

# HCCC Lead Entity Advisory Groups Operating Rules

These rules describe the purpose of the operating rules, the manner in which the several interests are structured for effective participation, the decision-making process, the responsibilities of the participants to one another and to the constituents, and the conduct for decision-making. Participating in the lead entity process as a member of the lead entity advisory groups signals an understanding and acceptance of the ground rules.

## I. OPERATING RULES PURPOSE

The purpose of the HCCC Lead Entity Advisory Groups Operating Rules is to provide a framework that guides interactions and make explicit the common expectations with which the participants undertake the lead entity salmon recovery funding process and participate on the Hood Canal Coordinating Council (HCCC) Lead Entity Advisory Groups.

The purpose of the lead entity advisory groups is to collectively assess the portfolio of salmon recovery projects submitted to the Lead Entity, give guidance to technical soundness, salmon recovery priorities, community support, and develop a final ranked project list to be submitted to the Salmon Recovery Funding Board (SRFB) for a funding decision. The final ranked list must be consistent with the current salmon recovery priorities for the Hood Canal & the Eastern Strait of Juan de Fuca region, and the current funding cycle policies developed by the Salmon Recovery Funding Board (SRFB), including any changes or additions made to these documents that apply to the pertinent cycle of funding.

## II. DECISION-MAKING

Project evaluation occurs at Technical Advisory Group meetings, Citizens Advisory Group meetings and Citizens Committee meetings. The final ranking of projects will be at the Citizens Committee ranking meeting. Agreement on the project list is by consensus or voting.

Disagreement should be constructive and focused on the issues of project merit rather than on perceptions of motives or relationships and personalities. Everyone must have a chance to be heard. Side conversations are discouraged and should be taken out of the room if necessary. Questions are encouraged to solve problems or educate others. Members should be sensitive of the length of their comments in order to encourage equal participation from the team.

The final decision is to be by consensus. Consensus is the explicit concurrence of all group members. Consensus is a decision that allows each member to say, "The group I represent can live with the decision and accept it, even if it is not exactly what we want." While consensus is generally unanimous agreement on a topic, it can also include formal disagreement with the decision for the record, while agreeing to accept the majority decision. To achieve consensus, group members typically try to address concerns and objections, make adjustments and concessions, rather than argue for their point of view. Both the Citizens Advisory Group and Technical Advisory Group operate on the "Silence Implies Consent" concept. This means unless a member explicitly states they cannot give consensus, their silence will be considered tacit approval.

If consensus cannot be reached, a vote will be taken in which 51% of membership is needed to approve a vote. In the case of the HCCC Citizens Committee votes will consist of a vote taken during the Citizens Committee meeting of each; the HCCC Board of Directors and Citizens Advisory Group. A

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majority, representing at least 51% of **each group** will rule voting decisions by the Citizens Committee. In the event both the HCCC Board of Directors and Citizens Advisory Group pass the motion, the motion is approved by the Citizens Committee. In the event the motion is passed by only one of either the HCCC Board of Directors or the Citizens Advisory Committee, the motion is not passed by the Citizens Committee.

These ground rules are intended to facilitate discussions and salmon recovery efforts under the lead entity organization legislation (RCW 77.85). Should a conflict with that legislation arise from these ground rules, the legislation will prevail.

## III. OPEN PUBLIC MEETINGS

The Hood Canal Coordinating Council follows [Open Public Meeting Act \(OPMA\)](#) requirements. The Lead Entity meeting schedule is posted on the HCCC website with agendas made available at least 24 hours in advance of each meeting.

## IV. ADVISORY GROUPS CONFLICT OF INTEREST POLICY

Addressing conflict of interest is crucial to maintaining organizational integrity and reputation. This is especially true for the State's Lead Entities and Regional Salmon Recovery Organizations that depend on public confidence and support both in implementing salmon restoration and protection projects and in attaining the funding to do so.

A conflict of interest is a condition where a member of the HCCC Lead Entity Citizens Advisory Group (CAG) or Technical Advisory Group (TAG), directly or indirectly benefits by the forwarding of a project for funding. Conflicts of interest are to be disclosed and further categorized by "direct" or "secondary" conflicts of interest.

### Direct Conflict of Interest:

A person has a direct conflict of interest if they are an employee or contractor for a current project sponsor in which a direct benefit or advantage can be gained by the forwarding of the proposed project under review. To avoid even the appearance of inappropriate influence on the scoring and ranking processes, each directly conflicted member shall recuse themselves from the scoring and ranking of projects.

### Secondary Conflict of Interest:

A person has a secondary conflict of interest if they are an underlying land owner, employed by the partnering organization to the project sponsor, or employed by a secondary sponsor in which a perception of benefit or advantage can be gained by the forwarding of the proposed project under review. This category extends to include anyone who has financial ties to the applicant (spouse, etc.). Secondary conflicts of interest must be disclosed by members.

Secondary conflicts of interest shall be declared, and the advisory group shall discuss whether the affected individuals should participate fully in evaluations, provide information but not participate in

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scoring and ranking of proposals they are associated with, or not participate in scoring and ranking of all proposals.

## *Disclosure of Potential Conflict of Interest*

HCCC Lead Entity Citizens Advisory Group and Technical Advisory Group members shall disclose any potential for conflict of interest as defined above; shall strive to avoid conflict of interest or the appearance of conflict of interest in all instances; shall reach determination of conflict of interest for each individual's responsibilities; and implement corrective actions where a conflict of interest is determined. In the event that a conflict of interest arises in which the situation does not fit the direct or secondary definitions of conflict of interest as defined in these operating rules, the conflict of interest shall be disclosed and reviewed by the CAG and TAG members for final determination and individual's responsibilities for corrective action.

## *Recusal Procedures*

All members of the HCCC Lead Entity Citizens Advisory Group and Technical Advisory Group will complete the *HCCC Potential Conflict of Interest Worksheet* prior to the start of scoring, ranking or funding allocation decisions. The advisory group members will review the disclosed conflicts of interest and reach determinations before evaluation and ranking meetings. Conflict of interest determinations will be documented in meeting notes and provided as public records upon request.

In the case in which a member is unsure a conflict of interest exists, disclosure of the circumstance on the *HCCC Potential Conflict of Interest Worksheet* is required for recusal determination by the Lead Entity advisory groups. The member must then recuse themselves from scoring and ranking of projects until full clarification by the TAG and CAG is reached and corrective actions, if any, are determined. Prior knowledge of the proposal or prior contact with the applicant does not constitute a conflict of interest, as long as none of the above criteria apply.

Any advisory group member, or member of the public, may submit a request for member recusal from scoring and ranking of projects due to conflict of interest if a specific reason is presented.

## *Corrective Action*

If an advisory group member is determined to have a *direct conflict of interest*, the member shall recuse themselves from scoring and ranking. All other members found to have a secondary conflict or could be perceived to be conflicted for any proposed project will be excused from scoring, evaluating, advocating for or voting on the conflicted project during the ranking process.

If the advisory group member is requested to abstain or be recused from the scoring and ranking of projects and refuses to do so, the member shall be directed to cease involvement in the meeting in all forms except as a non-participating observer. Evaluation will not commence until the dispute is resolved.

Please note that this conflict of interest policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest that may be applicable to HCCC.