

Pend Oreille Salmonid Recovery Team Bylaws

Preamble

The Pend Oreille Salmonid Recovery Team is committed to the protection and improvement of salmonid habitat through development and implementation of “The Pend Oreille Salmonid Habitat Recovery Strategy.” The Habitat Recovery Strategy shall emphasize habitat protection and improvement, as well as public education and involvement. The members of the Recovery Team believe in an inclusive approach that fosters public participation and incorporates the diverse perspectives and opinions of the community we serve.

Initiating governments include: Pend Oreille County, the Kalispel Tribe and the City of Newport.

These bylaws were ratified by the Citizens Advisory Group on January 8, 2004 and the Technical Advisory Group on December 18, 2003.

1. General

1.0 Name

The name of this organization is the “**Pend Oreille Salmonid Recovery Team,**” hereinafter referred to as Team.

1.1 Purpose

The purpose of the Team is to fulfill the requirements of the RCW 77.85 (HB 2496 Salmon Recovery Act). Specifically, these requirements include establishing and prioritizing a *habitat project list* for the Pend Oreille Lead Entity Area of Concern and the development and Implementation of The Pend Oreille Salmonid Recovery Team *Strategy* (“Team Strategy”).

1.2 Geographic area of concern

Those portions of Water Resource Inventory Area (WIRA) 62 addressed in the Bull Trout Habitat Limiting Factors for WIRA 62 document. Additional areas of concern include those portions of the 5 sub-basins flowing into the Priest River drainage from WIRA 62. A map showing the geographic area of concern is available for viewing at the Pend Oreille Conservation District.

1.3 Nature of the organization

The Team shall advise the Salmon Recovery Funding Board (SRFB) on WRIA 62 habitat project lists, implementation schedule, and salmonid habitat recovery *strategy*. The Team shall be administered by the *Lead Entity* (Pend Oreille Conservation District) and its coordinator. The Washington Department of Fish and Wildlife (WDFW) will administer the grant to fund the Pend Oreille Lead Entity (POLE).

1.4 Team Membership

1.4.1 The Team shall consist of the *Lead Entity*, a *Citizen Advisory Group* (CAG) and a *Technical Advisory Group* (TAG) made up of members as identified in section 5.

1.4.1.1 CAG membership is open to the public (see section 3.1 regarding voting rights). Every reasonable effort has been made, and shall continue, to insure that CAG membership represents as diverse an array of local residents as possible. Recruiting efforts include news releases, newsletters, POCD website, personal contact, etc.

1.4.1.2 TAG members represent interests from the Washington Department of Fish and Wildlife, the U.S. Forest Service, Kalispel Natural Resource Department, Pend Oreille County Public Utility District #1, Seattle City Light, US Fish and Wildlife Service, Washington Department of Ecology, Washington Department of Natural Resources, Natural Resource Conservation Service. TAG members shall serve at the discretion of their respective affiliation. New TAG members shall be asked to join the TAG based on the need for additional technical information.

1.5 Meetings

Meetings shall be open to the public. Meetings will be published in the county newspaper of record. Meeting frequency, time, and location shall be at the discretion of the CAG/TAG and the Lead Entity. Minutes of each meeting shall be distributed to all CAG and TAG members as appropriate.

1.7 Amending Bylaws

These bylaws may be amended upon motion by a Team member to the Lead Entity. Proposed amendments must be ratified by a two-thirds majority of *all* voting members.

1.8 Interpretation of Bylaws

In case of disagreement pertaining to the meaning or intent of any section of these bylaws, the Lead Entity shall determine the interpretation of said section.

1.9 Severability

Should any clause in these bylaws be found to violate or contradict RCW 77.85 or any other relevant legislative and/or administrative mandate, such violation shall not invalidate the bylaws in their entirety, nor shall any prior official action be recalled.

1.10 Public Document

A copy of these bylaws shall be kept on file by the Lead Entity at its place of business. The public may view and/or request a copy of these bylaws.

2 Team Operating Procedures

2.1 The Role of the Lead Entity and its Coordinator

The Lead Entity is charged with facilitating and coordinating the development and implementation of the Team Strategy. Duties include, but are not limited to:

- (a) Assemble, facilitate and administer a local citizen committee of representative interests (CAG);
- (b) Solicit project applications for salmonid habitat restoration/protection;
- (c) Create a work schedule for project completion;
- (d) Administer a public education program to build community support for habitat restoration/protection projects.

- 2.1.1 The Coordinator shall preside over Team meetings in a manner consistent with the intent and purpose of the Team Strategy and these bylaws and insure that all Team members have a voice in the proceedings.
- 2.1.2 The Coordinator may also represent the Team to outside parties. However, the Coordinator does not have the authority to act on behalf of the Team unless such authority is specifically delegated by the Team for a specific task.
- 2.1.3 The Coordinator is charged with monitoring voting rights per section 3.1 et seq.
- 2.1.4 The Coordinator may entertain motions to alter the ranking of projects. (See section 2.4.4)
- 2.1.5 The Coordinator may delegate duties as appropriate through the creation of sub-committees.

2.2 CAG Responsibilities

- 2.2.1 Revise and update the *adaptive management strategy* that will be used to develop and implement the *habitat project list*.
- 2.2.2 Aid the Coordinator in soliciting project proposals from the public.
- 2.2.3 Compile a list of habitat projects, establish priorities for individual projects, define the sequence for project implementation, and submit these activities as *the habitat project list*. Assist the Coordinator with in the development and implementation of a public education strategy as set forth in section 2.1 (d).

2.3 TAG Responsibilities

- 2.3.1 The TAG serves as an advisory resource to the CAG for the development of the *habitat project list*, *Team Strategy* and any other technical information required of the Lead Entity.
- 2.3.2 Development of a *limiting factors analysis* for salmonids in streams, rivers, tributaries, estuaries, and sub-basins in the region.
- 2.3.3 Identify how projects will be monitored and evaluated. Include a review of monitoring data, evaluate project performance, and make recommendations to the CAG and to the *State Technical Review Team*.

2.4 Project Ranking and Prioritization

- 2.4.1 Individual projects shall be discussed separately by the CAG and TAG. Projects will be assessed for Benefit to Native Salmonids and Certainty of Success by the TAG utilizing the TAG Project Evaluation Form (see current Strategy). Projects will then be scored and ranked by the CAG utilizing the project ranking criteria (see current Strategy).
- 2.4.2 Both the CAG and TAG shall strive for consensus in the ranking of projects. If the Coordinator determines that consensus cannot be reached for a given project, individual Team members will score the project using the ranking criteria. The final score for the project shall be the average of the individual member scores.
- 2.4.3 Final prioritization of the habitat project list is the responsibility of the CAG.
- 2.4.4 The Coordinator may entertain motions to revise a project's ranking. Such revision requires the approval of 80% of voting members present.

3 Voting

3.1 Voting Rights

- All voting rights for final decisions including but not limited to, the Strategy for Protection and Improvement of Native Salmonid Habitat and the annual *Habitat Project List*, are the responsibility of the CAG. The TAG acts in an advisory role only.
- 3.1.1 A current list of CAG and TAG members is found in section 5.1
 - 3.1.2 A list of CAG members currently vested with voting rights is maintained by the Lead Entity Coordinator
 - 3.1.3 New CAG members shall become eligible to vote upon attending three consecutive meetings.

- 3.1.4 A voting CAG member who misses three consecutive meetings shall lose his/her voting rights. Thereafter, he/she shall regain voting rights upon attending three consecutive meetings.
- 3.1.3 TAG voting rights are vested upon acceptance of invitation to TAG membership
- 3.2** Both CAG and TAG decision making shall seek unanimous consent through deliberation on all issues. If unanimous consent cannot be reached a two-thirds majority (fractions to be rounded upwards) vote is required for all decisions except where indicated elsewhere in these bylaws. The Lead Entity Coordinator shall determine, in good faith, when unanimous consent is unlikely and call for a vote.
- 3.3 Members must be present to vote. Voting by proxy is not allowed. Voting in absentia may be allowed under extenuating circumstances.
- 3.4 A quorum must be present for voting to be official. A quorum is defined as two-thirds of all voting members (fractions to be rounded upwards).
- 3.5 Where a conflict arises as defined in section 4.3 that member shall not be eligible to vote on any issues related to that conflict.

4 Member Code of Conduct

- 4.1 All Team members shall act in good faith to further the Team mission in a manner that reflects the spirit and intent of these bylaws.
- 4.2 The expression of diverse viewpoints is encouraged. Members shall treat each other with courtesy during meetings.
- 4.3 The conduct of private business or personal services between any Team member and the Team is prohibited. Team members will disclose their involvement with other organizations, with vendors, or any other associations that might produce a conflict of interest regarding a specific project proposal. This disclosure shall be made prior to Team review of any project proposal for which a conflict may exist. Where such a conflict arises during a meeting, the member shall refrain from all comment and shall leave the meeting during the related discussion and voting.
- 4.4 Team members are not authorized to make statements on behalf of the team without specific advance approval from the Team. Under no circumstances will Team members represent their own views as representative of the Team.
- 4.5 A failure to act in good faith or otherwise intentionally violate these bylaws may result in termination from the Team.

5 Membership

Citizen's Advisory Group (CAG) Membership

Name	Representing
1. Sam Nicholas	PO County Commissioner
2. Randall Leesma	Farming
3. Jim Carney	POCD Supervisor
4. Terry Williams	Landowner
5. Ken Driver	Small Timber Landowner
6. currently vacant	County Planning Department
7. Wade Pierce	Lumber/Timber Industry
8. Robert Woods	Wild Washington
9 Tom Petrie Jr.	Pend Oreille Sportsmen's Club
10. Rich Sargent	Metaline Falls Rod Club
11. Bill Haney	Citizen
12. Ray Pierre	KNRD
13. Andrew Anderson	Citizen
14. Alan W. Port	Citizen
15. David Nenema	Kalispel Tribe
16.	

Technical Advisory Group (TAG) Membership

1. Juliet Barenti or Gary Kedish	USFWS
2. Mimi Wainwright	DOE
3. Jeff Lawlor	WDFW
4. Cliff Thresher	WADNR
5. Curt Vail	WDFW
6. Jill Cobb	USFS
7. Terry Driver	Landowner/Farmer
8. Tom Shuhda	USFS
9. Mark Simpson	NRCS
10. Joe Maroney, Todd Anderson or Jason Olson	KNRD
11. Pat Buckley	Pend Oreille County PUD #1
12. Al Solonsky	Seattle City Light
13. Neil White	Pend Oreille Co. Planning