

ROCKY REACH FISH FORUM

Chair Considerations

October 29, 2009

Final

Note: **Bolded** text is copied directly from the Rocky Reach Comprehensive Settlement Agreement (SA) and is not subject to editing. Numbers shown in [] are sections from the SA for cross-reference purposes.

This document is intended to guide the selection of a Chair for the Rocky Reach Fish Forum (RRFF). It includes excerpts from the Settlement Agreement regarding RRFF responsibilities and the role of the Chair, a Job Description for the Chair, and desired Chair Competencies.

Settlement Agreement Conditions. The Rocky Reach Settlement Agreement includes the following language regarding the Rocky Reach Fish Forum (RRFF) and the Chair:

15.2.1 **Specific Responsibilities and Authorities.** The RRFF shall be responsible for meeting to share information, coordinate efforts, and make recommendations and decisions regarding implementation of Chapters 2, 3, 4, 5, and 6 of the Comprehensive Plan, relating to Water Quality, White Sturgeon, bull Trout, Pacific Lamprey, and Resident fish, respectively. The RRFF shall also assist Chelan PUD in coordinating Chelan PUD's work plans and efforts with the HCP Coordinating Committee through joint membership and/or other such arrangements as the RRFF and the HCP Coordinating Committee may mutually devise. The RRFF will be responsible for participating in and implementing the Adaptive Management approach employed in the applicable Chapters of the Comprehensive Plan.

15.2.2 **Chair.** The RRFF shall select an independent third party to serve as chair. For the first 10 years of the New License, Chelan PUD shall fund the chair's position as a part-time position compensated on a time and materials basis. The RRFF shall evaluate the chair's performance at least once every three years and may agree, by consensus, to replace the chair as it deems necessary. At the end of 10 years, the RRFF may agree, by consensus, that a chair is still necessary; if that determination is made, the RRFF shall work together to determine how the chair's position should be funded. If the RRFF cannot agree on funding, the RRFF may select an unfunded, volunteer chair; however, if an unfunded, volunteer chair cannot be agreed upon or enlisted, the RRFF shall move forward

without a chair or with an acting chair designated from among the RRF's members.

15.1.4 **Meetings.** ... Whenever requested by Chelan PUD or in writing by any other two members of the forum, the chair shall convene a meeting within 21 days or as soon thereafter as practicable. The chair shall be responsible for ensuring that agendas are distributed at least seven business days prior to each meeting. Agendas shall include a description of any issues upon which the forum members will be asked to make a decision or recommendation at the meeting. The chair shall be responsible for ensuring that meeting notes document all decisions, recommendations, assignments, scheduling matters, and action items discussed at forum meetings. The chair shall be responsible for preparing and distributing meeting notes to each member of the forum within 10 business days of the meeting. When a forum member is unable to have either its designated representative or alternate at a meeting, or needs additional time to determine its organization's position on a proposed decision or recommendation, the chair may reschedule final action, one time for each member, on any such decision or recommendation. Each forum may adopt such additional procedural rules for conducting its business as it deems necessary and appropriate.

15.1.5 **Decision-Making.** The forums shall make such decisions or recommendations by consensus. For the purposes of the forums, consensus means the unanimous consent of all forum members. A member's abstention or non-participation regarding the decision or recommendation shall not preclude consensus. When the chair of a forum determines it would be helpful in reaching a consensus or avoiding a dispute, the chair may call a special meeting, or form subgroups, to develop recommendations for the full forum.

15.1.6 **Initiation of Dispute Resolution Process.**

(a) If the chair determines it is not possible to reach a consensus in a timely manner, the chair, after consulting with the forum members, shall declare an impasse, initiate the dispute resolution process provided in Section 17 of this Agreement, and prepare a written statement describing the disputed issue and the apparent differences among the forum members. The chair's statement shall be distributed to all members of the forum within 10 days of the declaration of an impasse.

Job Description

The RRFF Chair is expected to perform the following:

1. Facilitate all meetings of the RRFF in accordance with the processes outlined in the Rocky Reach Settlement Agreement (SA);
2. Get agreement on process.
3. Encourage input from all representatives and participants;
4. Remain neutral and not criticize group member's ideas.
5. Provide an agenda to all representatives and participants at least 7 days prior to each meeting, including clearly identified topics for decision-making at that meeting;
6. Schedule and arrange all meetings of the RRFF;
7. Where members need to participate by phone, ensure that these members can hear and be heard and have all handouts and presentation materials ahead of time;
8. Facilitate the RRFF in the development of any additional requested rules of process;
9. Ensure that procedures and processes established in the SA are followed unless otherwise directed by the RRFF;
10. Solicit input from agency and Tribal RRFF members regarding implementation of measures for the following management plans: water quality, white sturgeon, bull trout, Pacific lamprey, and resident fish;
11. Facilitate the flow of information among parties between meetings;
12. Where requested by a member, discuss issues with that member in a separate discussion to clarify issues of concern so actions and decisions can be made at the meetings;
13. Coordinate the exchange of information between the RRFF and the Habitat Conservation Plan (HCP) Coordinating Committee, as requested by the RRFF;
14. Develop schedules for the completion and approval of all reports by the RRFF by the required dates;
15. Assemble annual work plans, due by October 1 of each year. These annual work plans are subject to the review and approval by consensus of the RRFF;
16. Assemble progress reports, due by February 1 of each year. These reports may include meeting minutes, describe the progress toward implementing management plan measures, and consolidate common understandings based on annual studies. These progress reports are subject to the review and approval by consensus of the RRFF;
17. Facilitate discussions and decision-making by the RRFF on the following types of issues:
 - a. Approval of studies prior to their implementation
 - b. Review of study results and conclusions regarding their applicability
 - c. Identifying and implementing appropriate and reasonable measures to reduce impacts of Project operations
 - d. Developing schedules and dates of performance, where not otherwise prescribed in the license or 401;
18. Participate in scheduled performance review by the RRFF.

Chair Competencies

Competencies desirable for the RRFF Chair are:

1. Demonstrated ability to successfully facilitate meetings of multiple stakeholders`
2. Ability to conduct meetings in a neutral and impartial manner
3. Ability to separate issues from personalities
4. Technical knowledge of RRFF subject matter (fish and water quality (WQ))
5. Excellent communication and organizational skills