

CLEARANCES	Date	Date Received in Council Office	Agenda Date	Assigned To
Orig. Dept.: County Council	11/12/97		11/18/97	Natural Resources/Council
Division Head:				
Dept. Head:				
Prosecutor:				
Budget:				
Executive:				

SUBJECT:

Resolution endorsing Water Resources Management Council as proposed by COG

ATTACHMENTS

Resolution

SUMMARY STATEMENT:

Related County Contract #:	Should the Clerk schedule a hearing? (Y/N) N	Requested Date:
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RECOMMENDED MOTION (for final action):

COUNCIL ACTION TAKEN

1997 - 113 A 11/18/97: Amended & approved 7 - 0. Res. #97-069

Related File Numbers:

Ordinance or Resolution Number (this item only):

Res. # 97-069

SPONSORED BY: Consent
PROPOSED BY: Sutter
INTRODUCTION DATE: 11/18/97

RESOLUTION NO. 97-069

ENDORISING THE WATER RESOURCES MANAGEMENT COUNCIL
AS PROPOSED BY THE WHATCOM COUNTY COUNCIL OF GOVERNMENTS

WHEREAS, on June 17, 1997 the Whatcom County Council adopted Resolution 97-030, supporting the formation of a vehicle to develop and implement a coordinated County-wide Water Resources Management Strategy; and

WHEREAS, the Whatcom County Council of Governments (COG) has developed a proposal for said vehicle to be named the Water Resource Management Council; and

WHEREAS, said proposal meets the requirements of Resolution 97-030; and,

WHEREAS, in planning for the 1998 budget the administration has set aside \$32,927.00 as its share toward funding the Water Resources Management Council upon its implementation.


NOW THEREFORE BE IT RESOLVED that the Whatcom County Council hereby endorses and supports implementation of the "Proposal for a Water Resources Management Council" as presented by COG under the following conditions:

1. That the WAC decision making process be amended as suggested in a memo dated November 6, 1997 from Skip Richards to "Participants of the October 8, 1997 meeting regarding the WAC/FC decision making process";
2. That the six month review of the Whatcom Resource Management Council be done by the legislative bodies of each general purpose government participating on the Full Council.
3. Review by the County Council of the membership and protocol of the membership of the WAC and the Full Council.

BE IT FINALLY RESOLVED, that the Whatcom County Council shall approve interim funding in the amount of \$4,761.00 as requested in Task Order #14.

APPROVED this 18 day of November, 1997.

ATTEST:



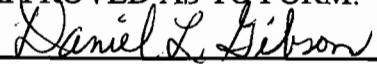
Dana Brown-Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



L. Ward Nelson, Council Chair

APPROVED AS TO FORM:



Civil Deputy Prosecutor

Proposal for a Water Resource Management Council (WRMC)

Prepared by Whatcom County Council of Governments
October 23, 1997

This proposal was approved by the WCCOG Full Council at a special meeting held October 23, 1997. This version of the proposal is being distributed to the appropriate councils of each WCCOG Full Council member, Water User's Steering Committee members, and other interested parties.

This proposal is a living document and it will continue to evolve.

This proposal is not intended as the definitive answer to resolution of all Whatcom County water issues. The intent and purpose of the proposal is that a process begin that will provide a local forum and a vehicle for resolution of all water issues. The Water Resources Management Council and associated system suggested in this proposal can provide a wellspring of cooperation, innovation, and resources to fix local water problems with locally designed solutions and assistance from state and federal agencies.

This proposal provides a starting point that can lead to successful local management of water supply and use. The success, or failure, of this or any other technique depends on the community's commitment to solving water-related problems that continue to afflict this region.

I. RATIONALE

It is widely recognized that water, and the many aspects of quantity, quality, and rights associated with it, is central to the health and economic well being of the citizens of Whatcom County. In addition, fish and wildlife habitat, as well as flooding hazard reduction, are among the issues needing attention. Some of these issues are clearly contentious. Local, state, federal, and tribal government entities; water purveyors; farmers; and local citizens maintain varying perspectives on water issues.

At times, these interests may be at odds with one another. Currently, there is no regionally recognized, central forum for issue coordination or resolution. In addition, there is no central "clearing house" for a citizen to get answers for water related questions. Both are needed, timely, and appropriate. The goals for such a water forum must include an action-oriented agenda.

Should WCCOG lead a Whatcom Water Resource Management Council?

1. *A 1995 WCCOG survey of community leaders and planning professionals identified water as the top priority for future WCCOG leadership efforts.*
2. *Chapter 36, Laws of 1959 as amended and, Chapter 84, Laws of 1965, authorize and allow Councils Of Government to lead regional programs intended to complete research concerning the resources of the county, and to formulate plans for conservation of such resources. The enabling legislation also calls for cooperation with other commissions, the state, and with other public and private agencies of the county, state, and United States in planning, conservation, and development.*
3. *Through the authority granted under more recently enacted federal and state regulations, WCCOG manages federal and state program and grant monies, and is familiar with operational processes as well as reporting and record-keeping requirements. Other existing or new organization(s) may not be eligible for such grants and/or unfamiliar with precise and extensive procedures for federal or state grants management.*
4. *WCCOG has extensive expertise and experience in facilitating a broad spectrum of public and private groups.*
5. *WCCOG maintains the technology and expertise for development and maintenance of graphic portrayal of systems, maps, models, and charts.*
6. *Through the WCCOG, the desired outcome of this process will be reached without adding additional layers of bureaucracy.*

44 II. GENERAL RECOMMENDATIONS

45
46 The mission of the Water Resource Management Council is to develop and
47 commit to implementation of a comprehensive management strategy to
48 protect, sustain, preserve and foster the provision of safe, clean water for all
49 "beneficial uses" (as defined in RCW 90.54.020 (1)).

50
51 The key to success of this process is the coordinated activities of the Water
52 Advisory Committee (WAC) and successful integration of its initiatives into
53 overall water-resource management. The most beneficial actions will take
54 place if law- and policy-makers are willing to exercise their authority in
55 consultation with local entities, and in ways that are best suited to local
56 needs. The effectiveness of the organization has been, and will be,
57 dependent on inclusive participation of all interested persons and entities.

- 58
- 59 • The process should include the broadest possible representation of
60 organizations and individuals affected by any water-related decisions.
61
 - 62 • A structure similar to that of the Whatcom County Council of
63 Governments, and using part of the existing WCCOG structure, appears
64 to be an effective organization to most nearly meet the needs identified
65 by the Water User's Steering Committee and others.
66
 - 67 • The process must be action-oriented and focus on decisions and actions
68 designed to reach cooperative solutions to existing and anticipated water
69 quality and quantity issues including, but not limited to, in-stream flow,
70 fish habitat and flooding.
71
 - 72 • There shall be regular review of the functioning of the WRMC process.
73 To determine if procedural changes are necessary, reviews will occur
74 every six months.
75

76 III. ORGANIZATION

77
78 Under this proposal, the Whatcom Water Resource Management Council
79 (WRMC) is comprised of two bodies. The proposed membership of these
80 bodies is described below.

- 81
- 82 • **Water Advisory Committee (WAC)** An all-inclusive structure
83 comprised of interest groups, agencies, technical representatives,
84 and elected officials (**Full Council**).
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- **Full Council (FC)** The Full Council, for purposes of the WRMC, includes the same jurisdiction representatives as the WCCOG Full Council with the exception that non-voting and non-jurisdictional members, such as ex-officio members and water purveyors, will abstain from water resource discussions and votes.
 - Additionally, a **Government to Government Link (GGL)** shall be available to accommodate direct communication between Native American tribal interests and local, state, and federal governments.

97 **IV. OPERATION**

98 **Water Advisory Committee (WAC)**

99 **General WAC**

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103 This is the main forum for water issue coordination and resolution. The

104 Water Advisory Committee must, therefore, represent the broadest possible

105 community. Spokespersons for all water interest groups should be

106 participants on the WAC. This committee should be highly inclusive and,

107 therefore, will be quite large. Membership in this committee will likely

108 fluctuate somewhat over time. Interest groups, Native American tribal

109 representatives, representatives from Washington State agencies,

110 representatives from federal agencies, and water districts and associations

111 would also play essential roles as members of the WAC. A WCCOG Water

112 Coordinator facilitates the committee.

113

114 Members of this Water Advisory Committee are affirmed by the WRMC Full

115 Council and should be required to submit a resume, disclose whom they are

116 representing and what their goals are, and agree to a set of ground rules.

117 Participation on the WAC is strictly limited to parties with local, regional, or

118 state basis or affiliation.

119

120 Technically oriented water specialists from the county and its cities, PUD #1,

121 water districts and associations, and technical representatives from state and

122 federal agencies should also participate as members of the WAC. Technical

123 members are either designated by their respective public, or private,

124 organizations, or they may be members at large. These "technicians" are

125 responsible for forming a technical sub-group within the WAC to advise

126 fellow WAC members and other sub-groups, and the Full Council on

127 technical aspects of water-related issues. **Any member of this technical sub-**

128 **group should meet minimum experience or educational criteria as determined**

129 **by the WAC. These criteria would be in addition to the basic WAC eligibility**

130 **criteria as defined in the previous paragraph.**

131

132 Responsibilities and Duties of the WAC

133

134 The Committee advises the Full Council from a broad range of perspectives.
135 With the help of a Water Coordinator, the WAC must internally develop its
136 own internal structure, protocols and procedures.

137

138 The WAC is the forum for consideration of all aspects of water supply and
139 use. The WAC, once procedures have been established, must continue to
140 move ahead in its deliberations and recommendations to local government,
141 and avoid becoming mired in aspects of water that might not be within the
142 Committee's ability to resolve.

143

144 All recommendations to the FC by the WAC for specific actions should be
145 accompanied with an implementation plan including who, how, where, and
146 how much aspects of those actions.

147

148 All WRMC policy recommendations either originate with, or are approved by,
149 the WAC. Additionally, the WAC may choose to move ahead on items not
150 requiring policy decisions from local governments. An example of this is
151 implementation of a riparian habitat restoration program, requested by a local
152 group, and using a combination of public and private funds managed by
153 either a WAC sub-group, or by the WCCOG Water Coordinator, with
154 permission from the FC.

155

156 Decision Making by the WAC

157

158 Consensus, defined as the absence of negative votes, is the most desirable
159 method of decision-making for this body. If the WAC achieves consensus on
160 a matter, it shall be forwarded to the Full Council, which may either adopt
161 the proposal as it is, or refer the matter back to the WAC for further
162 consideration. The Full Council may not, however, modify consensus-based
163 WAC proposals on its own initiative and subsequently take action on the
164 modified proposal. If consensus can not be reached, majority/minority
165 reports will be submitted through the Full Council (see FC below). The FC is
166 an additional decision-making tool available to the WAC. If the WAC is
167 unable to reach either a consensus or a majority position on a given issue,
168 the FC shall be, at the discretion of the entity bringing the issue forward to
169 the table, used as a voting body to resolve that issue.

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176 **Full Council (FC)**

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178 **General FC**

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180 For purposes of the WRMC, the Full Council consists of **WCCOG Full Council**
181 **members except those members that are not elected officials.** Those
182 **WCCOG Full Council members not representing jurisdictions, such as water**
183 **purveyors, will abstain from discussions and any voting on water-related**
184 **issues.**

185

186 **Responsibilities and Duties of the FC**

187

188 The Full Council's primary task is to consistently relay WAC and the Full
189 Council's own decisions and recommendations for policy and action to the
190 appropriate local governments, such as the county and its cities, and to state
191 and federal agencies when appropriate. Local governments should then
192 implement the decisions and recommendations or return them with their own
193 proposals. If WAC/FC recommendations are not implemented, feedback
194 from the individual jurisdiction is required to close the process loop. The Full
195 Council has responsibility for actions and recommendations of the WRMC.

196

197 The FC functions as part of the WAC. FC presence and participation in
198 discussions will enable clear communication between the FC and the WAC
199 as well as intimate knowledge of all issues.

200

201 The Full Council also makes administrative decisions and has oversight
202 responsibility for administration of the water-related functions of the
203 WCCOG. The FC implements non-policy recommendations of the WAC,
204 administers operation of WRMC processes including grant application,
205 processing, and accounting. The WRMC FC, under current law, has no
206 statutory authority, and, therefore, can not create or enforce public policy.

207

208 The FC develops and adopts the preliminary budget. Once that budget is
209 adopted, the FC controls expenditures in accordance with the approved
210 budget.

211

212 When authority is granted by affected jurisdictions through their Full Council
213 representatives, the FC approves contracts between WCCOG and other
214 agencies, purveyors, and sub-contractors. Contracts approved in this way
215 include grants, work financed through grants, public-private partnerships,
216 and any other work related agreements found to be in the best interest of
217 the region as determined by the respective councils or commissions of
218 affected jurisdictions.

219

220 The FC also resolves procedural disputes within the WAC.

221

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225 Decision Making by the FC

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227 The WRMC Full Council is not a public policy-making body. The FC does
228 make administrative decisions concerning the WRMC process and acts as the
229 lead for regional grant applications based on recommendations from the
230 WAC. Additionally, the FC will vote on issues not resolved by the WAC
231 provided that the entity introducing the issue agrees to a Full Council vote.
232 As the decision-making body of the WRMC, the elected officials of the FC
233 shall make decisions on substantive issues.

234

235 Government to Government Link (GGL)

236

237 This line of communication shall be established to accommodate Native
238 American tribes in the event they choose to not participate at the WAC level.
239 A written agreement between tribal leaders and the appropriate local,
240 federal, and state agencies would provide this link. In this way, a direct
241 means of tribal communication may be established. GGL agreements offer
242 tribal representatives the opportunity to express their views and take
243 information back to tribal councils for decisions and direction. State and
244 federal representatives play essential roles in this government to government
245 process. This two-tiered (through the WAC or agency-direct) approach
246 potentially offers an acceptable means of communication and participation to
247 the Lummi Nation and the Nooksack Tribe, and appears to be in the best
248 interest of the region and of the overall process.

249

250 Timing and Meeting Frequency

251

252 Time is of the essence in bringing together and organizing the WRMC.
253 Preliminary information indicates that funding under the HB 2054 program
254 will be more readily available to organizations that have already formed and
255 include a broad spectrum of participants. Progress in identifying and
256 collaboratively addressing water issues from a regional perspective will
257 provide a head start toward, not only HB 2054 funding, but also real
258 solutions to the region's water-related problems.

259

260 Full Council = Monthly or more often as needed

261 WAC = Monthly, or more often as needed

262

263 Staffing

264

265 Professional staff and the associated budget necessary to adequately support
266 it is an important element in the WRMC organization. In the event it is
267 necessary to develop and operate a water model, or represent regional water
268 resource issues in Olympia or Washington DC, additional skills and funding
269 would be required for one or both of these positions.

270

271 **WRMC Coordinator**

272

273 This person would manage the day-to-day operations of WRMC.
274 Responsibilities would include, but not be limited to, interaction and
275 facilitation of the WAC, budget preparation, grant management, staff
276 management, and preparing and circulating reports. The WRMC Coordinator
277 reports to the WCCOG Executive Director.

278

279 **WRMC Assistant**

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281 This person would be responsible for community outreach efforts, such as
282 meeting the public and providing accurate, relevant information through
283 public outreach, newsletters, etc. The assistant would also be responsible
284 for technical research and data gathering and management, and assist in
285 staff administrative duties. The WRMC Assistant reports to the WRMC
286 Coordinator.

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Draft WRMC Budget

POTENTIAL REVENUE

Local Jurisdictions	\$ 85,000
PUD	\$ 35,000
2054	\$ 50,000
State Agencies	\$ -0-
Federal Agencies	\$ -0-

Total Potential Revenue \$170,000

EXPENSES

Salaries (estimated)	
Water Manager	\$ 45,000
Water Technician	\$ 30,000
WCCOG Support Staff	\$ 20,000
Total Salaries	\$ 95,000

Benefits (@28%) \$ 26,600

Total Salaries & Benefits \$121,600

Office Supplies	\$ 4,000
Communication (postage, phone, Internet)	\$ 6,900
Advertising	\$ 1,000
Rent	\$ 4,000
Insurance	\$ 500
Conference/Training	\$ 1,000
Travel	\$ 5,000
Office Equipment	\$ 9,000

Total Operating Expenses \$ 31,400

Salaries & Benefits \$121,600

Total Expenses \$153,000

10% contingency \$ 15,300

Total Expense & Contingency \$168,300

Potential Revenue \$170,000

Expense & Contingency \$168,300

RESIDUAL

\$ 1,700