

Technical Leadership Group Organizational Practices and Procedures

INTRODUCTION/OVERVIEW

This document outlines organizational practices and procedures for the Technical Leadership Group being established to provide technical and regulatory advice to and support of the Coeur d'Alene Basin Environmental Improvement Project Commission (Basin Commission). The TLG is provided for in the interagency **Memorandum of Agreement for the Basin Environmental Improvement Project Commission** signed on August 13, 2002. The participating stakeholders hope that working relationships will be developed and enhanced by the advisory process, which can contribute to ongoing dialogue and collaboration in support of remedial actions and environmental improvement projects to address heavy metal contamination and Coeur d'Alene Lake management in the Coeur d'Alene Basin¹. The advisory group process is intended to:

- Help satisfy all regulatory requirements and remedial action objectives for heavy metal contamination in the Coeur d'Alene Basin;
- Provide direct advice to the Board on remedial action planning and implementation;
- Provide a forum for dialogue on individual project affects and opportunities to minimize impacts to affected stakeholders;
- Assist in assuring applicable or relevant and appropriate regulations are considered in a timely fashion;
- Assure that government entities having regulatory or land management mandates coordinate with Basin cleanup efforts;
- Provide conduits for information exchange and learning;
- Assist in development of the technical aspects of the remedial design and implementation decision-making;
- Monitor the effectiveness of work projects as part of the adaptive management approach to basin cleanup; and
- Other matters as may be directed the Basin Commission.

¹ The Basin Commission (and therefore the TLG) conducts its work in the Coeur d'Alene Basin of Idaho, which includes the watershed of Coeur d'Alene Lake within the counties of Shoshone, Kootenai, and Benewah, as well as the Coeur d'Alene Reservation located within the state of Idaho. Remedial actions, authorities, and duties to be exercised in Washington will be undertaken independent of the Basin Commission's operational framework.

FUNCTIONS

The Technical Leadership Group is being established as the Board's primary technical advisory body on all activities related to implementation of Records of Decision, the Lake Management Plan, and other technical or regulatory issues put forward to the Board. In coordination with the Executive Director, the TLG is charged to advise the Board on the development of workplans and funding plans, technology development, demonstration/pilot project development, remedial priorities, and coordination with related activities in the Basin. Specific responsibilities of the Technical Leadership Group include the following.

- A. In collaboration with the Executive Director, develop and recommend to the Board one- and five-year Basin Commission workplans, including establishment of annual project priorities and budgets, as well as design and implementation of planning and construction projects.
- B. Support and advise the Board on the exercise of its authorities to implement the Commission workplan.
- C. Coordinate with agencies having authority and expertise or active resource management and restoration activities to help implement the Commission's workplan.
- D. Design and develop implementation plans and coordinate with the Executive Director in defining and developing detailed budget estimates for specific remedial projects in the Coeur d'Alene Basin to implement the Record(s) of Decision related to heavy metal contamination in the Basin.
- E. Consider Citizen Coordinating Council (CCC) comments on the design and development of recommendations/products for Board consideration and decision.
- F. Make recommendations regarding the evaluation and oversight of Basin monitoring and reporting, as provided in the Commission's annual or five-year workplan(s) or required by Records of Decision.
- G. Closely coordinate and assist in the development and approval of annual reports to the Basin Commission Board summarizing accomplishments, performance, budgets, and goals.
- H. Coordinate with their respective government entities in a timely manner and assure that remedial actions being planned or implemented are consistent with and/or not in conflict with their entity's statutes, regulations, or projects.

Project Focus Teams established on an *ad hoc* basis by the TLG may be assigned to design and develop proposed remedial action implementation plans, coordinate with the Executive Director to define and develop detailed budget estimates for specific remedial projects, or undertake any other projects directed by the TLG. The Project Focus Team(s) shall present their recommendations to the TLG for consideration and recommendation to the Board.

MEMBERSHIP

Membership criteria: The TLG serves as a multi-disciplinary technical advisory group to the Basin Commission Board. Members of the TLG shall consist of representatives from federal, state, tribal, and local governmental entities with regulatory or land management responsibilities in the Coeur d'Alene Basin that are or may likely be affected by remedial actions undertaken

under the auspices of the Basin Commission. Each governmental entity that meets the membership criteria shall nominate to the Technical Leadership Group up to two (2) individuals to act as the entity's primary representatives on all matters to be accepted by the Board.

TLG members represent government agencies or subdivisions that have a *regulatory mandate* to protect human health and the environment, or that have a *regulatory interest* in Basin cleanup activities. Governmental entities having regulatory mandates are those directly charged with the performance of protecting human health or the environment, environmental remediation and/or restoration, or members who report directly to a county, state, or tribal government which embody these or comparable mandates. Governmental entities having regulatory mandates are principally involved with Basin Commission remedial work on a Basin-wide as well as on a project-specific basis due to their mandates. Governmental entities with regulatory interests generally have natural resource, land use, stewardship, conservation, or transportation programs that they represent. Members representing these governmental entities are primarily involved with the TLG to provide technical assistance, practical knowledge, and to assure that their projects or duties are coordinated with Basin Commission activities. These parties may frequently be more active on a project-specific basis rather than on a global basis.

TLG ORGANIZATION/STRUCTURE

Chairperson: The TLG shall be chaired by an individual (chairperson or chair) who shall assume or delegate to others the following responsibilities:

- A. Insure that information is shared with all TLG members.
- B. Work with other TLG members, Basin Commission Staff, and facilitator to schedule TLG meetings and develop TLG meeting agendas.
- C. Facilitate (or arrange for facilitation of) TLG meetings.
- D. Facilitate or arrange for TLG conference calls and arrange for call summaries to be posted on the Basin Commission website.
- E. Insure that TLG meeting summaries and other information are posted to the Basin Commission web page.
- F. Act as the primary contact with the CCC leadership to insure CCC input and coordinate activities.
- G. Act as the primary contact with the Basin Commission Board for TLG issues.
- H. Insure that TLG documents (work plans, etc) are distributed for review to the TLG membership. Incorporate TLG comments.
- I. Prepare and make presentations to the Board regarding TLG activities and recommendations. Insure that presentations represent TLG recommendations and differing viewpoints.
- J. Insure that the Project Focus Teams are functioning and providing information to the TLG.

The chair position shall be selected by the individuals appointed by the governmental entities represented on the Basin Commission Board (Coeur d'Alene Tribe, Kootenai County, Benewah County, Shoshone County, State of Idaho, State of Washington, and the United States of America). The chairperson's and vice-chairman's terms of office shall be one year. If a vacancy occurs, and a vice-chair has been named, that person shall fill the chair's vacancy for the unexpired term. If no vice-chairperson is named, the entities responsible for selecting the chair

would be asked to name a new individual to assume the chairperson's responsibilities for the unexpired term.

Vice-Chairperson: The TLG may also elect a vice-chairperson, as appropriate, using the same process established for electing the chairperson. The vice-chairperson would serve as chairperson in the absence of the chairperson. In the event the chairperson was unable to continue to serve, the vice-chairperson would assume the chairperson's responsibilities for the unexpired term.

Project Focus Teams: The TLG or the Basin Commission Board may establish *ad hoc* technical "**Project Focus Teams**" to lead site-specific remedial design and implementation planning activities or to consider specific regulatory or technical issues of interest to the TLG membership or Basin Commission. Project Focus Teams shall be composed of a manageably-sized group of individuals having global or project-specific interests in projects or who provide important project expertise. Ideally, each Project Focus Team shall be led by an individual/s appointed by the governmental entity/ies responsible for implementing the project under consideration. In cases where multiple projects are linked to a PFT group or a diverse set of activities are involved, a PFT group may select a lead person who is not directly in financial charge of the work tasks. The roles, responsibilities, and composition of various PFT groups and lead persons may vary from project to project and over time. The TLG Project Focus Team leads shall interact with and seek timely comment from the CCC representatives assigned to the project for which they are responsible. Project Focus Teams shall report findings, recommendations, or proposed plans to the TLG for discussion and formal recommendation to the Board.

Advisors: The TLG may, as a group, invite other technical experts to act as **TLG advisors** on specific issues of interest. These individuals do not act as any group's representatives and are not members of the TLG.

Basin Commission Staff support: To the extent practicable, Basin Commission Executive Director and staff shall provide administrative support to the TLG and be responsible for making logistical arrangements, distributing agendas and meeting materials up to five (5) days in advance of a TLG meeting, providing public notice of formal meetings, and developing meeting summaries. As well, the Executive Director or Basin Commission staff can help arrange opportunities for the TLG to interact with the Basin Commission Board, the Citizen Coordinating Council, and the public. If no Basin Commission staff is available to provide any necessary support, the TLG shall be responsible for assigning these administrative responsibilities.

Vacancies: Each government entity is responsible for filling its vacancies in a timely manner if it chooses to monitor or contribute to Basin Commission efforts.

BOARD REVIEW

Membership Review: On no more than an annual basis, the membership of the TLG shall be reviewed by the Board to assess whether the membership is appropriate. The Board may, at any time, direct the TLG to review its membership.

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Organizational/Functionality Review: The TLG and the Board shall review the TLG's organizational structure on at least an annual basis. If the Board determines that the TLG is not providing adequate advice related to technical or regulatory issues before the Basin Commission, the Board may make suggestions regarding the TLG's organizational structure.

MEETING SCHEDULE/STRUCTURE

Meeting Schedule: The TLG shall establish its own meeting schedule (e.g., to meet on a bi-monthly, quarterly, or semi-annual basis). Meeting times and dates will be set at an early TLG meeting and posted on the Basin Commission's website: www.basincommission.com.

Agendas: Agendas for TLG meetings shall be developed by the TLG chairperson in consultation with the Basin Commission Executive Director, and the TLG Facilitator and/or Board chairperson, as appropriate. Every effort will be made to circulate and post to the Basin Commission website agendas and meeting information at least five (5) days in advance of the meeting.

Meeting Summaries: A designated member of the TLG, the facilitator, or Basin Commission staff will prepare draft summaries of the TLG meetings, including TLG conference calls. Project Focus Teams are responsible for developing their own meeting summaries. Final TLG meeting summaries will be posted on the Basin Commission website and circulated to TLG members and any other person requesting them. Every effort will be made to rely on electronic media.

CONDUCT OF MEETING

Technical meetings of the TLG are not required by Idaho Open Meeting Law to be open public meetings. The TLG is not a decision-making authority, nor a public agency. The TLG shall schedule some meetings to be open to all interested members of the public. Members of the CCC or general public who attend formal public meetings or workshops may participate in TLG discussions when recognized by the TLG chair, or designate.

TLG CONDUCT and DECISIONMAKING PROCESS

Presentation of Views: Each governmental entity that meets the membership criteria and is interested shall nominate to the Technical Leadership Group up to two (2) individuals to act as the entity's representative on all matters. Each governmental entity shall ultimately represent its interests through one voice.

Decision-making Process: The TLG is not a formal decision-making authority. The TLG provides recommendations to the Basin Commission Board. The Technical Leadership Group shall strive to come to agreement on recommendations or conclusions to be presented to the Basin Commission Board. Concerted and legitimate attempts to achieve agreement result in the exploration of innovative solutions and compromise. Minority or alternative PFT opinions/proposals (draft and final) shall be presented to the TLG and the respective PFT groups in a timely manner to assure adequate and fair discussion and negotiation prior to distribution to other entities (e.g., CCC, Board, or general public). On any such issue upon which the TLG

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cannot come to agreement, the governmental entity/ies holding a minority opinion shall register dissent with the Chair and either be placed on the agenda of a Board meeting to contemporaneously represent the alternate view(s) or ask the Chair to carry their position(s) forward to the Board.

Good Faith: All participants agree to act in good faith with respect for the interests and concerns of others. The participants agree to establish a free, open, and mutually respectful exchange of views, ideas, and information. Personal attacks and prejudiced statements will not be tolerated.

Facilitator: The Basin Commission may provide a mutually agreed-to neutral facilitator for the initial meetings of the TLG to assist in its formation and understanding of member roles and responsibilities, to support early work planning, and at other times.

Parliamentary Procedure: The group may consult *Robert's Rules of Order Newly Revised* to address any questions of procedure raised at a TLG meeting.

COMMUNICATION WITH BOARD

Preparing Issues for Board Discussion/Decision: The TLG chairperson shall notify the Basin Commission Executive Director and CCC chair of any issues/items the TLG would like to bring to the Board's attention for discussion and/or decision; the TLG chairperson also shall work with the staff to incorporate presentation and/or discussion of those issues into the Board's meeting agenda. The chair shall also inform the Executive Director of any TLG presentations to be made to the Board.

COMMUNICATION WITH CITIZEN COORDINATING COUNCIL (CCC)

The Technical Leadership Group shall coordinate closely with the CCC to obtain citizen input on workplans, priorities, and site-specific remedial design projects prior to making formal TLG recommendations to the Basin Commission Board. At a minimum, the TLG shall provide the CCC both preliminary and formal opportunities for comment and recommendations. The TLG chair, working with the Executive Director, shall notify the CCC of ongoing/upcoming TLG activities to coordinate opportunities for interaction between the two groups. The TLG shall notify the CCC of any Project Focus Teams it is establishing. These Teams shall interact directly with the CCC or subgroups of the CCC, as appropriate.

INTERACTION WITH PUBLIC

The TLG shall consider citizen input provided through CCC public hearings or meetings, workshops, comment periods, Project Focus Team reports, or the Board. PFT groups are expected to coordinate with CCC focus groups and seek their timely input on topics under discussion prior to presenting recommendations to the Board or TLG.

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INTERACTION WITH THE MEDIA

In responding to inquiries from or initiating contact with the press or other media representatives, TLG members agree to refrain from characterizing the views or opinions expressed by other members and to exercise appropriate restraint in commenting on the TLG's discussions and processes. Publicly available meeting summaries will identify specific recommendations made to the Board.

EXPENSES

TLG member expenses shall be the responsibility of the governmental entities which members serve.

ADOPTION AND AMENDMENT

Adoption of Protocols: These Organizational Practices and Procedures become effective when a majority of the Board votes to accept them.

Amendments: These Organizational Practices and Procedures may be altered, amended, or repealed and revised Organizational Practices and Procedures may be adopted by a majority vote of the Board.