

# Charter

## Nitrogen Tracking and Reporting System (Task Force)

### Section 1 – Project Purpose and Background

This document outlines the organization, activities, and scope of work of the Task Force on Nitrogen Tracking and Reporting System (Task Force).

The California Department of Food and Agriculture (CDFA) and the State Water Resources Control Board (SWRCB) recognize that nitrates from both synthetic and organic nitrogen fertilizing materials used in agriculture have, over several decades, moved to some groundwater systems in California. Many communities in California rely on the same groundwater as a source of drinking water. Thus, some drinking water supplies contaminated by nitrates from nitrogen fertilizing materials pose a public health concern to several communities in California. To address this issue, the SBX2 1 report by the SWRCB to the Legislature contained a series of recommendations, one of which is to identify intended outcomes and expected benefits of a nitrogen mass balance tracking and reporting system, in nitrate high risk areas. The Task Force is to identify appropriate nitrogen tracking and reporting systems, and potential alternatives that would provide meaningful and high quality data to help better protect groundwater quality. Consistent with the recommendation, CDFA in coordination with SWRCB is organizing and convening a Task Force to determine appropriate nitrogen mass balance tracking and reporting systems in nitrate high risk areas.

CDFA is the appropriate agency to lead this effort, as it houses the states expertise on nitrogen fertilizing materials, including the Fertilizing Materials Inspection Program, the Fertilizer Research and Education Program (FREP) and the Organic Input Materials Label Review and Registration Program. The FREP manages an annual grant solicitation program to fund research to advance the environmentally safe and agronomically sound use of fertilizing materials, including nitrogen fertilizing materials. In addition, the FREP program staff has considerable agronomic experience with nitrogen fertilizing material use, efficiency, and management.

### Section 2 – Draft Time Line and Milestones

Date	Task Force Element	Deliverable (Responsible Party)
July 29, 2013 Meeting #1	Convening and Preliminary Model Discussions	<ul style="list-style-type: none"> <li>• Task Force Charter (Staff)</li> <li>• Evaluate model options (Staff and Members)</li> </ul>
August 28, 2013 Meeting # 2	Nitrogen Tracking and Reporting Systems: Challenges and Opportunities	<ul style="list-style-type: none"> <li>• Summary of Meeting # 1 (Staff)</li> </ul>
August 29, 2013 Meeting # 3	Analysis and Evaluation of Systems for Nitrogen Tracking and Reporting;	<ul style="list-style-type: none"> <li>• PowerPoint Slides from Meeting 2 (Presenters/Staff)</li> </ul>
September 12, 2013 Meeting # 4	Recommendations	<ul style="list-style-type: none"> <li>• Summary of Meetings #2 &amp; 3 (Staff)</li> </ul>
September -October 2013	Summarize and Document Findings in Final Report	Final Recommendations (Staff)

### **Section 3 –Task Force Organization**

The intent is to convene the Task Force respective of time, budget and manageable in size to be consensus seeking that represents a Central Valley and Central Coast cross section of interests. Such a membership will assist in delivering the findings for a possible nitrogen tracking and reporting program.

### **Section 4 – Member Selection**

The Task Force membership is comprised of a diverse group of representatives from state, regional and local government, the University of California and California State University systems, the agriculture, and environmental communities.

Requested member affiliation to be represented includes:

- California Department of Food and Agriculture
- State Water Resources Control Board
- California Environmental Protection Agency
- Central Coast Regional Water Quality Control Board
- Central Valley Regional Water Quality Control Board
- California Department of Pesticide Regulation
- California Agricultural Commissioners and Sealers Association
- Natural Resources Conservation Service
- Santa Cruz County Resource Conservation District
- University of California Davis Agricultural Sustainability Institute
- University of California Davis Department of Animal Sciences
- University of California Davis Department of Plant Sciences
- University of California Davis Department of Land Air Water Resources
- University of California Cooperative Extension Tehama County
- California State University Fresno Center for Irrigation Technology
- California Polytechnic State University College of Agriculture, Food and Environmental Sciences
- California State University Monterey Bay
- Community Water Center
- California Leadership Council for Justice and Accountability
- International Plant Nutrition Institute
- Kings River Conservation District
- East San Joaquin Water Quality Coalition
- Western Growers Association
- SureHarvest
- California Farm Bureau Federation
- Dairy CARES
- Somach Simmons and Dunn
- New Fields Agricultural & Environmental Resources, LLC Restoration Group
- Clean Water Action
- California Rural Legal Assistance, Inc.

## **Section 5 – Member Additions**

Due to the short timeframe to determine potential alternatives and methods to implement the nitrogen tracking and reporting system, it is not optimal to add new members to the Task Force once started. Should an individual request inclusion as a member on the Task Force after the process has begun, they are expected to do the following:

1. Contact the Fertilizer Research and Education Program Manager, Asif Maan, (916) 900.5022, [asif.maan@cdfa.ca.gov](mailto:asif.maan@cdfa.ca.gov) and identify your interest to become a member of the Task Force.
2. Requests should include a description of the following:
  - a. Rationale of the member niche not currently filled by an existing member.
  - b. Description of how the addition is reasonable and directly impacting of the Task Force.
  - c. Willingness to commit the investment of thought, time and energy necessary to be an active member on the Task Force.
3. The Task Force, CDFA and SWRCB staff will discuss the request. Final determination of participation will be provided by the CDFA Secretary with advice from the neutral third party facilitator.

## **Section 6 - Member Responsibilities**

The ITF will identify, evaluate and recommend appropriate nitrogen mass balance tracking and reporting systems that would provide meaningful, high-quality data to help better understand groundwater quality. The information presented to the Task Force and recommendations will be compiled into a final report in coordination with the Task Force.

Members of the Task Force are expected to attend four meetings total; report back to the organization they represent; and communicate the interests, concerns, and recommendations of their organization to the Task Force. Members are required to be present at all meetings. All Task Force meetings are open to the public. The purpose of the Task Force is to determine potential alternatives and methods to implement the nitrogen tracking and reporting system for the benefit of the public. The Task Force members will consider public comments as advice to the education and finding development process.

## **Section 7 – Member Succession**

If a member is unable to attend a meeting or participate in the Task Force, the member will notify the CDFA staff in writing via email or by phone call and will recommend a successor from their respective organization. The facilitator and CDFA staff will coordinate with the new successor with an orientation, upon appointment by the CDFA Secretary.

The successor becomes the principal for the remainder of the Task Force. The principal can bring staff for technical assistance to support the representation of the principal and his/her organization. This arrangement is intended to be less disruptive to the momentum of the Task Force than returning the seat back to the original member for the subsequent meetings.

## **Section 8 – CDFA and Facilitator Responsibilities**

CDFA staff, the facilitation team and Task Force members will work collaboratively to create value and shared meaning and understanding to determine potential alternatives and methods to implement a nitrogen tracking and reporting system. Summaries of the Task Force discussions and findings will be recorded electronically as well as documented. Summaries will be distributed prior to each subsequent meeting and made public on the CDFA homepage. Meeting information and Task Force updates will also be circulated via email.

Facilitation services will be provided to support the Task Force process. The facilitator and his/her team serves as a “professional neutral” with primary responsibility to ensure an open process where all members’ interests, views and opinions are heard and thoughtfully considered. Specific responsibilities of the facilitator include:

- Design and conduct consensus seeking process where the Task Force can best meet the tenets of Recommendation 11 of the SWRCB report to the Legislature.
- Facilitate meetings and generate draft agendas and meeting summaries in coordination with CDFA staff.
- Capture the range of views and ideas presented by participants and report on where there are areas of agreement and differences on approach to determining potential alternatives and methods to implement a nitrogen tracking and reporting system.
- Due diligence in developing preliminary draft findings that reflect the members’ discussions.

## **Section 9 – Meeting Methods**

The goal of the Task Force is to develop consensus findings for CDFA and SWRCB staff to incorporate into the Task Force final report. All Task Force members must be in agreement for a “consensus” determination. Given the timeframe of the process, consensus may not be feasible on all topics. Therefore, the Task Force will *seek* consensus, rather than be mandated to *achieve* consensus on all topics. The decision to proceed with a finding absent a consensus will be based on discussions between CDFA and facilitation staff and the Task Force; however, final determination on whether to continue seeking consensus will be made by CDFA staff. If consensus is not reached on a given issue, the range of findings supported by the different members will be documented for consideration by CDFA staff and the Secretary.

Meeting summaries will be prepared and distributed to Task Force members by the facilitator and staff within 7 business days following each meeting. Summaries will identify the meeting members, major issues discussed, decisions made, and actions to be taken. Members will have 5 business days to review DRAFT summaries and provide comments to the facilitator (and other members if desired). The facilitator will revise summaries and send a DRAFT FINAL version to the Task Force within 2 additional business days. Any conflicts between two or more member’s summary reviews will be resolved by the facilitator with the members in question. DRAFT FINAL Summaries will be reviewed at the next Task Force meeting. The facilitator will call for any further revisions by members to ensure the correct characterization of all comments. New comments will be addressed by the facilitator with the member at the next meeting. If no comments are received, the Summary in question will be entered into the project record as a FINAL document.

Meeting Action Items will be prepared and distributed to Task Force members by the facilitator and Staff within 2 business days following each meeting.

## **Section 10 – Communication Protocols**

Task Force members serve as conduits for two-way information exchange with their constituencies. Constituents wanting to provide input to the process are encouraged to channel their concerns and suggestions through their individual members on the Task Force. Task Force members will make a concerted outreach effort to communicate regularly with their agencies or constituencies to keep them informed about the process and the issues under discussion.

Task Force members will in no way be prohibited from speaking with the media, but must indicate that they are providing their individual perspectives and are not speaking for the group. Members should neither characterize the positions and views of any other party nor should they ascribe motives or intentions to the statements or actions of other Task Force members. It is requested that any media inquiries be directed to Steve Lyle, CDFA Office of Public Affairs (916) 654-0462.

A list of Task Force members will be made available to the public on the CDFA internet site. The list will include the following information: member name and represented interest(s). Should an interested party have focused comments for a Task Force member; the individual(s) will be encouraged to work through CDFA staff to convey the comments to the appropriate Task Force member(s).

## **Section 11 – Ground Rules**

All participants, CDFA staff and members, the facilitation staff, and public participants of a meeting agree to:

- Arrive promptly to all meetings and be prepared for the meeting agenda.
- Stay for the duration of the entire meeting.
- Turn cell phones to silent.
- Minimize actions that could be distracting to members discussions. Should meeting attendee behavior become distracting to members, those individuals should speak with the facilitator to intervene.
- Participate in a problem-solving approach based on respectful and constructive dialogue, where the interests of all members and the public are considered in developing proposals and recommendations.
- Openly discuss issues with others who hold diverse views; acknowledge and seek clarification of others' perspectives; and verify assumptions when necessary.
- Assure that all members and public participants are heard and that one person speaks at a time.
- Refrain from side conversations.
- Keep commitments once made.
- When appropriate, distinguish between personal vs. organizational perspectives.

All Task Force meetings are open to the public and observers are welcome. All public

participants are expected to abide by the Ground Rules described above. Periods for public comment will be scheduled into each meeting agenda. Public participants are encouraged to provide input to members before or after the meetings, as well as during breaks, to ensure that all issues of concern to the public are considered in Task Force discussions.

## **Section 12 – Task Force Sunset Procedures**

The CDFA and Facilitation staff, in consultation with Members, plans to begin drafting the findings in August 2013. The Task Force is expected to complete all documents and findings with the bulk of the work to be complete by early September 2013. A final report of findings to determine potential alternatives and methods to implement a nitrogen tracking and reporting system are expected to be complete by the end of September 2013.