

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Establishing)
the Lower Columbia River)
Watershed Council)
_____)

ORDER NO. 104-02
(Amending ORDER NO. 222-97)

[Note: The Lower Columbia Watershed Council was established pursuant to Order No. 222-97 dated October 15, 1997. Order No. 222-97 is being re-adopted with one amendment: the deletion of a sentence referring to the Scappoose Bay Watershed Council. This deletion is being made at the request of the Scappoose Bay Watershed Council and without objection by the Lower Columbia Watershed Council.]

WHEREAS, the State of Oregon has enacted ORS 541.345 to 541.400 dealing with watershed management and enhancement; and

WHEREAS, the State has created the Governor's Watershed Enhancement Board (GWEB) to initiate a watershed management program that relies on the establishment of voluntary local watershed councils and that provides for the development of local plans that may include, but are not limited to, the assessment of the watershed condition, the creation of a watershed action plan and a strategy for implementing the action plan; and

WHEREAS, local watershed councils shall consist of a majority of local residents, including local officials, shall represent a balance of interested and affected persons within the watershed and assure a high level of citizen involvement in the development and implementation of a watershed action program, and may include representatives of local government, representatives of nongovernment organizations and private citizens, including but not limited to:

- (a) Representatives of local and regional boards, commissions, districts and agencies;
- (b) Representatives of federally recognized Indian tribes;
- (c) Public interest group representatives;
- (d) Private landowners;
- (e) Industry representatives;
- (f) Members of academic, scientific and professional communities; and
- (g) Representatives of state and federal agencies; and

WHEREAS, local watershed councils may submit requests to GWEB or other sources for funding or advice and assistance in developing a watershed enhancement project under the program established by

GWEB, however, the local watershed council needs to be sponsored by a local governing body to be eligible for such funding; and

WHEREAS, the proposed Lower Columbia River Watershed Council has drafted a charter with statements of purpose, mission and vision, goals and objectives, tasks and responsibilities; organization and procedures, and has proposed that the membership on the Council be composed of individuals which include, but are not limited to the following interests:

- Agriculture Community
- Business and Industry Community
- Education Community
- Public Interest Groups
- Forestry Community
- Sub-Basins and/or Local Watershed Councils
- Countywide Organizations
- Local Governments
- Fishing Interests
- Mining Industry

NOW, THEREFORE, IT HEREBY ORDERED as follows:

1. The Lower Columbia River Watershed Council is established as a local watershed council under ORS 541.345 to 541.400.

2. The Council shall be composed of individuals representing the following interests. The list is intended to be illustrative, and not exhaustive:

- Agriculture Community
- Business and Industry Community
- Education Community
- Public Interest Groups
- Forestry Community
- Sub-Basins and/or Local Watershed Councils
- Countywide Organizations
- Local Governments
- Mining Industry

3. The Council shall have all of the powers provided by ORS 541.345 to 541.400 for watershed councils and in addition shall be subject to the following:

a. The Council shall be subject to the public records and meetings laws of ORS Chapter 192;

b. The Council may adopt its own charter and bylaws for the conduct of meetings, voting, appointment of officers, and similar matters. However, representatives of state and federal

government agencies and research and technical organizations shall only have voting rights if they are responsible for land management; and

c. The Council shall report to the Board of County Commissioners at least once annually as to its activities and proposed future activities, and the status of the Lower Columbia River Watershed.

4. The Council shall endeavor to include representatives from the interests listed above. The members shall serve at the pleasure of their respective agencies and organizations. The Council shall act to replace members who resign or are unable to continue serving on the Council. The Council will strive to maintain continuity and the balance of interests by giving preference to representation from the same agencies and organizations at a similar or higher level position. The Council will request the agency or organization to nominate a replacement representative. If the agency or organization is unable or unwilling to do so, the Council will seek representation from another agency or organization of the same community of interest. In this event the Council will consult with the County Commissioners to ensure that the replacement agency or organization does represent the same community of interest. In the event the Council is unable to find a replacement representative that represents the same community of interest, the County Commissioners will be asked to make a replacement appointment to reflect that community of interest.

5. The Lower Columbia River Watershed Council shall work with other watershed councils and share information pertinent to the County's interests. The Lower Columbia River Watershed Council shall support other watershed council's efforts to secure funding for watershed projects and activities.

6. The Council shall be non-partisan, non-political and non-regulatory and shall not have the authority to appeal land use or other decisions of appointed or elected public bodies.

7. The Board of County Commissioners reserves the authority to withdraw approval of the Council or its charter whenever, in its sole discretion, it deems it to be in the public interest to do so.

[THE REST OF THIS PAGE WAS INTENTIONALLY LEFT BLANK.]

8. From this date forward, this Order No. 104-02 supersedes and replaces Order No. 222-97. In all other respects, the authority of the Lower Columbia Watershed Council shall remain and continue uninterrupted by the adoption of this order.

DATED this 11th day of December 2002.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

By: _____
Commissioner

By: _____
Commissioner

Approved as to form

By: John K. King
Office of County Counsel