

# **PUGET SOUND PARTNERSHIP LEADERSHIP COUNCIL**

## **Orientation Meeting**

**JUNE 29, 2007 10:00 AM – 2:30 PM**  
The Mountaineers Building  
300 Third Avenue West, Seattle, WA 98119  
(206) 281-7775

### **AGENDA**

- 10:00 Welcome, Introductions and Background
- Member introductions
  - Background on the Puget Sound Partnership from the perspectives of Bill Ruckelshaus, Billy Frank and Jay Manning, Co-Chairs of the initial Partnership
- 10:45 Briefing from the Attorney General's Office – Mary Sue Wilson and Laura Watson
- Overview of the Attorney General's Office and Scope of the Attorney-Client Privilege: Mary Sue Wilson
  - Key Legal Requirements - Open Public Meetings, Public Records, and State Ethics Laws: Laura Watson
  - Refer to material in briefing notebook from the Attorney General's Office
- 11:30 Statute Mandates, Actions, Tasks and Timelines
- Overview of the Council's Charge: tasks, products and timing
  - Refer to the table in the briefing notebook
- 12:00 Break
- 12:15 Orientation to the Partnership Roles and Responsibilities, and Working Lunch
- Review and discuss the membership, role, responsibilities and authorities of Council, Ecosystem Coordination Board, Science Panel and executive director and staff (see attached)
- 1:15 Council Organizing and Schedule
- Discuss draft Leadership Council meeting plan (see attached proposed meeting plan)
  - Proposed briefings with individual Council members
  - Discuss preferences about meetings: frequency, location, duration, advance materials, meeting notes/minutes
- 2:00 Public Comment
- Opportunity for members of the public to speak to the Council about items on the agenda
- 2:30 Adjourn

*Directions to meeting are on next page*

*Members of the media are invited to call Linda Farmer at (360) 725-5445. If you have special accommodation needs, please call Stephanie Lidren at (360) 725-5441. TDD: 1-800-833-6388. For more information about the meeting agenda, please contact Stephanie Lidren.*

## Directions:

Seattle Mountaineers  
**300 3rd Ave W**  
Seattle, WA 98119-4120

### Directions

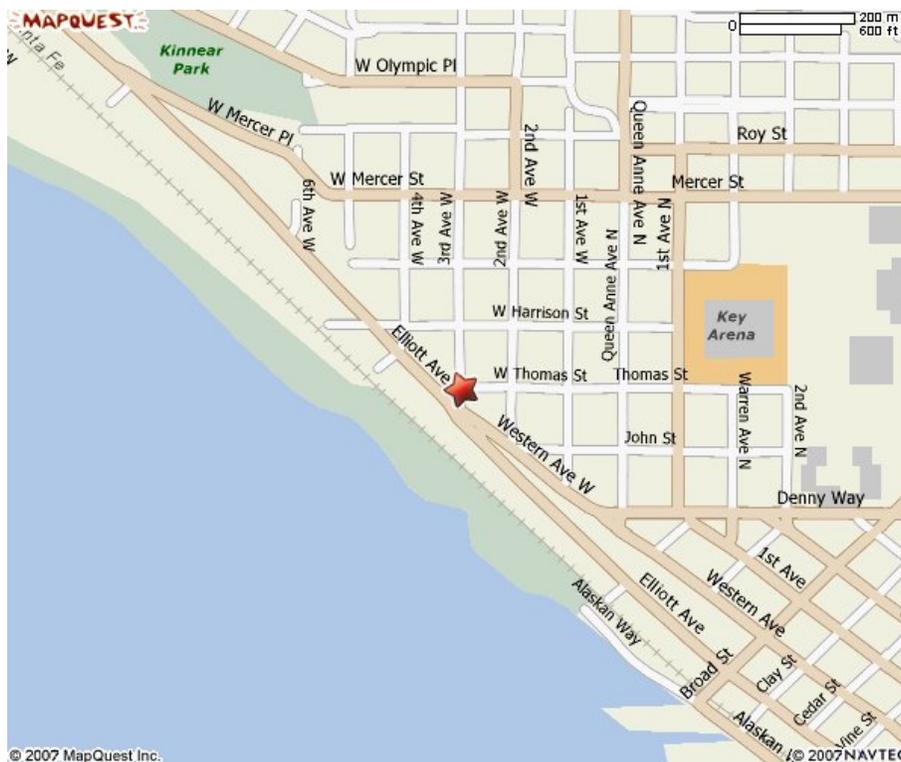
The Seattle headquarters are located in the Lower Queen Anne neighborhood, approximately three blocks from the Seattle Center and Space Needle.

### From I-5

Take the Mercer St/Seattle Center exit. Follow the signs to the Seattle Center. After you pass the Space Needle, turn right onto Denny Way. After about four blocks Denny curves to the right and changes name to Western Ave. After the curve, go three more blocks and turn right on Third Ave West. Our building is on the right (northeast) corner.

### From 99 Southbound

Take the Denny Way exit and turn right onto Denny Way. Continue on Denny as you pass the Space Needle on your right. After about four more blocks Denny curves to the right and changes name to Western Ave. After the curve, go three more blocks and turn right on Third Ave West. Our building is on the right (northeast) corner.



Attachment for 12:15 agenda item

## Orientation to the Partnership Roles and Responsibilities

Four Documents:

- Leadership Council of the PS Partnership
- Executive Director of the PS Partnership
- Ecosystem Coordination Board of the PS Partnership
- Science Panel of the PS Partnership



# Leadership Council of the PS Partnership

---

## **Membership**

- Seven members appointed by the governor, with the advice and consent of the senate.
- The governor shall designate one of the seven members to serve as chair and a vice-chair shall be selected annually by the membership of the council.
- The initial members shall be appointed as follows:
  - Three of the initial members shall be appointed for a term of two years;
  - Two of the initial members shall be appointed for a term of three years; and
  - Two of the initial members shall be appointed for a term of four years.
- Members of the council are eligible for reappointment.
- Any member of the council may be removed by the governor for cause.
- Members whose terms expire shall continue to serve until reappointed or replaced by a new member.
- A majority of the council constitutes a quorum for the transaction of business.
- Council decisions and actions require majority vote approval of all council members.

Members of the council shall be compensated in accordance with RCW 43.03.220 and be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

## **Authority**

The leadership council shall have the power and duty to:

- (a) Provide leadership and have responsibility for the functions of the partnership, including adopting, revising, and guiding the implementation of the action agenda, allocating funds for Puget Sound recovery, providing progress and other reports, setting strategic priorities and benchmarks, adopting and applying accountability measures, and making appointments to the board and panel;
- (b) Adopt rules, in accordance with chapter 34.05 RCW;
- (c) Create subcommittees and advisory committees as appropriate to assist the council;

- (d) Enter into, amend, and terminate contracts with individuals, corporations, or research institutions to effectuate the purposes of the statute;
- (e) Make grants to governmental and nongovernmental entities to effectuate the purposes of the statute;
- (f) Receive such gifts, grants, and endowments, in trust or otherwise, for the use and benefit of the partnership to effectuate the purposes of the statute;
- (g) Promote extensive public awareness, education, and participation in Puget Sound protection and recovery;
- (h) Work collaboratively with the Hood Canal coordinating council established in chapter 90.88 RCW on Hood Canal-specific issues;
- (i) Maintain complete and consolidated financial information to ensure that all funds received and expended to implement the action agenda have been accounted for; and
- (j) Such other powers and duties as are necessary and appropriate to carry out the provisions of the statute.

**The council may delegate functions** to the chair and to the executive director, however the council may not delegate its decisional authority regarding developing or amending the action agenda.

**The council shall work closely with existing organizations** and all levels of government to ensure that the action agenda and its implementation are scientifically sound, efficient, and achieve necessary results to accomplish recovery of Puget Sound to health by 2020.

**The council shall support, engage, and foster collaboration** among watershed groups to assist in the recovery of Puget Sound.

**When working with federally recognized Indian tribes** to develop and implement the action agenda, the council shall conform to the procedures and standards required in a government-to-governmental relationship with tribes under the 1989 Centennial Accord between the state of Washington and the sovereign tribal governments in the state of Washington.

### **Roles and Responsibilities**

Consults with the governor on the selection of the executive director.

Provides guidance to the executive director on the activities of the Partnership agency.

May approve the creation of a non-profit entity to assist the Partnership.

The Council shall convene the Ecosystem Coordination Board not later than October 1, 2007. It shall also appoint one representative of each Action Area to serve on the Board, and shall appoint Board members representing cities, counties, ports, business and environmental interests.

Shall define the geographic delineations of Action Areas based upon the common issues and interests of the entities in these action areas, and upon the characteristics of the Sound's physical structure, and the water flows into and within the Sound.

#### The Council and Science

The Council shall appoint a nine-member Puget Sound Science Panel to provide independent, nonrepresentational scientific advice to the council and expertise in identifying environmental indicators and benchmarks for incorporation into the Action Agenda.

The Council shall work with the science panel to guide and implement the Puget Sound Assessment and Monitoring Program (PSAMP).

The strategic science program, developed by the Science Panel, does not become final until approved by the Council.

#### Salmon Recovery

Beginning January 1, 2008, the Council shall serve as the regional salmon recovery organization for Puget Sound, except for Hood Canal summer chum which will continue to be managed under the Hood Canal Coordinating Council.

#### Action Agenda

- The council is accountable for achieving the action agenda. The legislature intends that all governmental entities within Puget Sound will exercise their existing authorities to implement the applicable provisions of the action agenda.
- The council shall develop a science-based action agenda that leads to the recovery of Puget Sound by 2020 and achievement of the goals and objectives.
- The council shall consult with the science panel in developing the elements of the plan.
- Identify any goals that are in addition to those listed in the statute.
- The council shall adopt the action agenda by September 1, 2008. The council shall revise the action agenda as needed, and revise the implementation strategies every two years using an adaptive management process informed by tracking actions and monitoring results in Puget Sound.

- The council may identify and attempt to resolve conflicts that interfere with the implementation of the Action Agenda.
- The council may make recommendations to the governor and legislature for local or state administrative or legislative actions to address barriers it has identified to successfully implementing the Action Agenda.

#### Fiscal Accountability

- The council shall adopt measures to ensure that funds appropriated for implementation of the action agenda and identified by proviso or specifically referenced in the budget are expended in a manner that will achieve the intended results.
- In developing such performance measures, the council shall establish criteria for the expenditure of the funds consistent with the responsibilities and timelines under the action agenda, and require reporting and tracking of funds expended.
- The council may adopt other measures, such as requiring interagency agreements regarding the expenditure of provisoed or specifically referenced Puget Sound funds.

#### Limitations on Authority

The partnership shall not have regulatory authority nor authority to transfer the responsibility for, or implementation of, any state regulatory program, unless otherwise specifically authorized by the legislature.

The action agenda may not create a legally enforceable duty to review or approve permits, or to adopt plans or regulations.

The action agenda may not authorize the adoption of rules under chapter 34.05 RCW creating a legally enforceable duty applicable to the review or approval of permits or to the adoption of plans or regulations.

No action of the partnership may alter the forest practices rules adopted pursuant to chapter 76.09 RCW, or any associated habitat conservation plan.

Nothing in the Partnership statute limits or alters the existing legal authority of local governments, nor does it create a legally enforceable duty upon local governments. When a local government proposes to take an action inconsistent with the action agenda, it shall inform the council and identify the reasons for taking the action. If a local government chooses to take an action inconsistent with the action agenda or chooses not to take action required by the action agenda, it will be subject to the accountability measures in this chapter which can be used at the discretion of the council.

## Reports

The council is responsible for the following reports:

**Funding recommendations to implement the Action Agenda.** Due September 1, 2008 and each even numbered year thereafter. The version of the report due in 2008 is to include an evaluation of the long-term funding needs out to 2020.

**State of the Sound Report.** Due November 1, 2009 and each odd numbered year thereafter.

**Review of state funding programs.** By November 1, 2009 initial review and recommendations are due. By November 1, 2010, the final report is due.



# Executive Director of the PS Partnership

---

## How Selected

The executive director is appointed by and serves at the pleasure of the governor, in consultation with the council. The governor shall consider the recommendations of the council when appointing the executive director.

## Duties

The executive director is the administrative officer of the agency and shall have complete charge of and supervisory powers over the Partnership, subject to the guidance from the Council.

Serves as a communication link between all levels of government, the private sector, tribes, nongovernmental organizations, the council, the ecosystem coordination board, and the science panel.

The executive director is accountable to the Council and the governor for effective communication, actions, and results.

The executive director shall employ a staff, who shall be state employees under Title 41 RCW.

Upon approval of the Council, the executive director may take action to create a private nonprofit entity, which may take the form of a nonprofit corporation, to assist the partnership in:

- (a) Raising money and other resources through charitable giving, donations, and other appropriate mechanisms;
- (b) Engaging and educating the public regarding Puget Sound's health, including efforts and opportunities to restore Puget Sound ecosystems; and
- (c) Performing other similar activities as directed by the partnership.

## Roles and Responsibilities

### Action Areas

The executive director, working with the Ecosystem Coordination Board representatives from each Action Area, shall invite appropriate tribes, local governments, and watershed

groups to convene for the purpose of compiling the existing watershed programs relating or contributing to the health of Puget Sound.

The executive director, working with the Board, shall also compile and assess ecosystem scale management, restoration, and protection plans for the Puget Sound basin.

The executive director shall integrate and present the proposed elements from watershed programs and ecosystem-level plans to the Council for consideration for inclusion in the Action Agenda not later than July 1, 2008.

# Ecosystem Coordination Board of the PS Partnership

---

## Membership

Convened by the Council, not later than October 1, 2007.

The board shall consist of the following (27 total):

- **One** representative from the geographic area of each Action Areas appointed by the council (possible **seven** total). The council shall solicit nominations from, at a minimum, counties, cities, and watershed groups;
- **Two** members representing general business interests, one of whom shall represent in-state general small business interests, both appointed by the council;
- **Two** members representing environmental interests, appointed by the council;
- **Three** representatives of tribal governments located in Puget Sound, invited by the governor to participate as members of the board;
- **One representative each** from counties, cities, and port districts, appointed by the council from nominations submitted by statewide associations representing such local governments;
- **Three** representatives of state agencies with environmental management responsibilities in Puget Sound, representing the interests of all state agencies, one of whom shall be the commissioner of public lands or his or her designee; and
- **Three** representatives of federal agencies with environmental management responsibilities in Puget Sound, representing the interests of all federal agencies and invited by the governor to participate as members of the board.
- The president of the senate shall appoint **two senators**, one from each major caucus, as legislative liaisons to the board. The speaker of the house of representatives shall appoint **two representatives**, one from each major caucus, as legislative liaisons to the board.

The board shall elect one of its members as chair, and one of its members as vice-chair.

Members of the board, except for federal and state employees, shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

## Roles and Responsibilities

The board shall advise and assist the council in carrying out its responsibilities, including development and implementation of the action agenda.



# Science Panel of the PS Partnership

---

## Membership

### Process of Appointment

Nine members appointed by the Council.

In establishing the panel, the Council shall request the Washington Academy of Sciences to nominate fifteen scientists with recognized expertise in fields of science essential to the recovery of Puget Sound.

Nominees should reflect the full range of scientific and engineering disciplines involved in Puget Sound recovery.

At a minimum, the Washington Academy of Sciences shall consider making nominations from scientists associated with federal, state, and local agencies, tribes, the business and environmental communities, members of the K-12, college, and university communities, and members of the Ecosystem Coordination Board.

The solicitation should be to all sectors, and candidates may be from all public and private sectors.

Persons nominated by the Washington Academy of Sciences must disclose any potential conflicts of interest, and any financial relationship with any leadership council member, and disclose sources of current financial support and contracts relating to Puget Sound recovery.

The Panel selects a chair and a vice-chair.

Panel members shall serve four-year terms, except that the council shall determine initial terms of two, three, and four years to provide for staggered terms. The council shall determine reappointments and select replacements or additional members of the panel. No panel member may serve longer than twelve years.

Members of the panel shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060, and based upon the availability of funds, the council may contract with members of the panel for compensation for their services under chapter 39.29 RCW. If appointees to the panel are employed by the federal, state, tribal, or local governments, the council may enter into interagency personnel agreements.

## **Roles and Responsibilities**

Provides independent, nonrepresentational scientific advice to the Council and expertise in identifying environmental indicators and benchmarks for incorporation into the Action Agenda.

The executive director shall designate a lead staff scientist to coordinate Panel actions, and administrative staff to support Panel activities. The legislature intends to provide ongoing funding for staffing of the Panel to ensure that it has sufficient capacity to provide independent scientific advice.

The executive director of the Partnership and the Science Panel shall explore a shared state and federal responsibility for the staffing and administration of the panel. In the event that a federally sponsored Puget Sound recovery office is created, the Council may propose that such office provide for staffing and administration of the panel.

The Panel shall assist the Council in developing and revising the Action Agenda, making recommendations to the Action Agenda, and making recommendations to the Council for updates or revisions.

The Panel shall:

- a) Assist in carrying out the obligations of the Partnership, including preparing and updating the Action Agenda;
- b) Assist the Partnership in developing an ecosystem level strategic science program that:
  - (i) Addresses monitoring, modeling, data management, and research; and
  - (ii) Identifies science gaps and recommends research priorities;
- c) Develop and provide oversight of a competitive peer-reviewed process for soliciting, strategically prioritizing, and funding research and modeling projects;
- d) Provide input to the executive director in developing biennial implementation strategies; and
- e) Offer an ecosystem-wide perspective on the science work being conducted in Puget Sound and by the Partnership.

The Panel should collaborate with other scientific groups and consult other scientists in conducting its work. To the maximum extent possible, the Panel should seek to integrate the state-sponsored Puget Sound science program with the Puget Sound science activities

of federal agencies, including working toward an integrated research agenda and Puget Sound science work plan.

By July 31, 2008, the Panel shall identify environmental indicators measuring the health of Puget Sound, and recommend environmental benchmarks that need to be achieved to meet the goals of the Action Agenda. The Council shall confer with the panel on incorporating the indicators and benchmarks into the Action Agenda.

### Strategic Science Program

Developed by the Panel with assistance and staff support provided by the executive director.

The science program may include:

- a) Continuation of the Puget Sound assessment and monitoring program, as well as other monitoring or modeling programs deemed appropriate by the executive director;
- b) Development of a monitoring program, including baselines, protocols, guidelines, and quantifiable performance measures, to be recommended as an element of the action agenda;
- c) Recommendations regarding data collection and management to facilitate easy access and use of data by all participating agencies and the public; and
- d) A list of critical research needs.

The program may not become an official document until a majority of the members of the council votes for its adoption.

### Science Update

A Puget Sound science update shall be developed by the panel with assistance and staff support provided by the executive director.

The panel shall submit the initial update to the executive director by April 2010, and subsequent updates as necessary to reflect new scientific understandings.

The update shall:

- a) Describe the current scientific understanding of various physical attributes of Puget Sound;
- b) Serve as the scientific basis for the selection of environmental indicators measuring the health of Puget Sound; and

- c) Serve as the scientific basis for the status and trends of those environmental indicators.

The executive director shall provide the Puget Sound science update to the Washington academy of sciences, the governor, and appropriate legislative committees, and include:

- a) A summary of information in existing updates; and
- b) Changes adopted in subsequent updates and in the state of the Sound reports produced pursuant to section 19 of this act.

#### Biennial Science Work Plan

The plan is developed by the Panel, with assistance and staff support provided by the executive director, and approved by the Council.

The biennial science work plan shall include, at a minimum:

- a) Identification of recommendations from scientific and technical reports relating to Puget Sound;
- b) A description of the Puget Sound science-related activities being conducted by various entities in the region, including studies, models, monitoring, research, and other appropriate activities;
- c) A description of whether the ongoing work addresses the recommendations and, if not, identification of necessary actions to fill gaps;
- d) Identification of specific biennial science work actions to be done over the course of the work plan, and how these actions address science needs in Puget Sound; and
- e) Recommendations for improvements to the ongoing science work in Puget Sound.

#### Action Agenda

Shall consult with the Council on the near-term and long-term benchmarks designed to ensure continuous progress needed to reach the goals, objectives, and designated outcomes by 2020.

The board's duties include:

- a) Assisting cities, counties, ports, tribes, watershed groups, and other governmental and private organizations in the compilation of local programs for consideration for inclusion in the action agenda;
- b) Upon request of the council, reviewing and making recommendations regarding activities, projects, and programs proposed for inclusion in the action agenda, including assessing existing ecosystem scale management, restoration and protection plan elements, activities, projects, and programs for inclusion in the action agenda;
- c) Seeking public and private funding and the commitment of other resources for plan implementation;
- d) Assisting the council in conducting public education activities regarding threats to Puget Sound and about local implementation strategies to support the Action Agenda; and
- e) Recruiting the active involvement of and encouraging the collaboration and communication among governmental and nongovernmental entities, the private sector, and citizens working to achieve the recovery of Puget Sound.

With respect to development of the Action Agenda, the Board, working with the executive director, shall compile and assess ecosystem scale management, restoration, and protection plans for the Puget Sound basin.

If the Board identifies conflicts or disputes among ecosystem scale projects or programs, the Board may convene the agency managers in an attempt to reconcile the conflicts with the objective of advancing the protection and recovery of Puget Sound.



Attachment for 1:15 agenda item

Council Organizing and Schedule  
Discussion of Draft Leadership Council Meeting Plan

Two Documents:

- Draft Outline of what the Puget Sound Partnership Leadership Council's initial meetings might cover and when they might happen.
- Possible Meeting Topics and Approximate Dates



## **Draft Outline of what the Puget Sound Partnership Leadership Council's initial meetings might cover and when they might happen**

### **Three Sets of Initial Meetings: Basic Objectives for Each Type of Meeting**

- Meetings #1: Orientation to their role, tasks, each other. Establishment of pace of meetings/decisions needed for success over the first 6 months or so. Participation in interviews for the Executive Director and recommendations on the ED to the Governor
- Meetings #2 : Beginning to make decisions needed to establish the Leadership Council and other structures of the Partnership. (This type of meeting will continue until the Council is fully up and running.) Integration of ED and staff with the Council and agreement on roles and responsibilities.
- Meetings #3: Meet and greet the people who are active in Puget Sound restoration efforts: a 'Port Ludlow' type of outreach by the Council and the other groups established by the Council.

### **1<sup>st</sup> Meetings: Late June/Early July**

#### **Purpose:**

- Introduction to each other/get acquainted
- Orientation to the Partnership: roles, responsibilities, authorities of the Leadership Council, Executive Director and staff, Ecosystem Coordination Board and Science Panel
- Statute mandates, actions, tasks, timelines, resources
- Briefing from Attorney General's Office on issues such as open public meetings, public records, ethics, attorney-client privilege
- Participation in interviewing Executive Director finalist candidates and providing recommendations to the Governor

Process: This would likely mean two meetings held in close proximity: the first for a one day orientation meeting (late June), the other for a one day meeting to interview ED candidates and develop recommendations (early July)

Assumptions: Council is appointed in early June so calendars can line up to do this in this time frame.

### **2<sup>nd</sup> Meetings: Beginning in July and continuing over next 6 months or so.**

#### **Purpose:**

- Meet with the Governor at the first of these meetings and possibly legislative sponsors on the legislation to affirm the charge to the Council
- Overview of decisions, tasks and products and Council expectations for how to make these decisions by when
- Initial briefing and guidance on high priority decisions based on the statute and the imperatives of setting up the Council to operate effectively and efficiently

- Begin to make decisions as soon as feasible to get Leadership Council up and running.

Process: This would likely mean a Council meeting in mid-late July, and regular meetings for the foreseeable future at least monthly.

Assumptions: These meetings may need to begin prior to the arrival of the ED, though integrating the ED and staff into this routine needs to happen as soon as possible.

### **3<sup>rd</sup> Meetings: September/October/November**

Purpose:

- Meet the players and groups active in Puget Sound
- Engage with these interests, advocates, and governments on the work of the Partnership to restore Puget Sound
- Affirm products/tasks needed by September 2008, seek collaborative engagement in order to enhance success and complete the transition publicly from previous way of getting the work done to the Partnership's way.

Process: Prior to having this meeting, the Council may need to have its own retreat to achieve clarity and cohesion on how the Council and staff will be engaged and work collaboratively with the broad and diverse interests and organizations interested in and crucial to the successful restoration of Puget Sound.

Assumptions: This public outreach should occur once the Council get comfortable in what it needs to do and how it would like to do it, and before the Council gets too far down the line on producing the products and fulfilling the obligations it has been assigned. The Fall is likely target to do this and Council preparation and work with the ED to pull of this meeting may necessitate a Council retreat before then.

# Puget Sound Partnership – Leadership Council

## Possible Meeting Topics and Approximate Dates

---

### **June Meeting**

Science Panel	Background Briefing (paper only)
Ecosystem Coordination Board	Background Briefing (paper only)

### **Mid-July**

Executive Director Selection Process	Discussion/Interviews
--------------------------------------	-----------------------

### **July Meeting**

Public Awareness Campaign	Briefing/early guidance
Action Agenda Content and Process	Briefing/early guidance
Action Area Boundary	Briefing/early guidance
Meet Federal/State/Local/Tribal Caucuses	Briefing/meeting

### **August Retreat**

Current PS Governance Structure, organization and relationships, budget	Briefing and discussions
--	--------------------------

### **August Meeting**

Action Agenda Content and Process	Decision on content and approach
Action Area Boundary	Decision on boundaries
Accountability	Briefing
Salmon Recovery Transition	Briefing

### **September Meeting**

Salmon Recovery Transition	Review transition plan/provide guidance
Meeting with Other Groups Active in PS	Briefing/Meeting

### **October Meeting**

Create PS Non-profit	Background briefing
Salmon Recovery Transition	Decision on direction