

WOOD RIVER WATERSHED ADVISORY GROUP BY-LAWS

ARTICLE I – CREATION OF THE WAG

Creation of the Wood River Watershed Advisory Group (WR WAG) is authorized pursuant to Section 39-3615, Idaho Code. The term for which the WR WAG shall exist is perpetual or until dissolved by the Director of the Idaho Department of Environmental Quality or enactment of the Idaho Legislature.

ARTICLE II – BOUNDARIES OF THE WAG

The boundaries of the WR WAG shall include all lands in the Wood River Basin draining into the Malad River including Camas Creek, Big Wood River and Little Wood River all tributaries of the Snake River.

ARTICLE III – REPRESENTATION BASED ON IDAHO CODE

As required by Section 39-3615 Idaho Code or subsequent amendments, "members of each watershed advisory group shall be representative of the industries and interests affected by the management of that watershed, along with representatives of local government and the land managing or regulatory agencies with an interest in the management of that watershed and the quality of the water bodies within it. Members of each watershed advisory group shall serve and shall not be reimbursed by the State of Idaho for their expenses during their term of service."

ARTICLE IV – DEFINITIONS

Director: Director of the Idaho Department of Environmental Quality or his or her authorized representative, herein after Director.

DEQ: Idaho Department of Environmental Quality, herein after DEQ.

Board: The Executive Board (Board) is an eight (8) member board nominated by a caucus of different interest groups as nominated by those present at the election meeting to represent them as a voting member of the board, followed by confirmation of the majority voters present. These board members act as a liaison between the board and the interest, industry, and/or geographic area which they represent.

Alternate Board Member: Serves in the absence of the board member and votes in lieu of the member.

Chairman: The Chairman of the WR WAG is to be elected from a majority vote of the members. He is to head all meetings and to serve as Chairman of the Executive Board with only a tie breaking voting privilege.

Vice Chairman: The Vice-Chairman of the WR WAG is to be elected from the board by the board. The Vice-Chairman is to serve as the chairman in the Chairman's absence.

Member: As provided in Idaho Code 39-3615 or subsequent amendments, "Members of each watershed advisory group shall be representative of the industries and interests affected by the management of that watershed, along with representatives of local government and the land managing or regulatory agencies with an interest in the management of that watershed and quality of the water bodies within it.

Technical Advisory Committee (TAC): A group of individuals with expertise and/or interest in areas necessary to assist in the fulfillment of Article V of the Wood River WAG By-laws. TAC members shall be appointed by the Executive Board for the purpose of seeking out information helpful in fulfilling the responsibilities of the WAG as assigned under Section 39-3615 of the Idaho Code and any amendments thereto. The TAC shall report directly to the Executive Board all information gathered through the efforts of the TAC. That information when determined by the Board to be sufficiently complete shall then be forwarded to the necessary regulatory agencies under the provisions of the Wood River WAG By-laws.

ARTICLE V – DUTIES OF WAG

The duties of the WR WAG, paraphrased from Section 39-3615 and 39-3616, Idaho Code as amended are:

- 1) To generally advise DEQ on those specific actions needed to control point and non-point sources of pollution within the watershed.
- 2) To provide guidance to the Director on those pollution control efforts needed to achieve, within a reasonable time, full support of designated beneficial uses within the watershed.
- 3) To take those actions pertinent to total maximum daily loads (TMDL) as described in Idaho Code as amended, including providing advice, guidance and recommendations to the Director on:
 - a) Prioritizing water bodies within the watershed for the development of total maximum daily load or equivalent processes.
 - b) To advise DEQ in the development of total maximum daily load or equivalent processes.
 - c) The development of inventories of all point and non-point sources of the identified pollutants in the watershed.
 - d) The development of an analysis to determine why some current control strategies are effective and to determine why other current control strategies are not effective in assuring full support of designated uses. Make an analysis of effective control strategies and determine the PFC (proper functioning conditions) of streams.
 - e) The development of a plan to monitor and evaluate progress toward water quality, by using good scientific information in evaluating, assessing and establishing the existence of possible degradation of water quality.

- f) The development of pollution control strategies for both point and non-point sources of pollution; the use of good scientific information in determining the duration, the enormity, the possibility of control, and the economic costs and the economic benefits to prevent pollution.
- g) The identification of the period of time necessary to achieve full support of designated beneficial uses.
- h) To develop and recommend possible actions to appropriate agencies to effectively control sources of pollution within the watershed as described in Chapter 36, Title 39, Idaho Code.

ARTICLE VI – MAKE-UP OF EXECUTIVE BOARD

The Executive Board (Board) of the WR WAG shall be composed of eight (8) voting Board Members. The membership of the board of the WR WAG shall be eight (8) members or their alternates chosen to be representatives of the following interests:

- Livestock
- Logging-Timber Industry/Small Business/Industry/Hydro-Power
- Soil Conservation Districts
- Flood Control
- Confined Animal Feed Operations (CAFO)/Irrigated Agriculture
- Municipalities/Land Planning/Local Government
- Conservation/Multiple Use/Recreation/Tourism
- Public at Large

At least one representative or alternate must be from each of the four major county areas (Blaine, Camas/Elmore, Gooding, and Lincoln/Jerome). In the event that one or more of these County areas is not represented, then the voting membership of the board will be expanded by not more than two members chosen by County area but elected by the members.

The alternates will be presented to the entire board by each board member and voted upon by the board.

Advisory input from agencies and individuals will be solicited and welcomed at the executive board meetings.

ARTICLE VII – TERM LENGTHS

Board members shall serve staggered terms of two (2) years. In the event of a need to replace a board member, his or her alternate will serve the remaining portion of the board member's term. Initially six (6) members will serve one (1) year terms as determined by lottery.

Members may succeed themselves.

The Chairman and Vice Chairman shall be elected for a staggered two (2) year term (Chairman, one (1) year initially.)

All elections will occur during the November meeting.

ARTICLE VIII – REGULAR MEETINGS

Regular meetings of the WR WAG will be held and advertised as to time and place. Any meeting date, time or place may be changed by a 2/3 majority vote of the board. Notice of scheduled meetings shall also be published on the DEQ web site for the WR WAG. The agenda for each regular meeting shall be posted in a prominent place at the regular or designated meeting place.

The regular meeting place of the WR WAG shall be designated by the board, alternating among the communities within the watershed.

ARTICLE IX – ACTIONS OF THE WR WAG

As necessary, the WR WAG will work with state, federal and local agencies to establish terrain and soil types; establish streams and underground sources of water that contribute to the Wood River; establish maps and make committee assignments for projects; have wildlife lists and identification of habitats; identify established towns, farms, businesses and recreational sites; identify mining, timber, and cattle grazing areas; identify water rights, and water uses within the watershed. Its Chairman and Secretary shall enlist the cooperation of DEQ for technical assistance and help in the drafting and recommendations to the Director and DEQ and providing periodic reports of the WR WAG open water quality matters.

All recommendations to DEQ or any other agency and to the State Legislature will be discussed at one WR WAG meeting and discussed and possibly adopted at the second WR WAG meeting. These 2 meetings may consist of one Executive Board meeting and then one general WAG meeting. All internal WAG business including project endorsements but not involving recommendation to DEQ and the legislature may be decided with one simple majority vote by either the Executive Board or the general WAG.

Actions of the WR WAG must be approved by a 2/3 majority vote of the entire board. The Chairman shall determine whether a quorum of the members of the board or alternates equal to a majority plus one is present in order to vote. The board members or their alternates have one vote when present when a vote is called for by the Chairman.

Appeals: any member of WR WAG who feels aggrieved by any action of the voting members has the right to appeal that action to the board for review and a vote by the board.

The size and representative structure of the board may be changed as needed by a 2/3 majority vote of the general membership present at two consecutive scheduled WR WAG meetings.

The By-laws may be amended by a 2/3 majority vote of the general membership present at two consecutive scheduled WR WAG meetings.

ARTICLE X – ACTIONS OF THE BOARD

Questions and other matters before the WR WAG may be referred to the board by the Chairman to put on the table for discussion. Any matter may be held on the table for further discussion and voted on at the next meeting. A simple majority of the board members is required to establish a quorum for purposes of voting except as noted where a 2/3 majority is required.

The board shall have the authority to administer any funding or any money received by the WR WAG and apply for and administer grants needed for carrying out its duties, including improving water quality in the watershed. The board also is empowered to retain technical, professional and service assistance where needed.

Nothing in this authority shall authorize this board to incur debt.

The board shall have the authority to call for subcommittees from the membership as needed.

The board shall have the authority to form a technical advisory committee to assist them in gathering data and determining technology to be used in the WAG process. The TAC members shall be appointed to serve at the discretion of the Executive Board. Term limits for committee members may be established if desired by the Board to provide a reasonable period for the member or members to accomplish the needed data or technology gathering. The TAC shall (through its designated spokesperson(s)) forward all information gathered directly to the Executive Board at its regularly scheduled Board meetings for further discussion, action and dissemination. The TAC shall (through its designated spokesperson(s)) obtain direction from the Executive Board at regular Board meetings.

ARTICLE XI – POLICY

It is the stated policy of the WR WAG that recommendations to DEQ concerning any mitigation shall be based on best available technology and scientifically proven responsibility for watershed degradation. It is also the policy that all deliberations and recommendations will follow existing Idaho water law.

ARTICLE XII – GOALS AND OBJECTIVES OF THE WR WAG

1. Promote prudent management of the entire watershed to achieve a quality water condition in the Malad River drainage.
2. Keep the interests, good will and economic wellbeing of all the people who live in the watershed as vital to achieving the goal.
3. Keep information in circulation to educate and inform all citizens in the watershed of problems and how they are being identified and what solutions are proposed.
4. Understand TMDL's, their scientific realities and procedures for establishing and recognizing the balance needed with economics, growth, jobs, local cultures and environmental protection in the watershed management.

5. Carefully evaluate and acknowledge costs and benefits; try to be effective in allowing no surprises to impact watershed inhabitants.
6. Be open to new ideas, options, and information offered by agencies and individuals for good management and problem solving.
7. Use the best available science in evaluating, assessing, and establishing possible degradation of the water quality; a likely source or cause of possible degradation; the duration; the enmity; the possibility of control; the total benefits and economic costs to control or to prevent water quality degradation.
8. Identify possible real assistance to the impacted inhabitants of the watershed in mitigation and assist in establishing alliances or partnerships that are acceptable in solving large problems.

Mission Statement

The Wood River WAG is dedicated to promoting watershed based strategies that preserve the water quality and integrity of streams and riparian areas within the Big Wood Watershed while addressing the economic and social hopes of the adjoining communities and landowners.

BY-LAW ADOPTION SECTION

January 13, 1998 – by-laws adopted by executive board

January 1998 – by-laws adopted with amendments to: Article IX, Article X, and Article XIII

February 1998 – by-laws amended: Article XI

April 1998 – by-laws amended: Article IV, Article V, and Article VI

February 24, 2015 – by-laws amended: executive board changed to 8 members, format and typos fixed, consistent use of definitions (DEQ and Department), Article VIII changes to take out newspaper publication.