

# STORMWATER WORK GROUP

## PROPOSED BYLAWS

To be discussed at the ~~Oversight Committee~~ meeting on ~~October 9~~December 11, 2008

### PARTICIPATION:

1. The Stormwater Work Group's process will involve representatives of federal, tribal, state and local government, business, environmental and research interests. It is intended that the Group members: a) reflect and represent the diversity of experiences and interests within their communities; b) effectively represent and inform their constituents; and c) reach agreements with the other members of the Group with the support of their communities and constituents.
2. The total number of participants at the table will be kept to a manageable size. Based on this interest, ~~an Oversight Committee~~the Work Group will be established with:
  - 6 representatives of local government
  - ~~6~~ representatives of state agencies
  - 3 representatives of federal agencies
  - 2 representatives of the Tribes
  - 2 representatives of the environmental community
  - 3 representatives of businesses: industry, developers, shellfish
  - 1 representative of ~~a Conservation District~~agriculture
  - 1 representative of ~~a Port District~~public ports
  - ~~2 representatives of universities, consultants, and other research entities~~
3. The groupings in ground rule #2 are referred to as "caucuses." Each caucus will make the choices based on the needs and credibility within its community and in consultation with the facilitator and project manager to ensure that the agreed upon numbers and process are followed.
4. Each caucus may designate alternate representatives, who, like the primary representatives, may be involved in an on-going basis. Or, if a representative of a caucus is unable to serve, the caucus may name a short-term replacement and bring him/her up to date on the status of the process. Caucus members shall be responsible for ensuring that any alternate is fully briefed and authorized to reach agreement. All caucuses share an interest in ensuring that alternates are adequately prepared, informed, and authorized so that their participation does not result in the Group revisiting issues or repeating discussions, and so that no matter who sits at the table representing any of the caucuses, the process continues to move forward.
5. A subset of the ~~Oversight Committee~~Work Group will comprise a "~~Core Team~~"Steering Committee of twelve members that reflect the ~~first six~~diversity of the caucuses listed in ground rules #2 ~~and #3~~ above.
6. Other organizations or individuals may be invited by the Stormwater Work Group to make presentations and/or participate in the Group's discussions. The project manager and facilitator will manage the process of invitation and participation in consultation with the Group.

**Comment [KD1]:** The invitation letters to the 4 federal and 7 state agencies did not include an expectation that they caucus. We can discuss at the 12/11 meeting.

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**Comment [KD2]:** No response to invite letter.

7. The Stormwater Work Group may host or co-sponsor public meetings or forums to seek input or to provide information on its progress. The project manager and facilitator will work in consultation with the Group to ensure opportunities for the input of those in attendance.
8. The ~~Core Team or Oversight Committee~~ Stormwater Work Group ~~may will~~ establish Task Groups to undertake specific projects on behalf of the Work Group. The membership of each group should be appropriate for the task and still of manageable size.
9. All meetings of the Stormwater Work Group (~~Core Team, Oversight Committee, and Task Groups~~) and its committees are open to observers from the general public, other representatives of interested parties, and the media. A sign-in sheet will be provided so that the project manager and facilitator can provide Group information to these observers.

#### **ROLES AND RESPONSIBILITIES OF ~~OVERSIGHT COMMITTEE~~ WORK GROUP MEMBERS AND ALTERNATES:**

10. All ~~Oversight Committee~~ Work Group members and their alternates:
  - are full participants in the process with an equal opportunity to voice opinions and contribute ideas in good faith;
  - commit to treating other members and attendees with respect, civility, and courtesy; recognize the legitimacy of the interests, concerns, and goals of others, whether or not we agree with them; and will make a special effort to listen carefully, ask pertinent questions, and educate ourselves and those we represent about the interests and needs that must be addressed in a problem-solving atmosphere;
  - commit to fully exploring the issues and searching for creative solutions that best serve the parties' mutual interests in addition to those of the constituents that each caucus represents;
  - will be proactive in conveying issues raised by their constituents to the Group and in communicating to their constituents the progress of the Group, including emerging decisions and agreements of the Group and the context or rationale for those decisions and agreements; and
  - agree to inform the project manager and/or facilitator as soon as possible if the agenda, project management or facilitation techniques are not working, so that changes can be made and the group can proceed.

#### **SELECTION AND ROLES AND RESPONSIBILITIES OF THE CHAIR AND VICE CHAIR:**

11. The ~~Oversight Committee~~ Stormwater Work Group will select a chair to run the meetings ~~of the Oversight Committee and Core Team~~ and to serve as a spokesperson for the ~~Stormwater Work~~ Group. The chair will work with the project manager and facilitator to develop draft meeting agendas for the ~~Oversight Committee and Core Team~~ meetings. The chair will run meetings in a manner that enhances the Group's ability to reach agreement and achieve its purpose. The chair remains a representative of his/her caucus but is obligated to remain objective in on the issues in executing his/her duties as chair. The Oversight Committee Group also will select a vice chair that fulfills the roles and responsibilities of the chair when s/he is unavailable.
12. Selection of the chair and vice chair will take place in a two-meeting process: nominations will be made at one meeting ~~of the Oversight Committee~~ and selection will take place at the

following meeting. If necessary, members will vote by paper ballot, tallied by the project manager or facilitator, and the candidate with the most votes will serve as chair. Then, if needed, a second vote will take place among the remaining candidates to select the vice chair.

13. The duration of service for the chair and vice chair shall be two years, or until for any reason a chair or vice chair resigns from his or her position. The newly selected chair or vice chair shall serve the remainder of the incumbent's term.

#### **ROLES AND RESPONSIBILITIES OF THE ~~CORE TEAM~~ STEERING COMMITTEE:**

14. The ~~membership and specific duties of the primary function of the Core Team is to serve as a~~ "Steering eCommittee" ~~will be determined and assigned by~~ for the ~~Oversight Committee~~ Stormwater Work Group. The ~~Core Team~~ Steering Committee is responsible for: making recommendations to the ~~Oversight Committee~~ Work Group about the annual work plan; providing initial oversight of projects; producing or reviewing and refining papers and other documents that the ~~Oversight Committee~~ Work Group needs to perform its duties; and other tasks granted it to by the ~~Oversight Committee~~ Stormwater Work Group. The ~~Core Team~~ Steering Committee will work with the project manager and facilitator to ensure a successful process, and provide feedback to them on their performances. ~~The Core Team may also take the lead in working with external groups and organizations, and in advocating for sufficient funding for the work of the Stormwater Work Group. The Steering Committee is not authorized to speak for the Stormwater Work Group.~~

#### **THE ROLES AND RESPONSIBILITIES OF TASK GROUPS:**

- 14.15. The ~~Oversight Committee or Core Team~~ Stormwater Work Group ~~will~~ may establish groups to undertake specific tasks. Task Groups are created to provide input and support the process in accordance with terms of reference, tasks, and responsibilities defined and provided by the ~~Stormwater Oversight Committee or Core Team~~ Work Group. Task Groups may include the participation of others not directly represented on the ~~Oversight Committee~~ Work Group. At least one member of the Task Group will be a member of the ~~Oversight Committee~~ Work Group who serves as a liaison between the Task Group and the ~~Oversight Committee~~ Work Group. Task Groups may not act on behalf of the Stormwater Work Group unless specifically authorized ~~by the Oversight Committee~~ to do so.

#### **THE PROJECT MANAGER'S ROLES AND RESPONSIBILITIES:**

- 15.16. The project manager is responsible for initially organizing and then supporting the Stormwater Work Group's process substantively and administratively. The project manager:
  - ensures that the process goes forward in accordance with these ground rules and the instructions of the Stormwater Work Group ~~s Oversight Committee and Core Team;~~
  - works with and supports the facilitator as part of an integrated team to ensure an effective process; to develop meeting agendas and summaries, and to distribute them to the parties and other interested and affected groups; and to support the caucuses to reach agreement on findings and recommendations, including policy and financial options that address the issues and desired outcomes identified by the parties;

- performs research, analysis, writing, arranging for presentations, meetings, field visits, and other needs and tasks as requested by the ~~Core Team, Oversight Committee, Work Group~~ and facilitator to support and advance the process;
- assists the Group in building a broad coalition of support for its findings and recommendations; coordinates with other groups; engages community members, leaders and others as needed to make the process effective; and works with Group members and the facilitator to communicate to and coordinate with external parties, including the Puget Sound Partnership, the Washington State Forum on Monitoring Salmon Recovery and Watershed Health, the Governor's Office, and the Legislature;
- maintains the Group's website or web page, as needed, and other outreach that is valuable and necessary, beyond the specific communication done by the ~~Core Team Work Group~~ or caucuses within their own constituencies; and
- brings knowledge and access to information about relevant subjects in related situations to assist this process; and puts forth other resources for consideration by and approval of the Group.

#### **THE FACILITATOR'S ROLE AND RESPONSIBILITIES:**

- ~~16,17.~~ The facilitator's role is to manage the process in a manner that enhances the Group's ability to reach agreement and achieve its purpose. With no stake in the substantive outcome, the facilitator is obligated to remain neutral on the issues. The facilitator:
- is responsible for: setting up a formal communication protocol, working with Group members and the project manager to ensure that the work plan and schedule are adhered to and, if revisions are necessary, the parties agree to them; managing the meetings to ensure that discussions are focused, all points of view are heard, and the spirit and intent of these ground rules are achieved; and preparing the agendas for meetings, and the summaries of the key discussions, decisions, and agreements of the meetings; and
  - may provide services that the Group requests or agrees to, such as serving as a "sounding board" for any of the parties, facilitating intra-caucus discussions, acting as a liaison among the caucuses between meetings, and helping the Group and project manager prepare drafts of letters, reports, or other documents, briefings, and other public communications; and in soliciting comments from interested parties, with full participation, review, and approval of the Group.

#### **AGREEMENTS AND RECOMMENDATIONS:**

- ~~17,18.~~ The Stormwater Work Group is expected to identify and define a wide range of interests, perspectives and opinions, and reach agreement on a variety of types of recommendations. Agreement is defined as the consent of the willing participants to the findings or recommendations.
- The Stormwater Work Group will not be expected to reach a decision or approval at the meeting where a topic or document is first introduced and discussed. When introducing topic or document for decision or approval, a timeline will be set for its adoption or endorsement by the Work Group.
  - If an individual Work Group member cannot live with an emerging agreement of the Work Group, she/he is obligated to make her/his concerns known, and the rest of the group is obligated to listen with an interest in resolving them. All are expected to work towards addressing such concerns, including such actions as requesting that the concerned party clarify the underlying interests, or identifying other dynamics that may

be interfering with agreement; or proposing an alternative that not only the caucus and its constituents can support, but that it believes the other parties can support, too.

- If it is not possible to reach agreement on a set of recommendations, the project manager and facilitator, in consultation with the parties, will put into writing an outline of the areas of agreement and disagreement. Before being submitted to an external organization or group, the document will be submitted to the Work Group for approval so that when it is publicly released, it is the Work Group's report.

### **MEETING AGENDAS AND SUMMARIES:**

~~18-19.~~ Meetings of the Stormwater Work Group will be task-oriented. Draft agendas will be prepared by the facilitator in consultation with the project manager and distributed to the ~~Core Team, Oversight Committee~~ Work Group, Steering Committee, and/or Task Group members for review and comment approximately seven days before a meeting. At least three days before a meeting the "final" draft agenda will be distributed to the members. Agendas will describe the topics for, and purpose, of discussion; and be accompanied by information necessary to support informed discussion.

- Within three working days of a meeting's adjournment, a draft summary of the meeting's key discussions, decisions, and agreements will be developed by the facilitator and distributed to each member.
- Members that participated in a meeting are obligated to review the summary within five working days for accuracy and alert the facilitator if they find errors or unclear statements or have questions.

~~19-20.~~ If Work Group members have additional information that they believe would be valuable to share, they will bring this to the attention of the project manager and facilitator to identify the most appropriate context, timing, and method of distribution to either committee. In suggesting or providing such information, members should be aware of any timing issues so that there is sufficient opportunity to consider the appropriate use of the information. Nothing in this provision seeks to inhibit communication and information sharing among Work Group members.

### **PUBLIC COMMUNICATIONS:**

~~20-21.~~ The Stormwater Work Group process will be as transparent as possible in order to gain needed input and to lay the foundation for a broad coalition of support for its findings and recommendations. To achieve this interest, the Work Group, with the assistance of the project manager and facilitator, intends to communicate to interested and affected parties by a variety of methods, including sharing meeting agendas and summaries, posting relevant materials on a website, hosting public forums, providing briefings, and soliciting input and feedback during and between meetings.

~~21-22.~~ The Work Group will provide interested and affected parties, including the public, with opportunities to initiate communications. To achieve this interest, the Group will maintain a website with pertinent documents, accept written materials and comments, and be accessible to hear the concerns, interests, and needs of groups and individuals.

~~22-23.~~ In order to keep the focus on the established process and avoid misunderstanding and misinterpretation, Work Group members agree not to negotiate through the media or in public

settings. Normally, and where feasible, the project manager or facilitator is the designated contact for media comment about the Work Group process and its progress.

- Recognizing that they could be contacted, Work Group members agree that in speaking to representatives of the media or to the members of other organizations, they will be mindful and considerate of their responsibilities to maintaining trust and progress in this process, as well as their obligations to respond on behalf of their organization and otherwise responsive to a free press. Work Group members, accordingly, will avoid characterizing the Work Group's or other members' positions, other than as adopted by the ~~Oversight Committee~~ Work Group. They may provide their own position or opinion, provided it has been previously communicated to the Work Group, and is clearly identified as their own position.
- After, and if possible, before speaking with representatives of the media or to other organizations or groups, members will inform the facilitator or project manager in order to minimize the possibility that their comments are misinterpreted by other parties. When appropriate, a joint statement suitable for discussion with the media or with other organizations will be developed by the ~~Core Team or Oversight Committee~~ Work Group, who will agree on who will present it, and how.

#### **REPORTS:**

~~23-24.~~ 24-25. Drafts of any reports that summarize the Stormwater Work Group's findings or recommendations will be prepared by the project manager and facilitator and distributed to all members for their review and comment, with sufficient time appropriate to the size and content of each document. After review, discussion and approval, the Work Group will submit such documents to whomever it agrees should receive them directly. All reports will be publicly available.

#### **AMENDING THESE GROUND RULES**

~~24-25.~~ 24-25. These ground rules may be amended by agreement of the participants.