

# ICICLE CREEK WORK GROUP OPERATING PROCEDURES

## Vision

The Icicle Creek Work Group (IWG) seeks to increase community and ecological resiliency through implementing collaborative solutions (Icicle Strategy) for water management within the Icicle Creek drainage to provide a suite of balanced benefits for existing and new domestic and agricultural uses, non-consumptive uses, fish, wildlife, and habitat while protecting treaty and non-treaty fishing interests.

## Purpose

The purpose of the IWG is to act as an advisory body to the Co-Conveners, the Washington State Department of Ecology, Office of Columbia River (Ecology) and Chelan County, to develop and implement a comprehensive Icicle Creek Water Resource Management Strategy through a collaborative process that will achieve diverse benefits defined by all of the Guiding Principles. The IWG will use best available science to identify and support water management solutions that lead to implementation of high-priority water resource projects within the Icicle Creek drainage.

<b>Icicle Strategy Guiding Principles</b>	
<ol style="list-style-type: none"> <li>1. Streamflow that:                             <ol style="list-style-type: none"> <li>a. Provides passage,</li> <li>b. Provides healthy habitat,</li> <li>c. Serves channel formation function,</li> <li>d. Meets aesthetic and water quality objectives</li> <li>e. Is resilient to climate change</li> </ol> </li> <li>2. Sustainable hatchery that:                             <ol style="list-style-type: none"> <li>a. Provides healthy fish in adequate numbers,</li> <li>b. Is resource efficient,</li> <li>c. Significantly reduces phosphorus loading,</li> <li>d. Has appropriately screened diversion(s),</li> <li>e. Does not impede fish passage</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>3. Tribal Treaty and federally-protected fishing/harvest rights are met at all times.</li> <li>4. Provide additional water to meet municipal and domestic demand.</li> <li>5. Improved agricultural reliability that:                             <ol style="list-style-type: none"> <li>a. Is operational,</li> <li>b. Is flexible,</li> <li>c. Decreases risk of drought impacts,</li> <li>d. Is economically sustainable.</li> </ol> </li> <li>6. Improves ecosystem health including protection and enhancement of aquatic and terrestrial habitat.</li> <li>7. Comply with state and federal law.</li> <li>8. Protect Non-Treaty Harvest</li> <li>9. Comply with the Wilderness Act of 1964, the Alpine Lakes Wilderness Act of 1976, and the Alpine Lakes Wilderness Management Plan.</li> </ol>

## IWG Membership

This IWG was co-convened by Ecology and Chelan County. The Co-Conveners invited organizations to participate that have a direct interest in management of water resources in Icicle Creek. Additional organizations or individuals may be added either through invitation or by request, following consensus decision of the IWG. Once added, new IWG members will be able to participate in decision-making as co-equal members and as described below. Organizations or individuals may request to be taken off the membership list or may be taken off upon consensus decision of the IWG. IWG membership is listed in Appendix A.

## Decision Making

The IWG uses a full consensus decision-making model. It has defined gradations of IWG sentiments consistent with consensus approval and sentiments inconsistent with consensus approval in the Consensus Decision Framework below.

<b>CONSENSUS DECISION FRAMEWORK</b>	
<b>APPROVAL – Range of IWG member sentiments compatible with consensus approval of decision item</b>	
<b>Highest Endorsement:</b>	“I like it; it is the best decision to me.”
<b>Endorsement:</b>	“Basically, I like it.”
<b>Agreement with Reservations:</b>	“I can live with it.”
<b>Abstain:</b>	“I have no opinion that prevents this from going forward.”
<b>Stand Aside:</b>	“I don’t like it, but don’t want to prevent the group from agreeing.”
<b>Significant Reservations, but Willing to Go with Majority:</b>	“I want my reservations noted in writing, but I’ll support the decision.”
<b>NO APPROVAL – Range of IWG member sentiments compatible with no approval of decision item</b>	
<b>Formal Disagreement, but will Not Block</b>	“I don’t support as IWG decision but won’t work to block other members taking action on their own.”
<b>Block:</b>	“I don’t support this proposal and will likely work against other members taking action on their own.”

## **Types of Decisions**

There are three general categories of decisions that are needed by the IWG, and the decision-making procedures will vary depending on the significance of the decision. Decision categories include the following:

1. Routine administrative decisions (for example meeting scheduling) can be made by the Co-Conveners or the IWG Facilitator.
2. Routine or interim technical or process decisions (for example approval of meeting summaries or funding decisions for ongoing work), which will be made by the IWG Members at the meeting an issue is introduced;
3. Major decisions, such as approving a product or project as supported by the IWG, amending the Operating Procedures, or approving or removing IWG Members. For these decisions, the approval/disapproval occurs over two or more IWG meetings. The following procedures apply:
  - a. Background information is provided to IWG Members at least one-week in advance of the first IWG meeting where the topic/decision is discussed.
  - b. At the first meeting, information is presented and discussed. The Facilitator announces that a “first reading” decision will be sought at the meeting. Near the conclusion of the topic as an agenda item, the Facilitator will seek the “first reading” decision and the result will be recorded in the meeting summary.
  - c. Between the first and second meeting during which the topic is deliberated, the Facilitator and/or Co-Conveners will seek out IWG members not present at the first meeting to brief them on the decision sought and confirm that they are aware and prepared to engage the decision at the second meeting. This time can also be used to follow-up on additional information / offline discussion needs identified during the first meeting.
  - d. Prior to and at the second meeting, the Facilitator will announce that a final decision will be sought on the topic. The Facilitator will then follow the normal decision procedures described below and the result will be recorded in the meeting summary.

## **Decision-Making Procedures**

### **Overview**

1. A quorum of ten IWG Members is required for decisions.
2. All IWG members have equal representation and equal participation.
3. Where attendance at a regularly scheduled IWG meeting is not possible, a member may designate an alternative representative to attend the meeting in their absence. Such a designated alternative representative shall have participation and decision-making rights equal to that of the absent member.
4. Decisions cannot be made to obligate a member to implement a project if they

do not agree.

5. Decisions are made by consensus, using the consensus framework above.

### **Procedural Steps**

The Facilitator will lead the group through the following steps:

1. Announce that a decision is being sought, clearly state what the decision is, and ask permission to continue. Members may request additional discussion or information at that time and the decision may be postponed until all members present indicate they are ready to provide their vote.
2. If permission is granted to the Facilitator to seek a decision, she/he/they will again clearly state the decision sought and confirm that members understand. He/she/they will then ask for member's approval. If the vote results in an approval, that result will be recorded in the meeting summary and implementation of the decision will move forward.
3. If consensus approval is not the result of the first vote, the dissenting members are responsible for voicing their objections and offering other solutions that will meet the guiding principles. This could result in more discussion and off-line work to develop an alternative that is acceptable to all.
4. When it appears that the group is ready to engage the decision again (with the original or revised option), the Facilitator will repeat these steps, starting with Item #1 above.
5. These steps may be repeated as many times as desired by the IWG. If a consensus approval is not obtained, implementation of the decision as an IWG-supported action is halted. *Note that if it is within the authorities of the entity proposing the action, then that entity may still move the action forward, however it may not be represented as an IWG-supported action.*

### **Expectations of IWG Members**

1. IWG Members will make every effort to attend meetings and stay actively engaged in the IWG's efforts. Failure to do so may result in (1) notification of concern from the IWG, the Facilitator, or the Co-Conveners, and (2) being removed from membership by consensus of all of the other IWG members.
2. IWG Members must participate in good-faith with an honest intent to find collaborative solutions to address the needs, issues, and concerns of all other IWG Members.
3. IWG Members commit to work collaboratively within the framework of the IWG in a non-litigious manner to resolve internal disputes, and respect alternate viewpoints in developing and implementing an integrated project list that accomplishes the Vision of the IWG. An IWG Member's decision to file a lawsuit against another Member on issues before the IWG will be regarded as severely detrimental to the IWG process, and could result in removal of that IWG Member from the IWG.

4. IWG Members will represent the perspectives of their organization(s) and are responsible for coordinating with their constituencies to bring perspectives forward.
5. IWG Members must be adequately well-versed in the IWG process and issues to articulate their organization's perspectives, needs, and preferences.
6. Collaborative problem solving depends on mutual respect and careful listening among IWG Members and on active participation by all. Meetings will be conducted in a respectful atmosphere where all parties seek to foster trust and understanding.
7. IWG Members will strive for honest and direct communication and focus on interests and needs rather than positions. IWG Members will seek open discussion, will respect the right to disagree, and will look for collaborative solutions recognizing that some level of compromise may be needed to meet multiple goals.
8. Comments directed towards other participants or organizations must stay constructive, positive and helpful. Questions and concerns should be voiced directly within the IWG or with the Facilitator and/or one of the Co-Conveners.
9. IWG Members recognize that the scale of projects being discussed is complex and that a lot of data and information needs to be gathered to quantify all of the elements of this strategy. It is important to continue to move forward collectively with projects/actions that are supported by the IWG. It is also important to adapt and improve the projects/actions implemented in alignment with the Guiding Principles as new information and better technologies become available.
10. IWG Members seeking funding from Ecology IWG funds for an Icicle Strategy project will make their request through the IWG Steering Committee. If recommended for advancement by the IWG Steering Committee, the funding request must receive final approval by the IWG.
11. IWG Members shall collaborate to ensure messaging (presentations, website content, outreach materials) articulates the goals and objectives of the IWG. All IWG Outreach Materials developed by the IWG or individual IWG Members will be subject to approval by the IWG prior to publication and will form the basis of official membership position statements on issues and projects. Individual member messaging will not be designed to undercut or contravene the purpose and intent of the IWG. Any IWG Member who finds it necessary to publish materials critical of the IWG process or direction will notify the IWG of its intentions and make such materials available for review.
12. For IWG-supported projects, IWG Members will work together to obtain necessary funding, permits and approvals.

## **Committees/Teams/Organizations that Support Icicle Work Group**

### **IWG Steering Committee**

The purpose of the IWG Steering Committee is to provide budget and project management and planning (short, medium, long-range) for the IWG. The IWG Steering Committee is comprised

of IWG Members who can represent the needs, concerns, and interests of a constituent stakeholder group or groups and are self-selected. IWG Steering Committee members commit to active participation in IWG Steering Committee meetings and functions, and must have a sufficiently detailed understanding of specific project and/or process elements to work on them constructively. Current IWG Steering Committee members are listed in Appendix B.

The IWG Steering Committee will:

1. Meet regularly and work through project and process elements in enough detail to provide recommendations to the IWG.
2. Oversee studies and assessments that will fill data gaps and support project development and design.
3. Oversee project development and implementation for Icicle Strategy projects. This includes receiving regular briefings from project leads, engaging in dialogue and problem-solving, and providing recommendations to the IWG relative to consistency with Guiding Principles, funding decisions, and other pertinent topics.
4. Provide feedback, guidance, and recommendations to the IWG regarding data gaps, specific projects, and decisions relating to funding recommendations and financing strategy.
5. Conduct short/medium/long-term planning for the Icicle Strategy.
6. Convene technical subcommittees to discuss specific topics and answer questions brought up by the IWG and IWG Steering Committee. Potential topics include: instream flow targets/benefits, LNFH facilities and related projects, conservation, storage projects, pump exchange projects, outreach, and environmental review.
7. Provide direction to and collaboration with Co-Conveners. Provide oversight for the Co-Conveners regarding administrative and coordination of the overall IWG process.
8. Propose revisions to IWG Steering Committee roles and responsibilities as defined in these Operating Procedures.

### **Decision Authorities**

- Administrative / logistical – meeting schedules, locations and logistical details; contracting
- Recommendations to bring to IWG for consideration

### **Decision-Making Model**

IWG Steering Committee Decision making will be done by consensus in the same manner as the full IWG.

### **Co-Conveners**

The Co-Conveners of this effort are Ecology and Chelan County. The Co-Conveners are responsible for overall coordination and facilitation of the IWG's effort in close coordination with the IWG Steering Committee. This includes making day-to-day administrative decisions;

providing administrative and facilitation support to the IWG, IWG Steering Committee and Technical Subcommittees; providing technical support in the identification and development of projects; providing funding coordination; and working with individual IWG Members as needed.

### **Decision Authorities**

- Administrative / legal
- Statutory responsibilities

### **Decision-Making Model**

Co-Conveners' decisions will be guided by their statutory/legal obligations, advisement from the IWG, and collaboration with each other. Where their decision does not reflect a decision from the IWG, they have a responsibility to explain and discuss it with the IWG.

## **Subcommittees**

Subcommittees may be formed at the request of the IWG or IWG Steering Committee to work on specific topics. The role of any subcommittee is to collect/compile data and information, evaluate and consider results and findings, and develop recommendations for the IWG. Subcommittee membership is informal, but members are expected to have subject-matter expertise, interest, and willingness/capacity to commit the time needed to conduct the needed work.

### **Decision Authorities**

Formal decisions are not made at the subcommittee level. Typical types of informal decisions include determining data needs and appropriate methods to answer questions/needs posed by the IWG or options to explore/develop for projects/actions to fulfill IWG Vision and Guiding Principles. These informal decisions are forwarded to the IWG for formal decisions when appropriate.

### **Decision-Making Model**

Subcommittees will collaborate to advise and develop recommendations for the IWG, but are not required to operate under a full consensus framework for decision-making. Subcommittees should aspire to provide unified recommendations to the IWG, however when dissenting viewpoints exist, those viewpoints should be summarized by the subcommittee and presented to the IWG for consideration.

## **Resolving Disagreements**

As described above in Expectations of IWG Members, each member is responsible for openly communicating disagreements within the IWG. Depending upon the nature of the disagreement, the Facilitator may recommend using IWG or IWG Steering Committee time to discuss and resolve the disagreement, take the discussion off-line with involved parties, or work one-on-one with the disagreeing party to develop a proposed resolution. In all cases, the topic will be brought back to the

IWG for learning, action, and closure. If resolution is not obtained, the disagreeing party has the option to provide a written account of their disagreement to the IWG. The written account will become part of the meeting record.

## **Conflict of Interest**

IWG Members are individually responsible for identifying possible or actual conflicts of interest and must make the IWG aware of the conflict before participating in any IWG decision in which such a conflict of interest exists. For the purpose of these Operating Procedures, a conflict of interest is a circumstance or set of circumstances that create a risk that an IWG Member's professional judgment or actions regarding IWG recommendations will be unduly influenced by a self-serving interest for that Member.

## **Interested Parties**

All IWG meetings are open to the public. Interested parties may attend IWG meetings and make comment during the public comment portion of the agenda.

## **Amendments**

Any IWG Member may suggest amendment(s) to these Operating Procedures during any regularly scheduled IWG meeting. The suggested amendment will take effect upon consensus decision of the IWG as described above under Decision-Making.

# Appendix A – Icicle Work Group Membership List 2022

## Co-Conveners

*Tom Tebb, Director*  
Office of Columbia River  
Washington State Department of Ecology

*Bob Bugert, Commissioner*  
Chelan County Board of Commissioners

## Member Organizations and Representatives

***Confederated Tribes of the Yakama Nation***  
Primary: David Blodgett  
Alternate: Cory Kamphaus

***Washington State Department of Fish and Wildlife***  
Primary: Brock Hoenes  
Alternate: Jeff Dengel

***Confederated Tribes of the Colville Reservation***  
Primary: John Sirois  
Alternate: Chuck Baldwin

***Washington State Department of Ecology***  
Primary: Tom Tebb  
Alternate: Melissa Downes

***U.S. Bureau of Reclamation***  
Primary: Christina Davis-Kernan  
Alternate: David Child

***Icicle and Peshastin Irrigation District***  
Primary: Tony Jantzer  
Alternate: Levi Jantzer

***U.S. Fish and Wildlife Service – Leavenworth National Fish Hatchery***  
Primary: Jim Craig  
Alternate: Bill Gale

***City of Leavenworth***  
Primary: Carl Florea  
Alternate: Tom Wachholder

***NOAA – Fisheries***  
Primary: Justin Yeager  
Alternate: none

***Chelan County***  
Primary: Bob Bugert  
Alternate: Mike Kaputa

***Icicle Creek Watershed Council***  
Primary: Sharon Lunz  
Alternate: Bruce Williams

***Cascade Orchard Irrigation Company***  
Primary: Dan Wilkinson  
Alternate: Tim Walsh

***Washington Water Trust***  
Primary: Greg McLaughlin  
Alternate: none

***U.S. Forest Service***  
Primary: Kristin Bail  
Alternate: Erica Taecker

***Trout Unlimited – Washington Water Project***  
Primary: Lisa Pelly  
Alternate: none

***Cascadia Conservation District***  
Primary: Ryan Williams  
Alternate: none

## Member Organizations and Representatives

*Agricultural Representative*

Daryl Harnden

*Agricultural Representative*

Mel Weythman

*City of Cashmere*

Primary: Mayor Jeff Gomes

Alternative: none

## Appendix B – Icicle Work Group Steering Committee Members 2022

<b>Organization/Interest</b>	<b>Member/Alternate</b>
USFWS-Leavenworth National Fish Hatchery	Jim Craig / Bill Gale
U.S. Bureau of Reclamation	Christi Davis Kernan/David Child
Irrigation Districts / Agriculture Community	Tony Jantzer
Washington State Dept. of Ecology	Melissa Downes/Tom Tebb
City of Leavenworth	Carl Florea/Tom Wachholder
Chelan County	Bob Bugert/Mike Kaputa
Yakama Nation	David Blodgett/Cory Kamphaus
Washington Dept. of Fish and Wildlife	Brock Hoenes/Jeff Dengel
Washington Water Trust	Greg McLaughlin
Trout Unlimited	Lisa Pelly
USFS	Kristin Bail / Erica Taecker
Cascadia Conservation District	Ryan Williams