

WALCOTT WATERSHED ADVISORY GROUP OPERATING PROCEDURES

ARTICLE I – AUTHORITY FOR CREATION

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

ARTICLE II – AREA OF RESPONSIBILITY (WATERSHED)

The Walcott WAG shall exercise its duties and responsibilities for the Snake River below American Falls Dam and above Milner Dam and shall include appropriate drainage identified by the Walcott WAG (the watershed) as indicated on the attached map.

ARTICLE III – WAG MEMBERSHIP

As required by Section 39-3615, Idaho Code, the Walcott WAG shall be representative of the industries and interests affected by the management of the watershed, along with representatives of local government and the land managing or regulatory agencies with an interest in the management of the watershed and the quality of the water bodies within it. Further pursuant to Idaho Code, each member and participant of the Walcott WAG shall serve and shall not be reimbursed by the State of Idaho for their expenses during their term of service. Membership in the Walcott WAG shall be open to all affected and interested parties within the watershed.

ARTICLE IV – DEFINITIONS

Definitions:

Director - Director of the Idaho Department of Environmental Quality or his authorized representative.

Department - Idaho Department of Environmental Quality.

Board - The Executive Board is an eleven (11) member board and is to be made up of the Chairman of the Walcott WAG and of Participants and/or Primary Delegate who shall be chosen by a caucus of representative differing groups of interest to represent them as a voting member of the Board.

Chairman - The Chairman of the Walcott WAG is to be elected from the Participants and/or Primary Delegate. 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 Walcott WAG is to be elected from the Executive Board by the Board and to serve at the pleasure of the Board. The Vice Chairman is to serve as the Chairman in the Chairman's temporary absence.

Secretary - The Secretary of the Walcott WAG is to be elected by the Executive Board and to serve at the pleasure of the Board.

Facilitator - The Facilitator shall be selected by a 2/3 majority vote of the Board. The Facilitator may be a paid position. The Facilitator may not be a member of the Walcott WAG. The Facilitator shall attempt to foster consensus and shall be responsible for assisting the Walcott WAG participants and members in fulfilling the purposes of the Walcott WAG.

Member - Any person interested in the management of the watershed. Non-Voting.

Participant - Any person, corporation, land managing or regulatory agency, local government or organization, who lives in or is a property owner or manager of property within the boundaries of the Walcott WAG, which has interest in the management of the watershed and has registered as a Participant with the Walcott WAG. A Participant has one vote when present and a vote is called for by the Chairman and in elections of the Walcott WAG.

Primary Delegate - An individual, who is not on his own behalf a participant and does not represent any other participant, designated in writing by a Participant to represent and act on the Participants behalf on Walcott WAG and is empowered to vote and to serve on the Board in behalf of the Participant. They serve at the pleasure of the Participant.

Additional Delegate - An individual, who is not on his own behalf a participant and does not represent any other participant, designated by a Participant in writing as an additional delegate to represent Participant on Walcott WAG and empowered to vote in place of the Primary Delegate when the Primary Delegate is unable to attend.

ARTICLE V – DUTIES

The duties of the Walcott WAG, as set forth in Sections 39-3611, 39-3615 and 39-3616, Idaho Code, are:

1. To generally advise the Idaho Department of Environmental Quality (Department) on those specific actions needed to control point and nonpoint sources of pollution within the watershed;
2. To provide guidance to the Director of the Idaho Department of Environmental Quality (Director) on those pollution control efforts needed to achieve, within a reasonable time, full support of designated beneficial uses within the watershed;

3. To recommend those specific actions needed to control point and nonpoint sources of pollution within the watershed.
4. To take those actions pertinent to total maximum daily loads as described in Section 393611, Idaho Code, 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. The development of total maximum daily load or equivalent processes
 - c. The development of inventories of all point and nonpoint sources of the identified pollutants in the watershed
 - d. The development of an analysis of why current control strategies are not effective in assuring full support of designated uses
 - e. The development of a plan to monitor and evaluate progress toward water quality progress and to ascertain when designated beneficial uses will be fully supported
 - f. The development of pollution control strategies for both point sources and nonpoint sources for reducing those sources of pollution
 - g. The identification of the period of time necessary to achieve full support of designated beneficial uses
5. To develop and recommend actions needed to effectively control sources of pollution within the watershed, as described in chapter 36, title 39, Idaho Code;

In exercising its duties, the Walcott WAG shall cooperate with the Director to employ all means of public involvement deemed necessary or required in chapter 52, title 67, Idaho Code. The Walcott WAG shall also cooperate fully with the public involvement or planning processes of other appropriate public agencies.

ARTICLE VI – MEETING PLACE

The regular meeting place of the Walcott WAG shall be Burley City Council Room or as otherwise designated by the Board.

ARTICLE VII – MEETING TIMES AND NOTICES

Regular meetings of the Walcott WAG will be held quarterly (February, May, August, and November)-or as necessary. Meetings will be scheduled in advance over the course of the year by the Board at its regular meeting in February of each year and will try, to be set for the fourth (4th) Thursday of each month at 7:00 p.m. Any future meeting, date, time or place, may be changed at the prior regular scheduled meeting by a 2/3 majority vote of the Board. Notice of scheduled meetings shall be provided to each Walcott WAG members and participant following the January regular meeting each year. The agenda for each regular meeting shall be posted in a prominent place at the regular or designated meeting place at least forty-eight (48) hours prior to each regular meeting and shall be mailed, Faxed, E- mailed, or delivered to each Walcott WAG participant at least five (5) days prior to each regular meeting.

Special meetings of the Walcott WAG may be called by the Chairman as necessary to conduct required business. Notice and the agenda of special meetings shall be provided to each Walcott WAG participant at least twenty-four (24) hours prior to the meeting. The notice must include the meeting date, time, place and purpose of the special meeting. A good faith effort shall be made to provide notice of special meetings through news media in the watershed.

Notice of regular and special meetings of the Walcott WAG shall also be deemed to be notice of meetings of the Executive Board.

ARTICLE VIII – DECISIONS BY CONSENSUS

Actions of the Walcott WAG must be approved by a consensus of the Walcott WAG participants present at a properly noticed meeting. The Chairman shall determine whether interests are sufficiently represented at a meeting to constitute a Quorum. In making decisions on proposed actions, every reasonable effort is to be made to attempt to reach a consensus by unanimity among the Walcott WAG members and participants. However, when it is not possible to reach a consensus after being on the agenda for two regular meetings the Chairman may refer the matter to the Executive Board for further action and a vote.

ARTICLE IX – EXECUTIVE BOARD MEMBERSHIP

The Executive Board of the Walcott WAG shall be composed of Eleven (11) voting participants and additional advisory members. The membership of the Board shall be the Walcott WAG Chairman and Ten (10) participants or their Primary Delegate chosen to be representatives of the following caucuses:

One Voting Member Each:

- Irrigated Agriculture
- Dryland and Rangeland
- Operators Confined Livestock
- Operations Municipalities

Local County Governments
Food Processors
Public Interest - Recreation
Environmental
Electrical Power Generation
Irrigation Districts, Canal Companies, Flood and Drainage Districts

Advisory Members, Non Voting:

Federal, State Land Managing and Regulatory Agencies
Requested Technical Advisors as needed
Department of Environmental Quality
Environmental Protection Agency
Idaho Universities and Colleges staff
USGS
Idaho and U.S. Department of AG
Idaho Fish and Game
Bureau of Reclamation
Idaho Power
Irrigation Districts and Canal Companies
U.S. Forest Service
Bureau of Land Management
Flood and Drainage Districts

Voting Executive Board members shall be chosen by a caucus of the Walcott WAG participant(s) generally representative of the interests to be represented by the particular Board member. Participants must declare their caucus in advance and Participant may only vote in one caucus to elect Executive Board members. Voting Board members shall serve at the pleasure of their respective caucuses and until a successor is chosen by the caucus. Vacancies on the Board shall be filled by the respective caucus.

The Executive Board may increase its size and change its representative structure as needed upon a 2/3 majority vote of the Board members present and voting at a properly noticed Walcott WAG meeting, and as approved by the Upper Snake River Basin Advisory Group. Provided that any interest proposing to have voting privileges on the Board should have a proactive plan to enhance water quality in the watershed for their interest and assist in securing or providing funding for the Walcott WAG. Recommendations for changes in the Board's structure may be received by the Walcott WAG or solicited from the Upper Snake River Basin Advisory Group.

ARTICLE X – BOARD ACTIONS

Questions and other matters before the Walcott WAG may be referred to the Board by the Chairman upon a failure by the Walcott WAG to reach a consensus after it has been on the agenda for two regular meeting on any particular matter. Actions of the Board require a 2/3 majority approval of the Board members present and voting at a properly noticed Walcott

WAG meeting. A simple majority of the Board members is required to establish a quorum for purposes of voting.

The Board shall, in conjunction with the Department, have authority to administer any funding or money received by the Walcott WAG and apply for and administer grants needed for carrying out its duties, including improving water quality in the watershed.

ARTICLE XI – CHAIRMAN

The Chairman of the Walcott WAG and Board shall be selected from among the Participants of the Walcott WAG by a simple majority vote of the Participants present at the regular January meeting of each even-numbered year and shall serve a term of two (2) years. The Chairman may be removed by the Board whenever in its judgment the best interests of the Walcott WAG would be served thereby and only upon a 2/3 majority vote of the Board members present at a properly noticed Walcott WAG meeting. Any vacancy in the Chairmanship shall be filled by a simple majority vote of the Board for the remainder of any unexpired term. The Chairman shall serve until a successor is elected by the Participants. In no event shall an individual continuously serve as Chairman for more than four (4) years, or two (2) terms.

The Chairman shall be responsible for the conduct of meetings of the Walcott WAG and the Board. The Chairman shall be the liaison and approve and sign formal correspondence to the Upper Snake River Basin Advisory Group, The Department, the Director, the U.S. Environmental Protection Agency and other entities as necessary or directed by the Walcott WAG. The Chairman shall also supervise the Facilitator and take all other actions directed by the Walcott WAG or the Board.

ARTICLE XII – VICE CHAIRMAN

The Vice Chairman shall be a member of the Board and shall be elected by the Board upon a simple majority vote of the Board members present and voting at a properly noticed Walcott WAG meeting. The Vice Chairman shall serve at the pleasure of the Board. The Vice Chairman is to serve as the Chairman in the Chairman's temporary absence.

ARTICLE XIII – SECRETARY

The Secretary of the Walcott WAG is to be elected by the Executive Board upon a simple majority vote of the Board members present and voting at a properly noticed Walcott WAG meeting and shall serve at the pleasure of the Board. The Secretary shall, keep minutes of Walcott WAG meetings and Executive Board meetings shall direct correspondence to Participants as needed, shall direct correspondence to others as directed by the Chairman or the Board shall oversee all voting and election results, shall keep an update list of Participants, Primary and Additional Delegates.

ARTICLE XIV – FACILITATOR

The Walcott WAG Facilitator shall be selected by a 2/3 majority vote of the Board members present at a properly noticed Walcott WAG meeting and shall be a paid position. The Facilitator may be removed only by a like 2/3 vote of the Board. Compensation for the Facilitator shall be set by the Board and may be adjusted periodically by a like 2/3 vote of the Board. The Facilitator may not be a member of the Walcott WAG.

The Facilitator shall be responsible for assisting Walcott WAG members and participants in fulfilling the purposes of the Walcott WAG. The Facilitator shall attempt to foster consensus among the Walcott WAG members and participants on water quality issues within the watershed and recommendations to the Director and the Department.

In addition, the Facilitator shall be responsible for: reviewing minutes of Walcott WAG meetings; facilitating dispute resolution between members or participants; assisting in formulation of meeting agendas; drafting of formal correspondence from the Walcott WAG; and over viewing Walcott WAG mailings sent out by the Department at the Walcott WAG's request.

The Facilitator shall assist the Walcott WAG in developing proposed changes to the organizational structure of the Walcott WAG in a manner that insures that all Walcott WAG members have the opportunity to provide meaningful input to the Walcott WAG. In addition, the Facilitator shall provide liaison between parties as necessary or requested by the Walcott WAG or the Chairman.

The Facilitator must at all times maintain a neutral position and an unbiased attitude regarding water quality issues and other matters under consideration by the Walcott WAG. The Facilitator must attempt to resolve personality conflicts and should strive to operate in a manner acceptable to all Walcott WAG members and participants.

ARTICLE XV – TECHNICAL ASSISTANCE

As necessary, the Walcott WAG, through its Chairman, Secretary, and Facilitator, shall enlist the Department of Environmental Quality's cooperation in providing technical assistance to the Walcott WAG to include, but not limited to: compilation and sending of minutes, agendas and participants lists; drafting of documents relating to the duties of the Walcott WAG ; drafting of recommendations to the Director and the Department; and providing periodic reports to the Walcott WAG on water quality matters.

ARTICLE XVI – AMENDMENTS

These Operating Procedures may be amended by a 2/3 vote of the Walcott WAG participants present at a properly noticed meeting of the Walcott WAG. Proposed amendments must be submitted to the membership in written form accompanied by a proper motion at least one (1) regular meeting prior to being voted upon.

ARTICLE XVII – CERTIFICATION

The initial Operating Procedures of the Walcott WAG were adopted by the Walcott WAG, DATED this 22 day of May, 1997

WALCOTT WATERSHED ADVISORY GROUP

By: 
Randy Bingham, Chairman

The Operating Procedures of the Walcott WAG were amended by the Walcott WAG, DATED this 17 day of November, 2011.

- The name Health and Welfare was changed to The Idaho Department of Environmental Quality and each article was given a Title.

WALCOTT WATERSHED ADVISORY GROUP

By: 
Tom Geary, Chairman

PARTICIPANT REGISTRATION

Full Name _____

Mailing Address _____

Work Phone No. _____ Home Phone No. _____

Fax Phone No. _____ E-mail Address _____

My Caucuses Declaration is _____

I request to be a participant in the Walcott Watershed Advisory Group (Walcott WAG). I will promote good will and try to reach agreement on the issues presented to the Walcott WAG. I agree to conduct myself in accordance to the operating procedures of the Walcott WAG. I will treat all participants and members with respect and try to understand their point of view. I meet the definition of a Participant as out lined in the Walcott WAG Operating Procedures.

Signature _____ Date _____

PRIMARY DELEGATE EMPOWERMENT

_____ of _____

a registered participant of the Walcott Watershed Advisory Group (Walcott WAG), name

_____ of _____ to be my

Primary Delegate to the Walcott WAG, empowered to vote and to serve as an officer if elected on my/our behalf until the Walcott WAG is notified in writing of the withdrawal of this empowerment. The above named meets the definition of a Primary Delegate as outlined in the Walcott WAG Operating Procedures.

Signature _____ Date _____

Title _____ Witnessed _____

Notary Seal Attached:

ADDITIONAL DELEGATE EMPOWERMENT

_____ of _____

a registered participant of the Walcott Watershed Advisory Group (Walcott WAG), name

_____ of _____ to be my

Additional Delegate to the Walcott WAG, empowered to vote on my/our behalf only if the Primary Delegate is absent and until the Walcott WAG is notified in writing of the withdrawal of this empowerment. The above named meets the definition of an Additional Primary Delegate as outlined in the Walcott WAG Operating Procedures.

Signature _____ Date _____

Title _____ Witnessed _____

Notary Seal Attached: