 - F. Honor the agenda and support meeting start and end times.

Members will do their best to follow the guidelines and give Board staff the authority to enforce the guidelines; act in good faith in all aspects of Group

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- deliberations; and conduct themselves in a manner that promotes joint problem-solving, collaboration, and consideration of the input and viewpoints of other participants.
- b. Group Comments: Members provide constructive advice and feedback on the UPWARD Project and other key aspects of water rights data. The Group does not develop consensus recommendations or majority opinions. Board staff will consider all comments from Members and the public including areas of agreement and disagreement. Group comments are advisory to the Board and are implemented at the Board's discretion.