**DECLARATION OF COOPERATION**

**Spirit Lake-Toutle/Cowlitz River System Collaborative**

**September 9, 2021**

**Summary**

The creation of a Spirit Lake, Toutle/Cowlitz River Collaborative (SLTCRC) is inspired by the 2018 National Academies of Science, Engineering and Medicine (NASEM) report recommendation to create "a system-level entity or consortium of agencies to lead a collaborative multi-agency, multi-jurisdictional effort that can plan, program, create incentives, and seek funding to implement management solutions focused on the entire Spirit Lake and Toutle River system" ~~and stated "this effort should also be open and accountable to interested and affected parties involved in management decisions~~.[1] The NASEM report was commissioned by the U.S. Forest Service after the U.S. Congressional delegation directed the USFS, USGS, and US Army Corps of Engineers to generate long-term sediment Spirit Lake level management solution. This declaration of cooperation is designed to bring agencies together to share information and help to build consensus regarding needs relating to the systems and promote action to address the needs through normal processes of the responsible agency; primarily relating to the chronic and catastrophic flooding issues. The parties also acknowledge the need to maintain any individual agency’s ability to act under their own authority.

**Project Background**

The SLTCRC is in Southwestern Washington and geographically consists of Mount St. Helens and the Spirit Lake and Toutle and Cowlitz River Drainages. The system is complex, with multiple local, state, Tribal, and federal entities managing different parts of the system with different, but often overlapping goals and mandates. According to NASEM:

“Two types of long-term and system-wide risks need to be considered in the Spirit Lake and Toutle River region. First are the relatively high-probability, moderate-consequence risks associated with chronic flooding along the Toutle and Cowlitz Rivers. These could cause social and economic disruption in populated and commercial areas and are mostly the result of channel infill from the movement of sediment out of the Toutle River and into the Cowlitz River. Second is the likelihood of life loss and community destruction caused by catastrophic flooding and mudflows into populated areas along the Toutle River and the Lower Cowlitz River”.[1]

**Objectives**

The SLTCRC members recognize that reducing these risks presents long-term technical and adaptive challenges. The SLTCRC also recognizes and values the idea that the system should be managed for multiple functions and benefits to support the vitality of the entire socio-ecological system. The involved members shall work together to create common understanding and identify actions to reduce risks while managing for multiple functions and benefits in the system. The collaborative effort is needed to ensure ongoing discussions and continuity of the mutual understanding of the ongoing efforts to overcome staff and policy changes that could lessen the ability of agencies to act in a timely way to address ongoing downstream safety needs. In order to properly maintain the collaborative effort, the group will work to obtain and maintain funding to support operational staffing.

**Spirit Lake-Toutle/Cowlitz River System Collaborative Team Commitments**

The commitments represented in the following pages form a public statement of intent to participate in good faith in the collaborative and promote the long-term sustainable management of the system for multiple functions and benefits. Members commit to ongoing communication and collaboration, the exchange of information and planning efforts, identifyingof collective opportunities, and updating and informing the U.S. Federal delegation, Washington State Legislature, and Governor, while providing opportunities to maintain an open dialogue among agencies to address the group’s objectives.

All team members acknowledge that the best solutions depend upon cooperation by all entities at the table. Accordingly, they recognize each party has a unique perspective and contribution to make, and interests that need to be considered for the group’s success. High among these interests are (in unranked order):

* human health and safety via sediment management,
* flood risk management;
* economic development and thriving resilient communities;
* ecological restoration and fish and wildlife recovery,
* recreation opportunities;
* research integrity and educational opportunities; and
* tribal historical, natural, and cultural resources.

It is recognized by all parties to this agreement that any actions associated with these interests will follow each agency’s authorities and requirements. It is also recognized that this collaborative will make recommendations for consideration by county, state, or federal agencies, but will not be in a position to make decisions for those agencies.

The following State, Federal, Tribal, and Local Governments will work with other interested and affected parties to:

* define membership criteria,
* develop ground rules and guidelines in a charter or set of operating protocols that includes those interested and affected parties,
* identify opportunities and mechanisms to establish the collaborative long-term,
* develop actions and deliverables and resources that support management solutions focused on the entire Spirit Lake and Toutle River system, and
* work to deliver congressionally authorized objectives in a timely manner as appropriate to the agency.

*This Declaration of Cooperation, while not a binding legal contract, is evidence to and a statement of the good faith and commitment of the undersigned parties. The undersigned parties to this Declaration of Cooperation have, through a collaborative process, agreed and pledged their cooperation to create common understanding and identify actions to reduce risks while managing for multiple functions and benefits in the system.*

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WA Depts of Ecology &,Natural Resources,, XXXXXXX NOAA Fisheries, XXXXXX

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Cowlitz Indian Tribe, Chairman Confederated Tribes and Bands of the

 Yakama Nation, Chairman

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U.S. Forest Service, Forest Supervisor WA Dept. of Fish and Wildlife (WDFW), Gifford Pinchot National Forest XXXXXX

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City of Castle Rock Public Works, XXXXX U.S. Army Corps of Engineers, Deputy

District Engineer

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City of Kelso, XXXXXX U.S. Geological Survey, XXXX

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City of Longview, XXXX U.S. Federal Emergency Management

 Administration, XXXXX

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Cowlitz Conservation District, XXXX Port of Longview, XXXX

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Administration, XXXXX

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 Lower Columbia Fish Recovery BoardCowlitz-Wahkiakum Council of Governments

(CWCOG)

[1] NASEM (2018). A Decision Framework for Managing the Spirit Lake and Toutle River System at Mount St. Helens. The National Academies Press, Washington DC. DOI: 10.17226/24874 Retrieved from https://www.nap.edu/catalog/24874/a-decision-framework-for-managing-the-spirit-lake-and-toutle-river-system-at-mount-st-helens

**Spirit Lake-Toutle/Cowlitz River System Collaborative**

**DRAFT OPERATING GUIDELINES**

Collaborative:

* Open discussion: Participants may express their views candidly, but without personal attacks. Time is shared because all participants are of equal importance.
* Consensus: SLTCRC decisions and recommendations will be consensus-based. For all decisions, consensus of all members is desired. Consensus can be achieved at any full SLTCRC meeting where at least 60% (e.g., 12 of 20) members (or their designated alternates) are present. Members pledge to attend all meetings if possible., and scheduling of meetings will be as inclusive of all members as possible
	+ *Consensus Defined:* The SLTCRC operates under the following definition of consensus: *Consensus means that each member can say: (1) I was a respected member of the group that considered the decision; (2) my ideas (opinions, knowledge, concerns, beliefs, hopes) were listened to; (3) I listened to the ideas (opinions, knowledge, concerns, beliefs, hopes) of others; and (4) I can support the decision of the group, even though I might have made a different decision had I acted alone; or (5) I abstain from the decision since my agency uses a separate decision-making process.*
	+ This consensus can be conveyed via a thumbs up (*I support this option*), thumbs sideways (*I can live with this option for the good of the group and the process*) or thumbs down (*I cannot live with this option*). If a member shows thumbs down, that member is expected to provide a proposal that legitimately attempts to achieve the interest of the constituency they represent and the interests of the other members. All members will seek solutions that allow those thumbs to go up or sideways.

Meetings:

* The Collaborative will meet once a monthat least quarterly (with exceptions as needed and agreed upon by participating members). Subcommittees and ad hoc workgroups will meet as agreed on by the full group.
* All Collaborative meetings are open to the public, and all interested parties are encouraged and welcome to participate within the ground rules for the meetings.
* Be Constructive
	+ State your pieceBe concise so all have a chance to speak
	+ Overall: focus on mutual gains/solutions that work for ALL parties
* Virtual & In-Person Meetings
	+ Keep yourself on mute unless speaking
	+ Keep video on (as bandwidth & personal situations allow)
	+ One primary representative (and one secondary representative) from each organization in speaking roles (unless technical or other needed support staff)
	+ Raise your hand and/or wait to be recognized before speaking
* Be Respectful
	+ Respect everyone’s expertise and contribution; this is an important butand complex discussion
	+ Listen carefully so that you and ALL your colleagues can be heard
	+ One voice at a time
	+ Recognize and actively work to minimize power dynamics in a collaborative that includes vastly different stakeholders
* Show Leadership
	+ Focus on the future and encourage one another to look forward
	+ Look first for areas of agreement then use disagreement to build understanding and learn

**Spirit Lake-Toutle/Cowlitz River System Collaborative**

**DRAFT WORK PLAN (Spring 2021-Summer 2022)**

**Indicators of Success for this phase:**

• Signed Declaration of Cooperation by all parties.

• Develop and agree upon shared vision for the whole basin +

Agree upon a set of common interests/values

• Develop working list/database of agency authorities, roles and commitments, projects and

 timelines, legally binding agreements, existing metrics and what should be updated (e.g., flood

 protection levels)

• Identify collective issues and risk concerns

• Increased trust, stronger relationships, deeper understanding of each other’s needs, and

 agreement to act with awareness of others’ perspectives

• Recognition by the U.S. Federal delegation, WAashington State Legislature, and Governor of the need for asuccessful, long-term collaborative group

• Identify paths to continue collaborative group long-term

• Prioritized list of actions to pursue that contributes to the long-term management of the system and the safety and economic wellbeing of downstream communities.

• Pursue at least one action as a group during this phase of developing a collaborative.

* Acquisition of operational funding to support the collaborative over a three-year period