

# **Charter**

## **McKenzie Watershed Council**

Revised Charter Approved by Consensus December 9, 2010

### **Purpose**

The McKenzie Watershed Council was formed to help address watershed management issues in the McKenzie River watershed, as well as provide a framework for voluntary coordination and cooperation among key interests in the development and implementation of a watershed action program.

### **Vision**

Through the McKenzie Watershed Council's Conservation Strategy, the McKenzie River watershed supports exceptional water quality and habitats in balance with human livelihood and quality of life.

### **Mission**

To foster better stewardship of the McKenzie River watershed resources, deal with issues in advance of resource degradation, and ensure sustainable watershed health, functions and uses. The Council will accomplish its mission through fostering voluntary partnerships, collaboration and public awareness.

### **Relationship to Decision-Making Bodies and Communities of Interest**

The McKenzie Watershed Council is an advisory body to established decision-making bodies and communities of interest. As such, the Council makes recommendations concerning the protection, restoration, and enhancement of the quality of the McKenzie River watershed.

The agencies, organizations, and interests represented on the Council are not obligated to adopt or carry out the recommendations of the Council but will give due consideration to the recommendations and take actions they consider appropriate. These agencies, organizations and interests will report back to the Council on any actions taken in response to Council recommendations.

The Council welcomes and will respond to requests for advice on actions affecting the watershed that are proposed by local, state and federal agencies, organizations, and/or interests.

Council Partners will keep their respective agencies, organizations and interests informed about the work of the Council and will also bring their concerns to the Council.

## **Objectives**

1. Establish a framework for coordination, cooperation and citizen involvement to ensure an appropriate level of participation in the Council's work;
2. Improve communication among affected private individuals (landowners), interested citizens and representatives of local, state and federal agencies;
  - Publish and distribute a "State of the Watershed" report periodically (currently every 5 years).
3. Provide a forum for hearing, considering and acting upon problems and conflicts related to the Council's mission;
4. Develop an integrated, comprehensive watershed management program;
  - Determine the current condition and uses of the watershed;
  - Identify the desired condition and uses of the watershed;
  - Prepare a proposed watershed action program, including recommended policies and actions, to achieve and maintain the desired condition; and
  - Monitor implementation of the watershed action program.
5. Evaluate program effectiveness, ensure accountability and communicate results;
6. Promote ongoing monitoring of the health of the McKenzie River Watershed; and
7. Promote partnerships and secure funding to implement the Council's Work Plan.

## **Cooperative Partners**

The McKenzie Watershed Council shall attempt to include representatives from the following interests: local government, water utility companies, McKenzie Valley residents, resource users (e.g., agriculture, private timber), industrial forest land managers, major water consumers, environmental advocates, state government and federal government. A majority of Partners shall be local citizens, including local officials. Ideally, the Council will have representation from 20-28 diverse stakeholder groups and residents.. The following is a list of interests and organizations that could be considered for Council composition. This list is not intended to limit participation, and the Council recognizes that newly formed groups could be approved for partnership by consensus and that existing groups sometimes dissolve and will be removed from the Council.

<b>Interest</b>	<b>Agency/Organization</b>	<b>Position</b>
Local government	Lane County	Commissioner
Local government	City of Eugene	City Councilor
Local government	City of Springfield	City Councilor
Local government	City of Coburg	Public Works
Water utility	Eugene Water & Electric Board	Commissioner
Water utility	Springfield Utility Board	Board member
Water utility	Community Water Association(s)	Board member
Recreation provider	McKenzie River Guides Association	Officer
McKenzie Valley resident	McKenzie Residents Association	Association member
McKenzie Valley resident	Mohawk Watershed Partnership	Board member
McKenzie residents	At-large stakeholders	Residents*
Industrial forest	Weyerhaeuser Company (or similar)	Land use manager
Resource users	E. Lane Soil & Water Conserv. Dist.	Board member
Major water consumers	Hynix, Kingsford (or similar)	Plant manager
Environmental	McKenzie/Cascade Family Flyfishers	Officer
Environmental	Oregon Natural Resources Council, Audubon, Izaak Walton League, Sierra Club, Obsidians, Oregon Trout	Officer
State government	Department of State Lands	Assistant director
State government	Department of Fish and Wildlife	Biologist/manager
State government	Department of Environmental Quality	Field manager
Federal government	Bureau of Land Management	Field manager
Federal government	Forest Service – Willamette N.F.	District ranger
Federal government	Army Corps of Engineers	Project manager
Land trust	McKenzie River Trust	Managing director
Formal educator	McKenzie or Mohawk Schools	Teacher or administrator
Business interest	McKenzie or Springfield Chamber of Commerce or Convention and Visitors Bureau	Officer

\*McKenzie residents include citizens with diverse interests from the various communities/areas of the McKenzie watershed.

Resident Partners serve three-year staggered terms. Incumbents may be re-appointed for additional terms. Partners and staff will solicit potential McKenzie resident partners. Applications will be reviewed by the Executive Committee, and the Executive Committee will recommend candidates for Council approval.

Partners representing agencies and organizations shall serve at the pleasure of their respective agencies and organizations. These Partners are encouraged to designate an alternate that will participate on the Council in the Partner's absence. The Council will act to replace Partners who resign or are unable to continue serving on the Council. The Council will strive to maintain continuity and the balance of interests by giving preference to representation from the same agencies and organizations. The Council will request the agency or organization to nominate a replacement representative. If the agency or organization is unable or unwilling to do so, the Council will seek representation from another agency or organization of the same community of interest.

The Council may add agencies, organizations or interests as Council Partners upon nomination by an existing Partner and approval by the Council.

### **Organization**

The Council may select a chair or co-chairs to serve as spokesperson(s), advise the Council coordinator or other Council staff on Council agendas, call and manage Council meetings, enforce ground rules, and perform other tasks assigned by the Council. Chairs will serve one-year terms and must be members of the Executive Committee.

The Council shall establish and appoint members to an Executive Committee and will delegate certain duties to that Committee. These duties shall include:

1. Provide direction to and evaluate the performance of the coordinator;
2. Assist the coordinator in setting Council meeting agendas;
3. Recommend funding sources and develop project proposals for Council approval;
4. Decide minor administrative, budget and project policies on behalf of the Council;
5. Review periodically the Council's work plan and budget and ensure work plan objectives are being met;
6. Facilitate Council meetings and other meetings as needed;
7. Serve on the McKenzie Watershed Alliance Board of Directors;
8. Recommend plans, policies and procedures for Council approval; and
9. Ensure that minutes of Committee meetings are prepared and provided to the Council on a regular basis.

The Executive Committee should include five members, and members shall represent the diversity of interests on the Council to the greatest extent possible. Members shall serve two-year

terms and may be re-appointed. Three months in advance of the expiration of the Executive Committee's term in office, a three-member nominating committee will be formed, including one member of the Executive Committee and two other Council Partners. The nominating committee shall make a recommendation for a new Executive Committee at the Council meeting preceding the expiration of the outgoing Executive Committee's term.

The Council may select other officers as needed. The Council may form committees of its own Partners, and task groups that include individuals not on the Council to perform certain functions or focus on specific issues. If a committee is considering an action that is outside the scope of an approved budget, action plan or work program, the committee must get Council consensus on amending the budget, action plan or work program prior to proceeding. If a committee has any questions about whether an issue is outside the approved budget, action plan or work program, Council consensus will be sought. All requests for proposals will require Council consensus.

As funding allows and as approved by the Council, Council staff can include a coordinator, project manager and other positions. Partner agencies, organizations and interests may provide staff assistance when requested by the Council staff or the Council. The Council can also decide to provide funds to sub-watershed groups and programs that fit the Council's goals and mission.

## **Procedures**

### **A. Decision-Making**

A quorum is required to make a decision. A quorum is a majority of the current Partners on the Council. The Council will strive to achieve whenever a Partner recommends an action. A consensus decision is one that will not be blocked by any Partners. When a decision is requested, Partners will display the numbers 1 through 7 to indicate their level of consensus as described below.

#### **The levels of consensus include:**

- 1 = *Wholeheartedly Agree, will take a lead in the follow-up***
- 2 = *Good Idea, can bring resources toward***
- 3 = *Supportive, but not likely to provide resources***
- 4 = *Reservations, but will stand aside***
- 5 = *Serious Concerns, but can live with the decision***
- 6 = *Cannot Participate in Decision, will work to block it***
- 7 = *Recuse\****

\* Recusal: Partners may choose to abstain from indicating any level of consensus but are encouraged to participate in the Council discussion on the issue. Partner abstention will not affect the ability of the Council to reach consensus.

If a consensus is not achieved, and if time allows, the Council will appoint an ad hoc committee composed of Partners on all sides of the issue to try to achieve consensus. The committee will report back to the Council at the next meeting. If the issue is time-sensitive, the Council will make a decision using the consensus minus one process. For actions on external matters in which consensus is not attained, the Council may decide to submit a recommendation or comment by reporting the consensus level achieved.

The following criteria may be used to determine if a Council consensus decision is appropriate:

- The issue affects the McKenzie Watershed;
- There is Council support to address the issue;
- The Council has the potential to influence how the issue is handled;
- The issue could not more appropriately be addressed by another forum;
- Resources can be identified to assist the Council in addressing the issue; and
- The Council's decision would be timely.

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Rapid Response for Advisory Actions: In most cases, decisions will be made at regularly scheduled Council meetings. In some cases, there may be a need to provide a Council comment to other entities on relevant issues under a short time frame without a Council meeting. The staff will advise the Executive Committee of a potential advisory action which has a deadline prior to the next Council meeting. The Executive Committee will determine if the Council should provide a comment, and if so, will direct the staff to poll the Partners by e-mail or telephone with a request to respond by a date certain. If there is a consensus of the responding Partners, the staff will send a comment on behalf of the Council.

#### B. Participation

- The Council will hold regular meetings and follow the provisions of the Open Meetings Law. At least ten minutes will be set aside at the beginning of each meeting for public comment.
- Partners will notify the Council coordinator or Council chair if both the Partner and his/her alternate will be unable to attend a Council meeting.
- If the Partner and his/her alternate are unable to attend a meeting, the Partner may provide written comments or ask another Partner or the Council coordinator to represent his/her position on a particular issue.
- Partners will notify the Council if he/she must vacate his/her position.

#### C. Behavior

- Partners will treat each other with respect, will not monopolize meeting time, and will listen

to and try to understand one another's views. Partners are discouraged from placing blame for past practices.

- Partners will search for opportunities to develop group solutions and to resolve conflicts.
- Partners will strive to adhere to the Charter and will be responsible for its enforcement.

#### D. Amendments

A Council Partner may propose amendments to the Charter. Proposed amendments will be placed on the agenda as an action item and are subject to the consensus decision-making process. Amendments will become effective at the meeting following the decision.

#### E. Process and Criteria for Adding Partners

Potential Partners can be nominated by Council Partners or identified by staff. Staff will interview the applicants with the following questions:

- What are the interests of the applicant regarding the McKenzie River watershed management program?
- How might these interests affect and be affected by Council decisions?
- How would the addition of the applicant benefit the work of the Council?
- Is the applicant willing to follow the Charter?

The Executive Committee will review the responses to the questions, determine whether the interests of the applicant are consistent with the mission and goals of the Council, and make a recommendation to the Council. The Council will accept new Partners by consensus.