

December 28, 2007

To: Alameda Creek Watershed Stakeholders

Subject: Request to join the Alameda Creek Watershed Council

A number of Alameda Creek watershed stakeholders are interested in becoming better organized, focused, and energized as a new group called the Alameda Creek Watershed Council. This letter invites you (agency, organization or individual stakeholder) to become a member of the Alameda Creek Watershed Council by signing the enclosed Letter of Understanding. The Council will build on the work of its predecessor, the Alameda Creek Watershed Management Program Steering Committee.

The Council is a voluntary, non-regulatory partnership of stakeholders interested in protecting and enhancing water-related beneficial uses and resources within the Alameda Creek watershed. The Council will improve coordination and collaboration among watershed residents, landowners and land managers, organizations, and local agencies in protecting and achieving a healthy and sustainable Alameda Creek watershed. The enclosed Letter of Understanding lists the Council's goals and anticipated actions and activities. The attachment to the Letter of Understanding outlines the Council's goals for the watershed that address natural resources and wildlife, agriculture, flood control and storm water quality, water supply, recreation and education.

Your signature on the Letter of Understanding would indicate your willingness to commit your time, or staff or member time to participate in the Council. This would enhance dialogue and collaboration that is focused on issues within the geographic area encompassing the entire Alameda Creek Watershed and associated baylands at the mouth of the creek at San Francisco Bay. We hope that you will review and sign the Letter of Understanding and return a signed copy to us at your earliest convenience.

Possible future funding arrangements for collaborative watershed projects, if any, would need to be approved by your agency or organization in a separate agreement, different from this Letter of Understanding. If you have any questions about the Letter of Understanding please contact us.

Sincerely,

Alameda Creek Watershed Council

Contacts:

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OR

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Enc: Letter of Understanding- Alameda Creek Watershed Council

Letter of Understanding Alameda Creek Watershed Council

The Alameda Creek Watershed Council - A Watershed Stakeholder Group

The Alameda Creek Watershed Council, hereinafter "Council", is a voluntary, non-regulatory stakeholder group that supports the community's interest in protecting and achieving a healthy and sustainable Alameda Creek watershed.

Mission

The Alameda Creek Watershed Council's mission is to protect and enhance water-related beneficial uses and resources in the Alameda Creek Watershed in order to create a healthy and sustainable watershed for the community. The Council will promote collaboration and the sharing of information among all stakeholders.

I. Purpose of this Letter of Understanding (LOU)

The purpose of the Letter of Understanding (LOU) is to establish the Alameda Creek Watershed Council, which will serve the geographic area encompassing the entire Alameda Creek watershed, including the associated baylands at the mouth of the creek at San Francisco Bay. The Council is a voluntary, non-regulatory partnership of stakeholders that includes watershed residents, landowners and land managers, organizations, and local agencies. The Council continues the work of its predecessor, the Alameda Creek Watershed Management Program Steering Committee. A history, accomplishments, and participation in the Alameda Creek Watershed Management Program Steering Committee (ACWMPSC) are described in item No. 1 of the Attachment to the LOU. The Council is formally documenting in this LOU its mission, goals, process by which it functions, and scope of its activities.

II. Definitions

- A. **Alameda Creek Watershed "Stakeholders"** are all watershed residents, landowners, organizations, resource agencies and others who have an interest in participating in the Council as it is described in this LOU. Stakeholders are not required to be LOU Signatories.
- B. **"Council"** refers to the Alameda Creek Watershed Council
- C. **"Parties"** refers to the organization(s) signing this LOU.
- D. **"Signatory" or "Signatories"** refers to the person or group of people signing this LOU on behalf of themselves or their organization(s). For organizations, the Signatories are the general managers, directors, executive officers, etc. from each organization, or their designees.
- E. **"Council Members"** refers to the staff delegated by the signatories to represent their organization or agency at Council meetings who are signatories to the LOU, as well as the individuals who are signatories.

III. Council Goals

The Council shall work effectively together to implement the following goals:

- Work together with additional watershed stakeholders, including watershed residents, landowners, organizations and resource agencies, and others toward a common purpose of achieving the Alameda Creek watershed goals (see Attachment, item No. 2 for a list of current watershed goals).
- Show a commitment to protecting and restoring the Alameda Creek watershed;
- Facilitate actions that protect the watershed and implement specific projects;
- Advocate for the watershed within the Bay Area Region;
- Assist with the resolution of watershed-wide issues;
- Be a forum for sharing information about projects, activities and issues that may affect the watershed;
- Share information in a cooperative, collaborative and transparent manner among all watershed stakeholders;
- Seek and develop opportunities for partnership;
- Foster coordination and collaboration among watershed stakeholders;
- Encourage and support workgroups to focus on specific watershed issues;
- Provide public education and outreach in regard to the Council's goals of protecting and restoring the watershed.

IV. Council Actions and Activities

The Council may engage in actions and activities including, but not limited to the following:

- Track projects within the watershed;
- Support urban planning and design practices that make streams a community resource. *(newly added)*
- Encourage Council Members to attend and participate in regional watershed forums and trainings to promote the Council's mission at the regional level.
- Work to secure funding, such as through grants, to support the activities of the Council and/or its Council Members to allow the Council to implement projects that benefit the watershed;
- Undertake collaborative projects funded by one or more Watershed Council members.
- Support efforts to secure funding for positions which would assist with implementation of Council goals and objectives and other efforts of the Council;
- Work with stakeholders to develop objectives for each of the watershed and Council goals; review the objectives annually and provide a summary report of activities that demonstrate progress toward those goals;
- Hold Council meetings and smaller regional stakeholders meetings at locations throughout the watershed in order to encourage involvement of stakeholders in those areas;
- Develop more detailed procedures in regard to public notification and decision making.
- Other similar actions and activities to advance projects and/or programs that accomplish Council and watershed goals.

V. Principles, Organization, and Participant Roles

A. Council Meetings, Circulation of Agendas and Meeting Summaries

Council meetings shall be held approximately once a month or as often as needed.

Draft agendas and meeting summaries will be circulated in advance to Members for comments before email distribution to the broader group of stakeholders. Draft meeting summaries will be finalized by Council Members in attendance at the next meeting. The Council Members will cooperate to provide resources to maintain administrative support for meetings (e.g., circulating meeting agendas, preparing meeting minutes, etc.). The designation of a Chair is at the discretion of the Council.

B. Voluntary Participation

Participation in the Council is voluntary, and Council meetings are open to the public.

C. Designation of Party Representatives

Each Signatory of an organization (Party) shall designate a representative as the primary contact for that Party on all Council activities; these representatives agree to keep the Council informed of related activities being carried out.

D. Formation of Subcommittees or Workgroups

As necessary, the Council Members can establish ad hoc subcommittees or work groups to conduct work on behalf of the Council. These ad hoc subcommittees or work groups shall report back to the Council.

E. Decision Making:

The Council will strive to make decisions by consensus because of the importance of finding mutually acceptable ways to protect and restore the Alameda Creek watershed. Where numerous options have been explored and consensus cannot be achieved on one of the options, the Council may make a decision based on obtaining a majority vote of the Council Members.

VI. General Provisions of this LOU

A. Term

This LOU will have a term of five years from the first day of December 2007, subject to an automatic renewal for a five year period in the absence of objection thereto made in writing by any Signatory party within ninety days of the December 1, 2012 renewal date.

B. Amendments and Additional Signatories

This LOU may be amended at any time at the discretion and mutual agreement amongst the Signatories. Additional Signatories may be added at any time.

C. Withdrawal

Any Signatory may withdraw from this LOU at any time by giving 30 days written notice to the other Members. The LOU remains in effect for the remaining Members.

D. Council Members agree to the mission statement, goals and purpose of the Council as outlined in this document, and commit to supporting them through activities undertaken as part of the Alameda Creek Watershed Council.

E. Leadership positions and sub-committees will be filled on an as-needed basis.

F. The use of the Council's name and claims of affiliation with it by stakeholders for grant proposals, permits, letters, outreach materials and other uses will be subject to the

timely review and approval of the Council in order to assure consistency between stated Council goals and individual or collaborative products.

G. Participation in similar activities. This LOU in no way restricts any party from participation in similar agreements and/or activities with other public or private entities.

VII. Letter of Understanding- Signature

**Letter of Understanding
Signature**

I / we embrace the goals of the Alameda Creek Watershed Council as outlined in this Letter of Understanding, and will work with other Council members and stakeholders to implement them.

Name _____
Title and Entity _____
Date _____

Alameda Creek Watershed Council
Letter of Understanding
Attachment

1. History, accomplishments, and participation in the Alameda Creek Watershed Management Program Steering Committee (ACWMPSC), which was the predecessor of the Council.

A. Council History

The ACWMPSC held its first meeting in March 1998 to guide the development of a stakeholder-generated management plan for the watershed. The committee met regularly until 2005 (list of members is in section D. below). Again, recognizing the need for a voluntary, non-regulatory, stakeholder group to support a holistic approach to watershed protection and restoration and to foster coordination and sharing of information, the ACWMPSC resumed regular meetings in April 2007.

During the Fall of 2007, the purpose and scope of the group’s efforts was altered from its previous focus on developing a management plan because there was no immediate need for such a plan. The group decided to focus its efforts on tracking projects impacting the Alameda Creek watershed, seeking opportunities for partnerships that can lead to implementation of specific watershed projects, supporting the effort to obtain grant funding for positions that can assist with the work of the Council, and assisting with the resolution of watershed issues. The change in focus led to a change in the group name from the ACWMPSC to the Alameda Creek Watershed Council. This does not preclude the group from developing a management plan in the future when there is a need.

B. Accomplishments/Products of the ACWMPSC:

A brochure was produced in 2005 that described the physical characteristics of the watershed, the committee's goals for the watershed, and the need for a management plan.

- In May 2004 a UC Berkeley student group conducted an examination and analysis of the ACWMPSC process, and wrote a report that included recommendations for future actions.
- A facilitator for the ACWMPSC was funded by Zone 7 and an administrative assistant by ACFC&WCD.
- The ACWMPSC and its goals have been cited in funding proposals.

C. Focused Workgroups

The former Steering Committee supported the concept of having focused work groups to address more specific issues, including the Alameda Creek Fisheries Workgroup and the Eden Landing/Lower Alameda Creek Workgroup.

D. Alameda Creek Watershed Management Program Steering Committee Members

Alameda County Agriculture and Open Space Committee, Alameda County Flood Control & Water Conservation District, Alameda County Public Works Agency, Alameda County Water District, Alameda Creek Alliance City of Livermore, Center for Ecosystem Management and Restoration, City of Fremont, City of Hayward, City of Pleasanton, City of San Ramon, City of Union City, Contra Costa County Clean Water Program, The Conservation Partnership–Alameda County Resource Conservation District and National Resource Conservation Service, East Bay Regional Park District, Home Builders Association of Northern California, Lawrence Livermore National Laboratory, Ohlone Audubon Society, Livermore Area Recreation and Park District, San Francisco Bay Regional Water Quality Control Board, San Francisco Public Utilities Commission, Tri-Valley Business Council Vision 2010, University of California Cooperative Extension, United States Geological Survey, Zone 7 Water Agency, Margaret Tracy-environmentalist, Al Spotorno- agriculturalist.

2. Watershed Goals

The following goals for protecting and restoring the health of the Alameda Creek Watershed have been established by the Council:

Water Supply

The following goals have been identified to help ensure the long-term availability of adequate water supplies from the Alameda Creek Watershed:

- Use water efficiently.
- Provide adequate, high quality, reliable, and sustainable water supplies at a reasonable price throughout the region.
- Protect and enhance water resources for beneficial use in the watershed, avoiding any activity that could threaten the water supply.
- Promote appropriate reuse of water in ways that protect existing water resources and enhance the water supply.

Natural Resources and Wildlife

The following goals have been identified for protecting and enhancing the natural resources and wildlife in the watershed:

- Conserve and enhance natural resources, especially water-related resources, in the watershed.
- Protect and enhance high quality, sustainable habitats that promote biodiversity.
- Promote water use in ways that protect or enhance natural resources.

Agriculture

Recognizing that the loss of agriculture in the watershed would not only result in a loss of culture and heritage, but also a loss of a working landscape, the following goals have been identified to sustain and promote agriculture in the watershed in the future:

- Improve the economic viability of agriculture while sustaining it as a watershed land-use.
- Promote land stewardship on non-urban (private and public) lands for the protection and enhancement of water-related resources while maintaining economic viability for agriculture.
- Promote public support for the working landscape through agriculture education.
- Develop a consistent and streamlined regulatory environment that protects and enhances water-related resources and sustains agriculture.

Recreation

The following goals have been identified for creating or maintaining recreational opportunities, thereby contributing to quality of life:

- Maintain/enhance existing land- and water-based recreational opportunities.
- Create additional land- and water-based recreational opportunities.
- Integrate education with recreation.
- Provide for diverse recreational experiences.
- Encourage the use of recreational facilities.

Flood Control and Storm Water Quality

The following goals have been identified as the planning basis for flood control and storm water quality:

- Provide a quality flood protection program.
- Ensure that storm water entering creeks and San Francisco Bay is of a quality that protects and supports beneficial uses.
- Reduce and maintain erosion and sediment loads at a level that supports a healthy, naturally functioning ecosystem, including native and indigenous fish.

Public Education and Outreach

The Council has identified goals in five categories that address water quality. An additional goal, public education and outreach, spans all five of these categories and is recognized as a key component of each. The informed participation of all watershed stakeholders is key to the success of watershed protection and enhancement efforts. To achieve success in reaching these goals, efforts in each category will include a strong public education and outreach component.