

**Charter of the Olympic Coast
Intergovernmental Policy Council**

**The Hoh Indian Tribe
The Makah Tribe
The Quileute Tribe
The Quinault Indian Nation
The State of Washington
and
The National Oceanic Atmospheric Administration, National
Marine Sanctuary Program**



May 30, 2007

Preamble

The Olympic Coast Intergovernmental Policy Council (Policy Council) is formed to provide an effective and efficient forum for communication, exchange of information and policy recommendations regarding the management of the marine resources and activities within the boundaries of the Olympic Coast National Marine Sanctuary (OCNMS). The Policy Council will be a forum where sovereigns with regulatory jurisdiction over marine resources and activities within the boundaries of the Olympic Coast ecosystem meet to enhance their communication, policy coordination and resource management strategies.

The marine environment off the Olympic Peninsula of the State of Washington is among the most pristine marine ecosystems of the United States. These waters are essential habitat for a wide variety of marine birds and mammals, some of which are threatened or endangered species. In addition, the Olympic Coast ecosystem supports important fishery resources, including several salmon species, groundfish and shellfish. These resources form an economic base for many coastal communities and are essential to the Coastal Treaty Tribes' economy and culture.

In 1994, the OCNMS was designated by the National Oceanic Atmospheric Administration (NOAA) in fulfillment of its mission articulated in the National Marine Sanctuaries Act.

The 1994 designation established the role and responsibilities of the OCNMS. The OCNMS designation document reflects the understanding that the primary mandate for the regulation and management of fish stocks for a healthy fishery rests with the existing fishery management agencies and will be managed in accordance with U.S. v. Washington and other applicable law. The National Marine Sanctuary Program (NMSP) is mandated under the National Marine Sanctuaries Act to protect all sanctuary resources on an ecosystem-wide basis. The focus of OCNMS research will be to enhance the understanding and protection of the marine ecosystem, including fisheries and fish habitat, and to address management needs within the boundaries of the sanctuary.

Therefore, the Coastal Treaty Tribes, the State of Washington and the National Marine Sanctuary Program, each having responsibility for regulation of activities and management of marine resources within the boundaries of the OCNMS, establish the Olympic Coast Intergovernmental Policy Council (Policy Council) to guide and direct the OCNMS in fulfilling its obligation to ensure coordinated and comprehensive management of the OCNMS.

I. Purposes of the Policy Council

The purposes of the Policy Council are set forth in the Memorandum of Agreement (MOA) between the National Marine Sanctuary Program, the Hoh Tribe, the Makah Tribe, the Quileute Tribe, the Quinault Indian Nation and the State of Washington, dated January 30, 2007.

II. Duties and Responsibilities of the Policy Council

To accomplish its purposes the Policy Council will:

- A. Engage with the OCNMS in identifying and evaluating emergent or critical issues involving use of the sanctuary and activities within the boundaries of the sanctuary, or sanctuary resources or the impact of sanctuary management decisions. This may include advising the OCNMS on the development of annual budget and programmatic priorities, research and education objectives and resource management initiatives;
- B. Coordinate and collaborate resource management efforts in the Olympic Coast marine ecosystem and assist the OCNMS in the development and review of the sanctuary management plan;

- C. Monitor and assess the success of the implementation of the OCNMS management plan and related marine resource management initiatives;
- D. Coordinate and prioritize research objectives, and exchange technical, scientific and policy information related to sanctuary resources and OCNMS management;
- E. Reinforce the cooperative relationship between the Parties to the MOA and their respective staffs;
- F. Undertake efforts to improve the awareness and understanding of the OCNMS among constituencies interested in marine resource management, particularly coastal residents or marine industries that interact directly with sanctuary resources or conduct activities within the boundaries of the OCNMS; and
- G. Strive to ensure that the Policy Council's guidance, direction and recommendations to the OCNMS are consistent with the statutory obligations of NOAA and the National Marine Sanctuary Program in order to implement the National Marine Sanctuaries Act and achieve the Act's primary objective of marine resource protection.

III. Members of the Policy Council

- A. The initial membership of the Policy Council will include the Hoh Indian Tribe, the Makah Indian Tribe, the Quileute Indian Tribe, the Quinault Indian Nation and the State of Washington (Members).
- B. In consideration of Administrative Procedure Act requirements and other federal law, the Department of the Interior, the National Marine Sanctuary Program and other federal agencies may be invited to participate in the Policy Council's discussions and deliberations. Federal agencies may not be voting Members of the Policy Council.
- C. Additional governmental entities and agencies may be invited to become Members of the Policy Council by agreement of all existing Members.

IV. Policy Council Structure

- A. Each tribal and state member may designate one (1) representative and one (1) alternate representative to vote on behalf of the Member on the Policy Council. The designation of each Member's voting representative will be in writing and submitted to the OCNMS Superintendent.
- B. Federal agencies may appoint a representative to participate in the Policy Council discussions and deliberations.
- C. The Policy Council may admonish any representative to the Policy Council whose behavior is inappropriate and may, in extraordinary circumstances recommend that the representative be replaced.
- D. Decisions or recommendations of the Policy Council may only be made by consensus of all voting representatives present at a meeting.

V. Meetings and Operations

- A. Meetings. The Policy Council will meet as often as it deems necessary but no less than twice each calendar year. A quorum of three (3) of the five (5) voting representatives must be present to conduct Policy Council business.
- B. Minutes. Minutes of all Policy Council meetings will be recorded and maintained as official records of the Policy Council.
- C. Chair of the Policy Council. There will be a chairperson elected by the representatives of the Policy Council. The first Chair will be elected at the first meeting of the Policy Council and will serve until the first Policy Council meeting of the calendar year following his/her election. Subsequently, the Chairperson will serve for one calendar year. The duties of the Chairperson are as follows:
 - 1. Convene meetings after consultation with each representative to the Policy Council. At least fourteen (14) days notice must be provided to each representative of the time, place and proposed agenda for each meeting;
 - 2. Preside over Policy Council meetings and ensure that minutes of each meeting are kept and are circulated to each representative for any necessary corrections or additions before being approved by vote of the Policy Council and entered into its permanent records;
 - 3. Request information or presentations from the tribal, and state representatives, federal agency representatives, or such other persons or professionals as necessary for the Policy Council to conduct business; and
 - 4. Appoint representatives to subcommittees as the Policy Council deems necessary.
- D. Work Plan. The Policy Council will adopt an annual work plan describing the specific activities, issues or priorities that it will undertake.
- E. Subcommittees. The Policy Council may establish subcommittees to expedite information gathering or policy development on specific topics or to accomplish specific objectives of the Policy Council. Representatives to subcommittees will be appointed by the Chair. Subcommittees will disband when their purpose or duty has been accomplished or by decision of the Policy Council.
- F. The Policy Council will strive for consensus on its actions and guidance to the OCNMS. Deliberations will be conducted in good faith and every effort made to achieve consensus. When the Policy Council reaches consensus on a decision, it will record the decision in its meeting minutes.

VI. Adoption, Amendment and Termination

This Charter will become effective as the governing document of the Policy Council on the date that the MOA is fully signed by all of the Parties to the MOA. The Charter may be amended after it goes into effect only by written agreement of all of the Parties to the MOA. Any Policy Council Member may withdraw its participation in the Policy Council by providing each Policy Council Member with written notice of its withdrawal thirty (30) days prior to the withdrawal date. The Policy Council shall terminate if more than one Coastal Treaty Tribe withdraws from participation as a member or upon consensus decision of the Policy Council.