



WESTERN LAKE ERIE BASIN PARTNERSHIP BYLAWS

Article 1 - Purpose

The Western Lake Erie Basin Partnership is a tri-state partnership dedicated to enhancing multipurpose projects that improve land and water resource management in the basin and promote a healthy productive watershed.

The Partnership is committed to collaboration and consensus building - sharing resources and knowledge to link land use to water quality, support ongoing efforts, and identify new opportunities to enhance and improve the watershed.

The Partnership shall apply watershed-based solutions to local problems and apply local solutions to watershed problems - inclusively empowering and building the capacity of local watershed groups and supporting ongoing efforts.

The Partnership is results oriented - it shall define the baseline status of the basin, identify and prioritize science-based solutions, responsibly support the implementation of innovative and cooperative projects, monitor and evaluate its actions, and support an adaptive management approach.

The Partnership shall speak with one voice, promote transparency, encourage participation, be responsive, create awareness, educate, and inform.

The Partnership shall provide the structure necessary to coordinate public and private resources across political boundaries to accelerate achievement of environmental goals and support for local conservation initiatives.

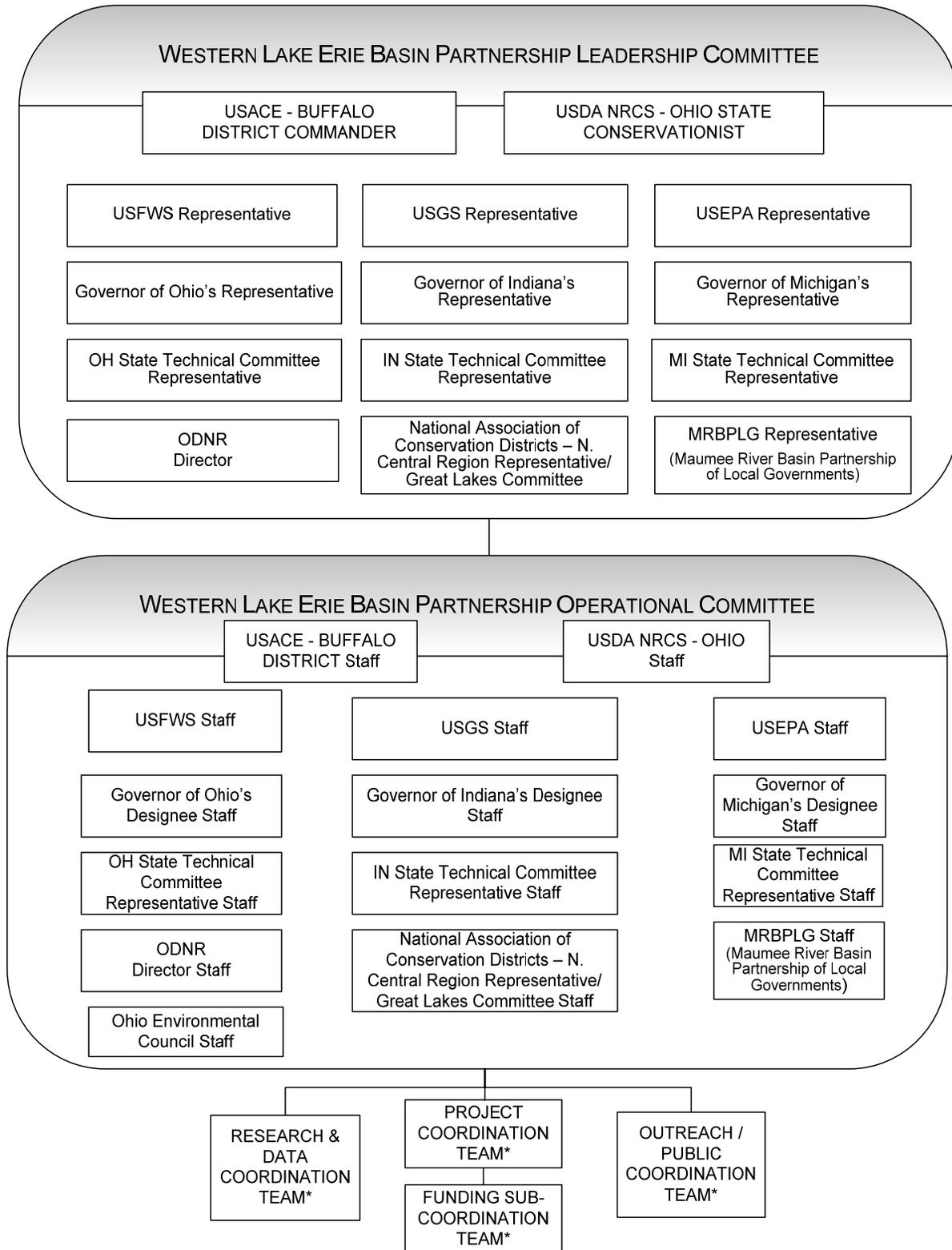
Article 2 - Membership

2.1 Composition

The Western Lake Erie Basin Partnership, hereinafter referred to as the "Partnership," shall be composed of the organizations as shown in Figure 1, detailing members of the respective leadership and operations committees." The Partnership shall include voting and nonvoting representatives of other involved organizations who have a common and vested interest in accomplishing the goals of the Partnership as defined in its Charter. Signing the appropriate agreement and approval by the Leadership Committee is a condition of standing Coordination Team membership.

The Committees (Leadership and Operations) and Coordination Teams are required to sign the WLEB member agreement, and shall operate on consensus, but may conduct simple majority voting at the discretion of the Committee and Coordination Team Chairs. Consensus is defined as "an opinion held by all or most." For Partnership decisions, this means that there is a general feeling of agreement. Differences may exist, but each member of the group can support the group's collective decision.

FIGURE 1: WESTERN LAKE ERIE BASIN PARTNERSHIP



* Coordination teams will include additional state, local and non-governmental staff.

Voting members of the Leadership Committee shall be referred to as "Partners." Members of the Operational Committee shall be referred to as "Advisors." Members of the standing Coordination Teams shall be referred to as "Coordinators." All other individuals interested in the goals of the Partnership who request to receive correspondence from the partnership shall be referred to as "Participants."

2.2 Resignations

Partner agencies, Partners, Advisors, and Coordinators withdrawals of participation shall be submitted in writing with at least 30 days notice and shall be acknowledged for documentation in the minutes at the next regularly scheduled Partnership meeting.

2.3 Applications to Join the Leadership Committee

Shall be submitted in writing at least four (4) weeks prior to the next regularly scheduled Partnership meeting for consideration by the Leadership Committee.

Applications to join the Leadership Committee shall be evaluated by the Leadership Committee 1) based on the ability of the applicant to bring to the Partnership a constituency, expertise, or resources that are not already represented on the Leadership Committee within the existing membership and 2) can the applicant's participation interest be met by serving at the coordination team level instead.

The Leadership Committee desires for the Partnership to be inclusive, but at the same time recognizes the need for the Leadership Committee to be of a manageable size and number.

Article 3 - Leadership

3.1 General Powers

The Partnership shall be led by the Leadership Committee.

3.2 Leadership

The Leadership Committee of the Partnership shall consist of Partners, as named in Figure 1. A Leadership Committee Partner or their designated representative should attend all scheduled Leadership Committee meetings.

3.3 Leadership Committee Co-Chairs

The USACE and NRCS are the Co-Chairs of the Leadership Committee, until such time as these bylaws are amended.

3.4 Operational Committee Co-Chairs

The USACE and NRCS representatives are the Co-Chairs of the Operational Committee, until such time as these bylaws are amended.

3.5 Secretary

The Leadership Committee Co-Chairs shall appoint a USACE or NRCS representative to record the minutes of all meetings, until such time as these bylaws are amended.

3.6 Duties of Officers

3.6.1 Leadership Committee Co-Chairs

The Leadership Committee Co-Chairs shall preside at all meetings of the Leadership Committee, sign the minutes thereof, and perform generally all the duties usually incident to such office and such other and further duties as shall be from time to time required by the Leadership Committee.

3.6.2 Operational Committee Co-Chairs

Co-Chairs shall perform such duties as shall be from time to time required by the Leadership Committee. In addition, these Co-Chairs shall be responsible for submitting and attesting minutes and status reports of the Committee meetings to the Leadership Committee within fourteen (14) days following such meetings. In the event that any Operational Committee Chairs are absent or unable to perform their duties, the Vice-Chair shall assume their duties. The Co-Chairs shall designate Vice-Chairs, as needed.

3.6.3 Chairs of the Standing Coordination Teams (Project, Outreach, Research and Data)

The Co-Chairs of the Project, Outreach, and Research & Data Coordination Teams shall serve two-year terms. Co-Chair appointments and extensions shall be recommended by the Operating Committee and approved by the Leadership Committee. Co-Chairs shall also perform such other duties as shall be from time to time required by the Operational Committee. In addition, Co-Chairs shall be responsible for submitting and attesting minutes and status reports of their respective Coordination Team meetings to the Operational Committee within fourteen (14) days following such meetings. In the event that any Coordination Team Co-Chairs are absent or unable to perform their duties, the Vice-Chair shall assume their duties. The Co-Chairs shall designate Vice-Chairs, as needed.

3.6.4 Secretary

At least seven (7) days prior to a Leadership Committee meeting, the Co-Chairs shall distribute the prior meeting's minutes to all Partners, Advisors, and Coordinators. The minutes shall be subject to the review and approval of the respective Coordinators at the next meeting. Upon approval, Leadership Committee minutes shall be posted to the Partnership's public web site.

Article 4 – Committees and Coordination Teams

Each Coordination Team shall have Co-Chairs, one Co-Chair shall be an Advisor from the Operating Committee and the other Co-Chair shall be a “non-Operating Committee” representative. Each committee shall have at least one representative from one of the Partners identified in Figure 1. The Coordination Teams of the Partnership shall be comprised of the Project Coordination Team (including a Funding Sub-Coordination Team), Outreach Coordination Team, and Research & Data Coordination Team. It is anticipated that, from time to time, ad-hoc Coordination Teams and possibly other standing Coordination Teams shall be appointed and approved by the Leadership Committee. Each standing Coordination Team and Sub-Coordination Team shall report to the Operational Committee and include from three (3) to seven (7) Coordinators approved by the Leadership Committee to serve a term of two years renewable upon approval of the Leadership Committee. The Operations Committee shall act on Coordination Team recommendations and/or present to the Leadership Committee for action as appropriate.

4.1 Leadership Committee:

The Leadership Committee shall meet at locations throughout the watershed in Indiana, Ohio, and Michigan at a minimum on a semiannual basis for the following purposes:

- Establish and maintain the mission of the Western Lake Erie Basin Partnership.
- Set goals, assess performance, and report progress on the watershed improvement effort.
- Allocate available resources for Partnership requirements.
- Provide ongoing public outreach on the watershed improvement effort.
- Provide ongoing senior-level coordination among Partnership member agencies and non-member agencies.

Specific functions of the Leadership Committee include:

- Review progress, address issues requiring senior level coordination, and resolve issues brought forward by the standing Coordination Teams.
- Publish on an annual basis a report on the overall watershed improvement progress and status of the Partnership. The USACE and NRCS shall be responsible for preparing the draft report, coordinating the draft report, and issuing the final report. The report shall publish watershed improvement requirements, funds status, project progress, outreach activities, leadership decisions, and open issues. The standing Coordination Teams shall provide input for the report.
- Sponsor and conduct an annual Partnership Meeting for all Partners, Advisors, Coordinators, and Participants.
- Review and approve all final actions of the standing Coordination Teams.
- Select and approve standing Coordinators who represent interested and involved organizations that sign the member agreement.

4.2 Operational Committee

The Operational Coordination Team shall be comprised of at least one representative from each of the Partners of the Leadership Committee. Each Partner organization shall submit a letter to the NRCS or USACE identifying a representative to the Operational Committee. The representative can be the Leadership Committee Partner, but need not be. The Co-Chairs of the Operational Committee shall be recommended by the Operational Committee Advisors and approved by the Leadership Committee. The Chair of each Coordination Team shall be responsible for submitting and attesting minutes and status reports of the Coordination Team meetings to the Operational Committee. The Co-Chairs shall designate Vice-Chairs, as needed.

The Operational Committee shall meet as required for the following purposes:

- Coordinate the day-to-day activities of the Partnership, prepare for Leadership Committee meetings, and prepare recommendations to the Leadership Committee for evaluation.
- At least annually, the Advisors shall evaluate and make recommendations to the Leadership Committee as to whether or not there are additional State, Federal, local agencies, or nongovernment organizations (NGOs) that can bring additional resources (i.e., funding, people, facilities, material, or equipment) to Partnership activities.

4.3 Project Coordination Team

The Project Coordination Team shall meet as required for the following purposes:

- Serve as the Partnership's technical center of expertise on specific projects. Investigate and provide technical recommendations to the Operational and Leadership Committees as directed.
- Provide input for a comprehensive project database and schedule for the entire watershed improvement effort. Monitor projects' program and progress and provide data for status reports showing metrics based progress.
- Identify and prioritize projects required for watershed improvement.

Specific functions of the Project Coordination Team include:

- Develop and maintain a comprehensive project database.
- Develop and maintain a comprehensive project schedule.
- Seek input about potential projects from State, Federal, Local agencies or non-government organizations (NGOs) and identify opportunities for project coordination.
- Provide project definition packages to the Funding Sub-Coordination Team.
- Make recommendations to the Leadership Committee.
- Develop operating procedures to be approved by the Leadership Committee.
- Other duties as assigned by the Leadership Committee.

4.3.1 Funding Sub-Coordination Team

The Funding Sub-Coordination Team shall have at least one representative from the Operational Committee and shall have a minimum of three (3) members. The representative can be the Partner's Project Coordinator, but need not be. The Co-Chairs of the Funding Sub-Coordination Team shall be recommended by the Project Coordination Team to the Operational Committee and approved by the Leadership Committee. The Co-Chairs of the Funding Sub-Coordination Team shall be responsible for submitting and attesting minutes and status reports of the Funding Sub-Coordination Team meetings to the Project Coordination Team. The Co-Chairs shall designate Vice-Chairs, as needed.

The Funding Sub-Coordination Team shall meet as necessary for the following purposes:

- Track existing funding (amount and source) for the Partnership and the watershed improvement effort.
- Identify and recommend potential funding sources for watershed improvement projects.
- Develop a funding strategy for Partnership projects.
- Make recommendations to the Project Coordination Team and Operational Committee.

4.4 Outreach Coordination Team

The Outreach Coordination Team shall meet as required for the following purposes:

- Enhance public knowledge and understanding of the Partnership and the status of the watershed improvement effort.
- Provide a single point of contact for the public to address watershed improvement needs, desires, and issues.

The functions of the Outreach Coordination Team include:

- Develop and maintain the Partnership web site and/or other media to provide continuous updates on the watershed improvement effort.
- Identify and pursue opportunities for public participation and education in the watershed improvement effort.
- Seek, accept, and coordinate public input and responses, as necessary.
- Make recommendations to the Leadership Committee.
- Develop operating procedures to be approved by the Leadership Committee.
- Other duties as assigned by the Leadership Committee.

4.5 Research & Data Coordination Team

The Research and Data Coordination Team shall meet as required for the following purposes:

- Synthesize the existing available data into a format useable for watershed analysis across three States: Indiana, Michigan, and Ohio.

- Identify gaps in the existing data, prioritize data and research needs, and work within existing authorities and available funding to improve understanding of the Western Lake Erie Basin.

Article 5 – Administration

5.1 Meetings

Regular meetings of the Partnership shall be held throughout the Western Lake Erie Basin. Agendas, resolutions, and supporting materials shall be distributed to the respective Partners, Advisors, Coordinators, and Sub-Coordinators seven (7) days before the next meeting. All meetings of the Partnership shall be conducted in accordance with Robert's Rules of Order. Notice of all Partnership meetings shall be given at least fourteen (14) days before the date of such meeting to each Committee or Coordination Team member by e-mail at their last known address, and all such notices shall state the time, place, and purpose of the meeting. Leadership and Operational Committee and Coordination and Sub-Coordination Team meetings shall be held at a frequency to ensure schedules and goals of the Partnership are met. Meetings are open to the public to attend, but are not subject to official public notification requirements.

5.2 Special Meetings

Special meetings, as needed by the Committee Chair, shall be called from time to time in accordance with Section 5.1, Notification above, exclusive of the fourteen (14) day advance notice.

5.3 Quorum

A quorum shall consist of two-thirds (2/3) of the Partners, Advisors, and Coordinators attending the Leadership Committee, Operational Committee, and standing Coordination Team meetings, respectively.

5.4 Method of Decision Making

The Leadership Committee is the ultimate decision maker for the Partnership. The Operational Committee and Coordination Teams make recommendations to the Leadership Committee for implementation. Each Partner, Advisor, and Coordinator or Sub-Coordinator shall have one (1) vote for their respective Committee and Coordination Teams. While it is the intent that the Partnership shall endeavor to develop a consensus in all decision-making, simple majority voting may be used at the discretion of the Committee and Coordination Team Co-Chairs if consensus is unattainable. However, under no circumstance shall any action be taken by a Coordination Team be construed to obligate any individual or agency to undertake projects or activities without their consent. Also, Partners, Advisors, and Coordinators may not vote on motions that conflict with the limitations associated with the various Federal, State, and local agency authorities and appropriations. Dissenting opinions will be captured in the Leadership Committee Minutes as part of the permanent record.

5.5 Minutes

Minutes shall be recorded and approved or revised at the next regular meeting. Minutes shall serve as an official record of the Partnership and be published on the Partnership web site in a timely manner after approval.

Article 6 – Code of Ethics

All Partners, Advisors, Coordinators, and Sub-Coordinators shall comply with their respective agency's code of ethics, as applicable. All Partners, Advisors, Coordinators, and Sub-Coordinators shall avoid conflicts of interest and the appearance of impropriety.

Article 7 – Miscellaneous

The work of the Partnership shall contribute toward the development of the USACE framework to improve the Western Lake Erie Basin (WLEB) and NRCS WLEB-wide plan. Once these plans are established and implemented, the present need for the USACE and NRCS Partnership leadership roles shall be reevaluated.

Buffalo District, U.S. Army Corps of Engineers, under the authority of Section 441 of the Water Resources Development Act (WRDA) of 1999, has entered into this Partnership to help develop a framework for improving the Western Lake Erie Basin. Pursuant to this authority, the Congress (Senate and/or House Committees) has authorized the U.S. Army Corps of Engineers to conduct a study to develop measures to improve flood control, navigation, water quality, recreation, and fish and wildlife habitat in a comprehensive manner in the Western Lake Erie Basin, Ohio, Indiana, and Michigan, including watersheds of the Maumee, Ottawa, and Portage Rivers.

NRCS has developed a 10-year plan to use Rapid Resource Assessments, Areawide Planning, and acceleration of USDA Farm Bill programs to address the resource concerns for the Western Basin of Lake Erie and the contributing watersheds, including the Maumee, Portage, and Ottawa Rivers as well as other smaller direct discharge streams between Toledo and Sandusky Bay. Rapid Resource Assessments in each of the eight (8) different 8-digit hydrologic units in the project area will be combined into a basinwide plan. This data will be used through an Adaptive Management approach to fine tune and guide the acceleration of the USDA Farm Bill programs. Progress will be measured by a combination of means, including the NRCS Progress Reporting System (PRS), annual tracking of land use/cover changes, conservation tillage transects, and water quality monitoring data.

Article 8 - Amendment of Bylaws

These bylaws shall be amended, suspended, repealed, or superseded, in whole or in part, at the discretion of the Leadership Committee.

Western Lake Erie Basin Partnership Bylaws as approved unanimously by the Western Lake Erie Basin Partnership Leadership Committee on March 29, 2006.