

DRAFT
BYLAWS OF THE
Washington Coastal Marine Advisory Council
January 14, 2014

I. Purpose

- A. The Washington Coastal Marine Advisory Council (the Council) shall serve as the Governor's advisory body on coastal resource management issues for Washington's Pacific Coast and shall perform such duties as enumerated in RCW 43.143.060.

II. Membership

- A. The Council is established in the Office of the Governor. Voting members of the Council shall be appointed by the Governor or the Governor's designee.
- B. The council consists of the following voting members:
- a) The Governor or the Governor's designee;
 - b) The director or commissioner, or the director's or commissioner's designee, of the following agencies:
 - i. The Department of Ecology;
 - ii. The Department of Natural Resources;
 - iii. The Department of Fish and Wildlife;
 - iv. The State Parks and Recreation Commission;
 - v. The Department of Commerce; and
 - vi. Washington Sea Grant;
 - c) The following members of the Council established by the department of ecology and as existing on January 15, 2013:
 - i. One citizen from a coastal community;
 - ii. Two persons representing coastal commercial fishing;
 - iii. One representative from a coastal conservation group;
 - iv. One representative from a coastal economic development group;
 - v. One representative from an educational institution;
 - vi. Two representatives from energy industries or organizations, one of which must be from the coast;
 - vii. One person representing coastal recreation;
 - viii. One person representing coastal recreational fishing;
 - ix. One person representing coastal shellfish aquaculture;
 - x. One representative from the coastal shipping industry;
 - xi. One representative from a science organization;
 - xii. One representative from the coastal Washington sustainable salmon partnership;
 - xiii. One representative from a coastal port; and
 - xiv. One representative from each outer coast marine resources committee, to be selected by the marine resources committee.

- C. **Terms:** The term of office of each member appointed by the Governor is four years and the chair's term shall be one year, in accordance with RCW 43.143.050.

D. Liaisons: The Council may invite state, tribal, local governments, federal agencies, scientific experts, other states or Canadian provinces, and others with responsibility for the study and management of coastal and ocean resources or regulation of coastal and ocean activities to designate a nonvoting liaison to the council pursuant to RCW 43.143.050 (3). The Council may provide these invitations in a letter as a standing invitation. The Council may delegate the responsibility for sending letters of invitation to specific entities to Council staff (Ecology) or the Governor’s representative, as appropriate. Council members may request that the Council invite liaisons to participate in Council meetings.

E. Resignation: If a member, prior to his/her term expiring, is no longer willing or able to serve on the Council, the member will notify the Governor’s office and Council staff.

F. Removal: Members may be removed from the Council by the Governor for just cause. Just cause includes, but is not limited to, inability of Council members to regularly attend Council meetings.

G. Reimbursement: Members are not eligible for travel or per diem reimbursement [RCW 43.03.220]. If funding is available, food and refreshments may be provided to maximize time and efficiency of the meeting.

H. Appointment recommendations: If a Council member or the Council as a whole would like to recommend a person who has applied for a seat on the Council for the Governor’s consideration, recommendations may be submitted to the Director of the Boards and Commissions office through the Governor’s website at:
<http://www.governor.wa.gov/boards/application/recommend.aspx>.

III. Committees:

A. Committees will report to and advise the Council.

i) Steering Committee

- a) The Steering Committee will be comprised of the Chair of the Council, Vice-Chair of the Council, the Governor’s representative, and two members-at-large. The members at large will be nominated by the Steering Committee and confirmed by the Council. In nominating the member at large, the Steering Committee will consider balancing geographic and interest group representation on the Steering Committee.
- b) The neutral convener and Council staff will provide support to the Steering Committee, including scheduling committee meetings.
- c) The duties of the Steering Committee include:
 - 1) Preparing agendas for Council meetings.
 - a. The agenda for each meeting must be developed as a collaborative process by councilmembers, as required by RCW 43.143.050 (4).
 - b. Agenda topics must be consistent with duties of the Council enumerated in RCW 43.143.060. The Steering Committee will also consider whether agenda topics advance the charge from the Governor and the Council’s Work Plan.
 - c. The Steering Committee will consider member input in preparing

agendas for Council meetings. The Chair or neutral convener shall seek input from Council members on meeting agenda topics at every Council meeting. In addition, the Chair, staff or neutral convener will ask members for suggested agenda items one month prior to scheduled meetings.

- d. If a Council member other than the Governor's office is requesting the Council provide a recommendation on a topic, the Council member will
 - 1) request the topic be added to the agenda via the Steering Committee; and 2) provide the Council an overview of the issue at the selected Council meeting.
 - 2) Maintaining an annual schedule of topics to be addressed by the Council.
 - 3) Developing amendments to the bylaws and other documents related to the operations of the Council.
 - 4) Developing recommendation documents for the Council's review and approval in conjunction with other involved committees.
- ii) Technical Committee
 - a) The duties of the Technical Committee include:
 - 1) Providing recommendations on technical issues as directed by the Council.
 - 2) Providing recommendations on desired deliverables and outcomes on issues before the Council.
 - b) Technical Committee recommendations are not formal recommendations of the Council unless adopted by the entire Council in accordance with Section VI of these bylaws.
 - c) All Council members may participate in Technical Committee meetings, and participation may vary as topics of interest arise. The neutral convener or staff will communicate the topics and meeting logistics to Council members prior to each meeting.
 - d) The Council will appoint 2-3 co-leads for the Technical Committee. The leads will commit to ongoing participation in Technical Committee meetings and will work with neutral convener and staff in preparing agendas for Technical Committee meetings.
 - e) At least one Steering Committee member should participate in Technical Committee meetings if possible.
 - f) The neutral convener and Council staff will provide support to the Technical Committee, including scheduling committee meetings and supplying meeting materials in a timely manner.
 - g) The Technical Committee may solicit input from experts with specific scientific or technical expertise to assist them. However, the Technical Committee must be attentive to state procurement policies and not seek input from someone who, by providing input, will potentially become ineligible to compete for related contracts.
- iii) Other Committees
 - a) When necessary and as resources allow, the Council, in consultation with the Governor's office, may create additional committees to carry out specific assignments between meetings. Prior to creating a new committee, the Council will identify the purpose of the committee, including how it relates to the Governor's charge and the duties of the council in RCW 43.143.060. The Council will also identify the membership and the duration of the committee. Committees will report to and advise the Council.

IV. Roles and Responsibilities

A. Council Members: Council members will have the following responsibilities:

- a) Place a high priority on preparing for, attending and actively participating in meetings, including being familiar with and operating within the governing statutes, state and federal laws, and Council bylaws at all times.
 - i. Proxy Voting: If a council member cannot attend a council meeting, the member may designate another voting member of the council as their proxy for voting purposes only. The designation must be transmitted prior to the meeting in writing (e-mail is acceptable) to the Chair, neutral convener, Governor's representative and the proxy designee. The proxy may vote on behalf of the absent member if a majority vote is taken (Section VI(E)(a)(v) of these bylaws). Proxies may not be used for consensus-based decisions, and will not count as part of a quorum. Proxy designations should only be used when absolutely necessary; as noted in sections II and IV of these bylaws, regular attendance and participation in meetings is a primary expectation of Council membership.
 - ii. In the event of unforeseen circumstances, Council members may request to participate in meetings remotely via phone or other technology. This will be accommodated if the meeting space has the appropriate technology available.
 - iii. E-mail communication between and among members is voluntary. It is not assumed or expected that all Council members will read all e-mail communications (or attachments) shared among members; it is expected that all Council members will read materials included with meeting agendas in preparation for Council meetings and committee meetings.
- b) Represent the points of view of their interest area in Council discussions. However, members are also asked to focus on the overall good of the Coast, not just the perspectives of individual interest areas. Additionally, members should notify the Council if there is a potential conflict of interest and recuse themselves from participation in that topic.
- c) Keep constituents informed on what is happening at meetings, solicit input on issues discussed, and share this input with the Council for discussion, even if those opinions differ from the member's own personal views. Be prepared to participate in meetings as necessary to represent the member's specific constituent group position on items contained on the agenda, including developing consensus or voting on issues as listed on the previously circulated agenda.
- d) Work cooperatively with each other, the neutral convener, Council staff, and liaisons to accomplish the purposes of this process and acknowledge that all participants bring with them legitimate purposes, goals, concerns and interests, whether or not they are in agreement with them.
- e) Use discretion to avoid the appearance of speaking for the Council, unless specifically authorized to do so. Council members should not represent matters pertaining to the Council without the consent of the Council as a whole.
- f) Interact in a respectful manner, including respecting the diversity of opinions and refraining from personal attacks either at meetings or away from the meeting in other venues.
- g) Listen to all points of view and perspectives on issues and alternatives and seek to identify areas of agreement as well as reasons for different points of view. Ask genuine questions (to learn or clarify) not rhetorical ones (to persuade or argue).
- h) Express concerns and interests clearly. Advocate for your interest while also seeking

approaches that build on common ground with differing interests. Do your best to provide thorough yet concise answers to questions, either during meetings or afterwards.

- i) Focus on the subject at hand, share discussion time, avoid interrupting, respect time constraints, keep reactions and responses from being personal, and avoid side conversations.
- j) Inform Ecology, the Chair or the neutral convener as far in advance as is possible if unable to attend a scheduled meeting.
- k) Abide by the discussion ground rules listed in Appendix A.

B. Chair and Vice Chair

- a) The Council shall nominate and elect a Chair and Vice Chair from its membership. Nominees for these positions should commit to providing sufficient time to fulfill assigned duties. The term of the Chair is one year and the position is eligible for reelection. The Council is encouraged to elect new leadership after a Chair or Vice Chair has served two consecutive terms. The Council shall consider geographically diverse representation in selecting these two positions. If elected, the Chair and Vice Chair shall perform the following functions:
 - 1) The Chair will preside over Council meetings. In the Chair's absence, the Vice Chair will preside.
 - 2) The Chair and Vice Chair shall serve on the Steering Committee.
 - 3) The Chair will serve as the Council's representative on the Washington Marine Resources Advisory Council.
 - 4) The Chair and the Vice Chair will communicate with members between meetings when needed to discuss issues, opportunities, concerns, strategies and alternatives that need to be discussed for meeting the Council's goals and purposes.
 - 5) When appropriate, the Chair and/or the Vice Chair will assist in keeping communication open between the Council, Ecology, Governor's representative, and legislators.
 - 6) The Chair will act as the Council's formal spokesperson. If an alternate spokesperson is needed, the Vice Chair will assume this role if appropriate, otherwise the Council can designate a particular spokesperson for that specific issues as needed. Public statements by the Chair, Vice Chair or designated spokesperson on behalf of the Council should reflect the Council's adopted recommendations and positions. If asked about a matter that the Council has not discussed, then that should be the response.

C. Ecology

- a) Ecology will act as the administrative and primary staff support for the Council in accordance with RCW 43.143.050. In this role, Ecology will:
 - i. Assist the Governor's office, the Steering Committee, and the neutral convener in administrative and operational functions such as meeting materials, meeting logistics, list management, agenda development, etc. Ecology will assist other Council Committees as time allows.
 - ii. Assist in the relay of appropriate information from the Council to various agencies and forums for ocean policy activities.
 - iii. Ensure appropriate and relevant information is provided to facilitate Council discussions and tasks, including presentations by subject matter experts, background

- reports and materials, etc.
- iv. Abide by the discussion ground rules listed in Appendix A.
- v. Absent a neutral convener, work with Governor's office and the WCMAC chair to ensure the roles and responsibilities of the neutral convener are met by either the Governor's office, Ecology, or a substitute facilitator.

D. Liaisons - Liaisons invited to participate under section II D. will be considered non-voting liaisons to the Council and may participate in meetings upon the request of the Council [RCW 43.143.050].

E. Neutral Convener - Consistent with available resources, the Council may approve of hiring a neutral convener to assist in the performance of the Council's duties, including but not limited to the dissemination of information to all parties, facilitating selected tasks as requested by the Council members, and facilitation of setting meeting agendas.

a) The responsibility of the neutral convener is to help keep the Council focused on tasks and may suggest process ideas, strategies, approaches, alternative methods and procedures to promote the work of the Council. The neutral convener will keep discussions moving forward, encourage participation by all members, document decisions and action items, and enforce the Council's ground rules.

b) Specific tasks of the neutral convener may include:

- i. Facilitate meetings of the Council. Maintain a neutral stance in facilitating discussions to achieve the Council's purposes and goals. Ensure that meeting business is conducted in a timely and efficient manner, and that all members have the opportunity to contribute.
- ii. Communicate with members between meetings when needed to discuss issues, opportunities, concerns, strategies and alternatives regarding the Council's goals and purposes.
- iii. Work with the Governor's office, Ecology, and Steering Committee to prepare meeting agendas so that meetings are productive and accomplish the goals of the Council.
- iv. Assist in keeping communication open among members.
- v. Prepare meeting summaries and/or action item lists, and distribute them to members.
- vi. Assure that relevant information is provided to the Council in a timely and effective manner relative to the advice the Council is asked to provide.
- vii. Abide by and enforce the discussion ground rules listed in Appendix A.

F. Observers - Meetings of the Council are open to the public. At each meeting, a brief public comment period will allow observers to offer comments related to issues at hand, subject to time limits stated on the agenda. Public comment will be included on Council agendas at a time prior to Council decisions if practical.

V. Meetings

A. Meetings are held at least twice per year or as needed and will typically be held on Washington's Pacific Coast. The Governor's office, with input from the Council, will determine the need for and schedule any additional meetings of the Council.

- a) According to the Open Public Meetings Act (RCW 42.30.030), Council meetings will be open to the public. The schedule of regular meetings will be published in the state register per RCW 42.30.075. Meeting times and locations will also be publicized in advance on Ecology's website and standing listserv of interested individuals. Agendas will include time for public comment.
- b) Meeting agendas will be sent to members at least 7 days prior to meetings.
- c) Member communications may be subject to disclosure pursuant to existing state law.
- d) Meetings will begin and end on time and will adhere to the topics on the agenda.
- e) Meetings will be task-oriented with an agenda and materials prepared and distributed in advance, to support informed discussion.
- f) Meeting agendas may be altered at the beginning of the meeting with the consent of the Council, PROVIDED that agenda items seeking formal recommendations may not be added. Formal recommendations must be noted on the agenda distributed prior to the meeting in order to be acted on by the Council.
- g) Members will provide questions or issues for inclusion on the agenda to the Steering Committee. The Steering Committee, working with the neutral convener or staff, will work to incorporate these items as appropriate given the Council's charter, scope of work, and time available. Time will also be set aside at the conclusion of each meeting for members to identify agenda items for consideration by the Steering Committee.
- h) Non-council members are welcome to observe meetings. At the end of the meeting, or as part of an agenda item there will be opportunity for public comment. Public comment will be permitted prior to Council decisions if practical.
- i) The Council may approve of hiring a neutral convener to facilitate and manage Council meetings and perform other functions. [RCW 43.143.050].

B. Quorum. A simple majority (51%) of the Council's voting members is necessary to constitute a quorum. A quorum is necessary for the Council to make decisions or recommendations. If a quorum is not present, the meeting may continue with no actions being taken.

C. Meeting Summaries. A draft written summary of discussion from each meeting will be prepared by the neutral convener and approved by the Council before being considered final.

- a) In the absence of a neutral convener, draft meeting summaries will be prepared by a member of the Department of Ecology in attendance.
- b) The final summary will provide Council members and members of the interested public with a concise and clear summary of the meeting, including overview of each agenda item, discussions and decisions, and reference to related materials. It will not attempt to capture each statement or comment, such as would be found in a meeting transcript.
- c) The meeting summary will report the Council's advice, decisions, action items, assignments from each meeting, and seek to state points of view fairly and clearly—including minority opinions.
- d) Meeting summaries will be sent to Council members via e-mail in a timely manner. Summaries will also be posted on the Council's website and available to the public.

D. Meeting Recordings. Meetings will be recorded if appropriate technology is available. The quality of the recording, particularly in providing a clear recording of voices that are distant

from the recorder, is not guaranteed. Meeting breaks are not part of the meeting and will not be recorded, nor included as part of the meeting record. When meetings are officially recorded, the recordings will be maintained by Council staff and made available upon request.

VI. Advice and Recommendations

- A. Because the Council is charged with providing recommendations to the Governor, the legislature, and state and local agencies on specific coastal waters resource management issues, it is important that there is a clear and effective process for determining the content of those recommendations, as well as on other Council business. Proposed recommendations shall be provided in writing using an established template that includes background information on the issue and rationale for the recommendation. The Steering Committee will develop and carry out a work plan and meeting schedule that allow the Council to provide timely and relevant advice and recommendations to the Governor, legislature, and state and local agencies.

- B. In making recommendations, the Council shall consider:
 - a) The principles and policies articulated in *Washington's Ocean Action Plan* [RCW43.143.060].
 - b) The protection and preservation of existing sustainable uses for current and future generations, including economic stakeholders reliant on marine waters to stabilize the vitality of the coastal economy. [RCW 43.143.060]
 - c) The charge or other direction from the Governor
 - d) Existing state laws and regulations.

- C. The Council shall normally operate by consensus pursuant to RCW 43.143.050.
 - a) Definition of Consensus: Consensus is a group process where the input of everyone is carefully considered and an outcome is crafted that best meets the needs of the group as a whole. The root of consensus is the word consent, which means to give permission to. When members consent to a decision, they are giving permission to the group to go ahead with the decision. Some members may disagree with all or part of the decision, but based on listening to everyone else's input, all members agree to let the decision go forward because the decision is the best one the entire group can achieve at the current time.
 - b) Levels of Consensus:
 - i. I can say an unqualified "yes"!
 - ii. I can accept the decision.
 - iii. I can live with the decision.
 - iv. I do not fully agree with the decision, however, I will not block it and will support it.

- D. The Council will attempt to reach consensus with thorough, substantive discussion of the issue, including the presentation of differing perspectives and consideration of various options.

- E. Decision-Making
 - a) When the Council is making formal recommendations consistent with RCW 43.143.060 or taking other formal actions a formal decision-making process will be used:

- i. The Chair or the neutral convener will state the proposed recommendation.
 - ii. The note-taker will read back the proposed recommendation.
 - iii. The Chair or the neutral convener will ask Council members to indicate (by a show of hands and/or thumbs up/down/middle) whether they are in consensus (in full agreement; not in full agreement, but can “live with” the position of the Council; or cannot live with the position).
 - iv. If consensus has not been reached, efforts will be made to address outstanding concerns.
 - v. After substantive efforts have been unsuccessful in reaching consensus, the Chair or neutral convener may call for a vote, following the same procedures in steps i-ii above. The Chair or neutral convener will ask “Who supports this recommendation” and count the hands, followed by “Who opposes this recommendation”, and count the hands. The vote will be recorded in the meeting summary.
 - vi. If a majority of the Council can live with the recommendation, that position will be reported as the position of the Council. However, in summarizing the decision, the minority concerns will also be captured.
 - vii. All recommendations will be recorded in the meeting summary and added to a formal list of Council recommendations, maintained by the Steering Committee and provided at every Council meeting. As provided in RCW 43.143.060 , these recorded recommendations will be transmitted, as appropriate, to the Governor, Legislature and other agencies in a timely manner.
- b) Informal decisions that do not result in a formal Council recommendation or constitute a formal action may be made informally and are not required to follow the steps in sub-section a.

F. The Council will not revisit topics upon which it has already held a discussion and made a decision unless there is new information that warrants a new discussion, and the Steering Committee agrees to add it to the agenda.

VII. Communication

A. Representing Council Views. Council members may speak or advocate for themselves or their organization but may not represent the views of the Council unless specifically authorized to do so.

B. Communication Among Council Members.

- a) Meeting materials and other Council information will be provided to Council members by email listserv established for the Council. Council members may contact Council staff (Ecology), the neutral convener or chair to discuss issues or questions that arise between meetings.
- b) Substantive deliberations and development of recommendations amongst members should occur at regular Council or Committee meetings.
- c) Member communications may be subject to public disclosure pursuant to existing state law.

VIII. Funding:

A. Council’s operating funds. Any recommendation associated with the Council’s operating funds shall be submitted to Ecology and the Governor’s office. Both are responsible for

proposing any state funding requests for the Council's operations through the established state budget process.

- B. Annual Recommendation on Coastal Marine Spatial Planning.** The Council shall establish a standing operating procedure regarding its statutory responsibility regarding providing the Governor and the Legislature recommendations associated with coastal marine spatial planning expenditures and projects, including uses of the marine resources stewardship trust account. (See RCW 43.143.060 and RCW 43.372.070)

IX. Amendments

These bylaws may be adopted and amended at any regular meeting upon a two-thirds vote of the Council, provided that the amendment has been submitted to all Council members in writing two weeks before the meeting.

Appendix A – DISCUSSION GROUND RULES

In order to ensure that the Council's discussions and deliberations are efficient, productive and civil, the Council, Council staff, neutral convener, and liaisons all agree to abide by the following discussion ground rules. The Council grants the neutral convener the permission to remind the Council of these ground rules when needed.

Neutral Convener

The neutral convener is an impartial individual who guides the process and facilitates meetings. The neutral convener's job is to keep the Council focused on the agreed-upon agenda, suggest alternative methods and procedures to move forward when necessary, encourage participation by all Council members, and halt or redirect dialogue that is disrespectful, off-topic, or dominating the conversation so that others are not able to effectively participate. In the absence of a neutral convener, the Chair will assume these responsibilities.

Council Members

Council Members agree to:

1. Be Respectful

- Listen when others are speaking. Do not interrupt and do not participate in side conversations. One person speaks at a time.
- Recognize the legitimacy of the concerns and interests of others, whether or not you agree with them.
- Cooperate with the facilitator to ensure that everyone is given equitable time to state their views. Present your views succinctly and try not to repeat or rephrase what others have already said.
- Silence cell phones and refrain for using laptops during the meeting, except to take notes.

2. Be Constructive

- Participate in the spirit of giving the same priority to solving the problems of others as you do to solving your own problems.
- Share comments that are solution focused. Avoid repeating past discussions.
- Do not engage in personal attacks or make slanderous statements. Do not give ultimatums.
- Ask for clarification if you are uncertain of what another person is saying. Ask questions rather than make assumptions.
- Work towards consensus. Identify areas of common ground and be willing to compromise.
- Minimize the use of jargon and acronyms. Attempt to use language observers and laypersons will understand.

3. Be Productive

- Arrive on time and stay until the meeting is adjourned.
- Adhere to the agenda. Respect time constraints and focus on the topic being discussed.
- Volunteer for tasks between meetings.

4. Bring a Sense of Humor and Have Fun.

Observers

Meetings of the Council are open to the public. At each meeting, a brief public comment period will allow observers to offer comments related to issues at hand, subject to time limits stated on the agenda.

Appendix B—Statutes Governing WCMAC Activities

RCW 43.143.050 - Washington coastal marine advisory council.

(1) The Washington coastal marine advisory council is established in the executive office of the governor to fulfill the duties outlined in RCW [43.143.060](#).

(2)(a) Voting members of the Washington coastal marine advisory council shall be appointed by the governor or the governor's designee. The council consists of the following voting members:

- (i) The governor or the governor's designee;
- (ii) The director or commissioner, or the director's or commissioner's designee, of the following agencies:

- (A) The department of ecology;
- (B) The department of natural resources;
- (C) The department of fish and wildlife;
- (D) The state parks and recreation commission;
- (E) The department of commerce; and
- (F) Washington sea grant;

(iii) The following members of the Washington coastal marine advisory council established by the department of ecology and as existing on January 15, 2013:

- (A) One citizen from a coastal community;
- (B) Two persons representing coastal commercial fishing;
- (C) One representative from a coastal conservation group;
- (D) One representative from a coastal economic development group;
- (E) One representative from an educational institution;
- (F) Two representatives from energy industries or organizations, one of which must be from the coast;
- (G) One person representing coastal recreation;
- (H) One person representing coastal recreational fishing;
- (I) One person representing coastal shellfish aquaculture;
- (J) One representative from the coastal shipping industry;
- (K) One representative from a science organization;
- (L) One representative from the coastal Washington sustainable salmon partnership;
- (M) One representative from a coastal port; and
- (N) One representative from each outer coast marine resources committee, to be selected by the marine resources committee.

(b) The Washington coastal marine advisory council shall adopt bylaws and operating procedures that may be modified from time to time by the council.

(3) The Washington coastal marine advisory council may invite state, tribal, local governments, federal agencies, scientific experts, and others with responsibility for the study and management of coastal and ocean resources or regulation of coastal and ocean activities to designate a liaison to the council to attend council meetings, respond to council requests for technical and policy information, perform collaborative research, and review any draft materials prepared by the council. The council may also invite representatives from other coastal states or Canadian provinces to participate, when appropriate, as nonvoting members.

(4) The chair of the Washington coastal marine advisory council must be nominated and elected by a majority of councilmembers. The term of the chair is one year, and the position is eligible for reelection. The agenda for each meeting must be developed as a collaborative process by councilmembers.

(5) The term of office of each member appointed by the governor is four years. Members are eligible for reappointment.

(6) The Washington coastal marine advisory council shall utilize a consensus approach to decision making. The council may put a decision to a vote among councilmembers, in the event that consensus cannot be reached. The council must include in its bylaws guidelines describing how consensus works and when a lack of consensus among councilmembers will trigger a vote.

(7) Consistent with available resources, the Washington coastal marine advisory council may hire a neutral convener to assist in the performance of the council's duties, including but not limited to the dissemination of information to all parties, facilitating selected tasks as requested by the councilmembers, and facilitation of setting meeting agendas.

(8) The department of ecology shall provide administrative and primary staff support for the Washington coastal marine advisory council.

(9) The Washington coastal marine advisory council must meet at least twice each year or as needed.

(10) A majority of the members of the Washington coastal marine advisory council constitutes a quorum for the transaction of business.

[2013 c 318 § 1.]

RCW 43.143.060

Washington coastal marine advisory council — Duties.

(1) The duties of the Washington coastal marine advisory council established in RCW [43.143.050](#) are to:

- (a) Serve as a forum for communication concerning coastal waters issues, including issues related to: Resource management; shellfish aquaculture; marine and coastal hazards; ocean energy; open ocean aquaculture; coastal waters research; education; and other coastal marine-related issues.
- (b) Serve as a point of contact for, and collaborate with, the federal government, regional entities, and other state governments regarding coastal waters issues.

- (c) Provide a forum to discuss coastal waters resource policy, planning, and management issues; provide either recommendations or modifications, or both, of principles, and, when appropriate, mediate disagreements.
- (d) Serve as an interagency resource to respond to issues facing coastal communities and coastal waters resources in a collaborative manner.
- (e) Identify and pursue public and private funding opportunities for the programs and activities of the council and for relevant programs and activities of member entities.
- (f) Provide recommendations to the governor, the legislature, and state and local agencies on specific coastal waters resource management issues, including:
 - i) Annual recommendations regarding coastal marine spatial planning expenditures and projects, including uses of the marine resources stewardship trust account created in RCW [43.372.070](#);
 - ii) Principles and standards required for emerging new coastal uses;
 - iii) Data gaps and opportunities for scientific research addressing coastal waters resource management issues;
 - iv) Implementation of Washington's ocean action plan 2006;
 - v) Development and implementation of coast-wide goals and strategies, including marine spatial planning; and
 - vi) A coastal perspective regarding cross-boundary coastal issues.

(2) In making recommendations under this section, the Washington coastal marine advisory council shall consider:

- (a) The principles and policies articulated in Washington's ocean action plan; and
- (b) The protection and preservation of existing sustainable uses for current and future generations, including economic stakeholders reliant on marine waters to stabilize the vitality of the coastal economy.

[2013 c 318 § 2.]

RCW 43.372.070 - Marine resources stewardship trust account.

- (1) The marine resources stewardship trust account is created in the state treasury. All receipts from income derived from the investment of amounts credited to the account, any grants, gifts, or donations to the state for the purposes of marine management planning, marine spatial planning, data compilation, research, or monitoring, and any appropriations made to the account must be deposited in the account. Moneys in the account may be spent only after appropriation.
- (2) Expenditures from the account may only be used for the purposes of marine management planning, marine spatial planning, research, monitoring, and implementation of the marine management plan.
- (3) Until July 1, 2016, expenditures from the account may only be used for the purposes of:
 - (a) Conducting ecosystem assessment and mapping activities in marine waters consistent with RCW [43.372.040](#)(6) (a) and (c), with a focus on assessment and mapping activities related to marine resource uses and developing potential economic opportunities;
 - (b) Developing a marine management plan for the state's coastal waters as that term is defined in RCW 43.143.020; and

(c) Coordination under the west coast governors' agreement on ocean health, entered into on September 18, 2006, and other regional planning efforts consistent with RCW 43.372.030.

(4) Expenditures from the account on projects and activities relating to the state's coastal waters, as defined in RCW 43.143.020, must be made, to the maximum extent possible, consistent with the recommendations of the Washington coastal marine advisory council as provided in RCW 43.143.060. If expenditures relating to coastal waters are made in a manner that differs substantially from the Washington coastal marine advisory council's recommendations, the responsible agency receiving the appropriation shall provide the council and appropriate committees of the legislature with a written explanation.

[2013 c 318 § 3; 2012 c 252 § 4; 2011 c 250 § 2; 2010 c 145 § 10.]