

Oregon Nearshore Research Task Force
June 3-4, 2010
Salbasgeon Suites, Corvallis, Oregon

TF Members: Sybil Ackerman, Laura Anderson, Bob Bailey, Caren Braby, Stephen Brandt, Leesa Cobb, Gus Gates, Onno Husing, Jeff Kroft, Mike Lane (absent), Gil Sylvia, Terry Thompson (absent on day 1), Frank Warrens, Craig Young (absent, but called in for a portion of the meeting).

Federal non-voting members: Roy Lowe (absent), Cathy Tortorici (absent)

Staff: Jenna Borberg, Julie Risien, and Andy Lanier

Contractor: TC Hoffmann and Associates: Tegan Hofmann and Gabriella Goldfarb

Other Participants: Doug Brusa, Oregon State University Foundation

An expanded summary of issues decided and action items can be found below under the detailed summary of the meeting

Summary of Issues Decided/Positions Taken

1. The Task Force (TF) approved the May Meeting minutes.
2. The TF agreed to accept the Draft Recommended Strategy that was distributed prior to the meeting as a TF working draft, rather than just a discussion piece. The TF came to several decision points on this working document, including, the need for an executive-level coordinating body (Marine Cabinet), a stakeholder advisory body, and a marine science advisory board. It was also decided that the stakeholder body and the science body would each serve direct advisory roles to the executive-level body. Further, the executive-level body, with input from the stakeholder and science bodies, will prepare a nearshore strategic plan.

Summary of Action Items

1. Steve recommends that TF members review the Chesapeake Bay Program:
<http://www.chesapeakebay.net/>
2. Future Meetings –
 - Hoffmann and Associates will give a presentation on their Institutional framework research at the June 28-29 meeting.
 - Send notes and a DVD from this June 3-4 meeting to Hoffmann and Associates (Jenna and Andy)
 - Funding Panel - Allocate an hour for a funding panel at the next Meeting. *TF members should email any panel questions to Laura in advance.* The Funding Committee will contact and invite presenters (Funding Committee).
3. TF Working Draft – A new draft will be created based on notes from this meeting and TF input. Revisions will proceed as follows:
 - Element 1-4
 - June 11** - Send modifications and highlighted decision points to the Operations Team (Julie and Jenna)
 - June 14** – Receive feedback from the Operation Team and send draft elements to entire Task Force (Operations Team, Julie and Jenna)

June 21 - Request feedback from the (entire Task Force)

Other Sections

- Budget –Have a conversation with Rep Roblan about how detailed of a budget the NRTF should provide with the recommendations (Gil)

June 18 – Send other sections that were discussed at the June 3-4 meeting to Julie and Jenna

- Introduction, Rationale, Need for Research, Need for Nearshore Strategic Plan/Strategic Research Plan (Caren)
- Research Report - Draft a paragraph based on Heather's Report (Funding Committee)
- Data Section (Bob)
- Outreach and Education - pull some language out of the WCGA Action Plan, SG Regional Report, and NS Strategy as a framework for discussion (Julie will have the Intern work on this piece)
- Strategy to enhance funding – identify the need and this may be incorporated into the charge for the ED of the Trust (Funding Committee)
- Community engagement – draft text for this section of the report (Community Engagement Committee)

June 22nd – Incorporate these other sections with the elements 1-4 and distribute to the Task Force (Julie and Jenna)

Detailed Summary of Meeting

The meeting was called to order at 10:25 am by Chair, Stephen Brandt

Approval of May Meeting Minutes

The Task Force (TF) voted to approve the draft May meeting minutes.

Contracts Update

The Institutional Framework contract with T.C. Hoffmann and Associates has begun. The contractors met with the Operations Team to discuss areas that they will be looking at in detail and made slight modifications based on feedback. They will give their main presentation at the June 28-29 meeting. There are also funds available to hire a funding contractor to flesh out the recommendations if necessary.

Institutional Framework Contract, Hoffmann and Associates, LCC

Tegan Hoffmann and Gabriela Goldfarb of T.C. Hoffmann and Associates provided an overview of case studies that they will be working on. They are just getting started on this work and they will get a report to TF on June 25th.

They will be doing the following six place-based case studies:

1. Maryland (lens towards Chesapeake Bay)
2. Virginia (lens towards Chesapeake Bay)
3. Gulf of Maine
4. California
5. Australia and the Great Barrier Reef
6. British Columbia

These were selected because they are contrasting models and will likely be the most informative for the TF's work. For each case study they are conducting in-depth interviews, literature review, and looking at the ability to receive and distribute funds, transparency, provide scientific advice to decision makers, etc.

Questions from the TF

Q: What level of detail do you plan to go into for funding structures?

A: Try to map out how the money flows in and out of organizations and for what purpose. And if they can figure out, where that money comes from – this will be based on interviews and they think they'll find more information for some places than others. Some are more transparent. Flow of funds, where money comes from, and dissemination. Will also map out institutional arrangements.

Q: Would be interesting for us to know if there are any limitations on use of money as given (strings attached?). Another question is has it caused any friction within an organization when money is earmarked?

A: Want to be careful not to speculate, but if it is something they can verify – such as earmarks or priorities. For CA, who they have already interviewed, they did learn that some money is earmarked. Regarding friction, that is a good question and they can speak to that from their own experience as well.

Q: Question on methodology – give limitations on time, I imagine you have to be selective in who you choose to interview. What is your approach to interviewing people from outside of the framework and ground-truthing with citizens?

A: First priority is getting people within organizations – a couple of people within each case study. Ideally, they would like to reach out to an external audience. Have been able to do that for CA, BC, and Australia, but not sure if they'll be able to for the rest. We can try to do that.

Recommendation – If there are people they are aware of that have a conflict, at least let the TF know who those people are so that they can follow up.

A: We'll have an informant list at the end of the report. Have found that people really do take the opportunity to unload and tell them their thoughts on transparency and funding.

Q: Do you have a standard set of questions?

A: We have a standard guiding framework and we will be including that in the report. Still individually tailored, but have a guiding framework.

Q: Regarding funding mechanism, will you be looking at a list of the types of mechanisms they used to raise funds? e.g., using license plates.

A: Yes, we'll try our best to identify those. Can highlight some of the main revenue streams.

Institutional Framework Draft Overview

The TF quickly walked through the draft institutional framework document and decided to accept this recent version as a TF working draft, rather than just a discussion piece. Between now and June the TF will work on redrafting and circulating pieces to produce a complete rough draft at the June meeting. Then between the June and July meetings, the TF will continue circulating this draft so that by the July meeting the TF is ready to adopt this as the final draft and will submit something to legislature on August 1.

The TF did a roundtable to see how members are feeling about draft framework so far. In general, people were very happy with the progress and direction. Some areas that were highlighted for potential concern and/or needing more work included: the citizenry and funding components, using OPAC to represent stakeholders, the importance of this framework, an investment strategy, both short-term and long term goals, creating a science body that is robust, and mechanisms for data management and data sharing.

Action: It was recommended that the TF take a look at the Chesapeake Bay plan because it is similar to what this TF has been talking about, and the plan has been around for 27 years.

Evaluation of the Institutional Framework Concepts

The TF reviewed the components of the draft institutional framework and identified areas of consensus, and areas that require further discussion.

Executive-level Policy Oversight and Coordination

Two big issues were discussed: 1. Membership and 2. Specific charges of the executive-level body

Decision:

- There will be an executive level policy oversight body
- The Marine Cabinet will serve this state role

Action: There should be a section upfront in the TF's recommendations - an introduction on why research is important, what we are doing, etc.

There was general agreement that the Marine Cabinet would serve as this executive level body, with directors or designees of the appropriate state agencies being decision makers, and there would be an advisor from OPAC, STAC, the legislature, and the Governor's office. The Marine Cabinet would be formalized by executive order or legislature. This would be a policy coordination body.

Concerns: the possibility that priorities could swing every four years, the process may be giving too much power to state agencies and not enough to the public and stakeholders, it is important

to recognize local issues that state agencies might not be aware of, important to build on existing structures.

Parking lot issues: Need to cook the nearshore research and monitoring plan more - there are some key provisions that would need to go into this plan. There should also be a plan for community-based research and monitoring, and national efforts as well.

Nearshore Strategic Plan (NSP)

There was general agreement that this executive-level body would be responsibly for coming up with a strategic plan through input from the stakeholder body and the scientific body. The strategic plan should build in community engagement and possibly recommend that a portion of money that comes into the state goes towards community-led projects.

Decision: The executive-level policy group should create a nearshore research and monitoring plan

Some concern still remained as to whether the executive-level body outlined above is the best group of people to write the NSP. The 5-year plan timeline was discussed. It was noted that the executive-level body may need to set up short term geographically focused community teams.

The TF should include a date in the recommendations for when the plan will be completed by (e.g., the plan must be completed not more than X number of years from when the bill is implemented). It was noted that the TF may also want to include how much time stakeholders have to give input.

Stakeholder Advisory Body

Decision: All present TF members agreed that Oregon needs a stakeholder advisory body

The Ocean Policy Advisory Council (OPAC) was proposed as the group to serve as this stakeholder advisory body. There was general agreement that they should serve this role, but discussion about whether they should be proposed as is, or with modifications. There was some concern that they do not currently represent all stakeholder group and that they should be expanded to include education, community groups, and other ocean users (e.g., wave energy). However, there was general concern about changing OPAC and how this could quickly become political. It was recommended that if OPAC is not changed, then Community Engagement should be given a fifth bullet on page one of the draft institutional framework. Alternatively, it was suggested that community groups be included in the stakeholder box along with OPAC.

It was noted that OPAC's function will change with the new structure (OPAC and the science body serving as independent advisory bodies to the executive-level body).

The general consensus was that OPAC should be proposed as is, to serve as this initial stakeholder body; but that the legislature may want to consider evaluating OPAC in the future and consider expanding to better represent all stakeholders. There was also general consensus that strong mechanisms for community input at all levels be included in the recommendations.

Action Item: The Community Engagement Committee was charged with writing a paragraph that will be included in the next working draft framework.

Scientific Advisory Body

There was discussion about the scientific advisory body and the membership and role of this body. It was proposed that the current Scientific and Technical Advisory Council (STAC) could serve as the initial scientific advisory body.

Decision (with caveat): There was general agreement that STAC is a good starting point for the scientific advisory body (this was flagged by Sybil until she checks in with her constituents). STAC can eventually expand membership to represent all necessary disciplines by the following process: STAC can recommend new disciplines and members, and the Executive-level body will approve those members

It was suggested that the TF have a discussion with STAC to see if they believe they are the appropriate body and to inquire about their strengths and weaknesses. It was noted that funding is needed to support the scientific body. Further, it needs to be understood that there is a limited amount that STAC can be used - there has to be someone who has the authority to say that they don't have the resources to answer a particular question. It was suggested that the executive-level body could serve as a gatekeeper for requests to use STAC.

General Framework Structure

There was general agreement that the stakeholder advisory body (OPAC) and the scientific advisory body (STAC) would independently provide input to the executive-level body (Marine Cabinet) for the NSP and in general.

Funding Mechanism

There was general discussion about a funding mechanism to allow trusted money from a variety of sources to support nearshore work. The general trend was towards a 501c3 that would be required to have a small board of directors and an executive director. It was noted that the NSP would drive the funding mechanism and that the board of directors would also be a critical piece. It was generally agreed that one of the roles of the board would be to raise funds for the trust, and that this pursuit of funds would be based on the NSP which would be created with Marine Cabinet, OPAC, and STAC input. The board should think about how to best use the NSP to pursue and leverage funds.

It was noted that funding should support Oregon's own unique vision for protection, fisheries, communities, etc.

There was general discussion, but no conclusion about when the peer review process would be required.

Funding Mechanism Presentation

Doug Brusa of the College of Ocean and Atmospheric Sciences at Oregon State University (OSU) Foundation provided a general presentation on non-profit organizations.

Nonprofit Organization basics:

1. Bylaws and public purpose
2. A corporation – legal body that can relieve of individual liability
3. IRS tax determination – relieves of tax burdens since for the public good
4. A board – a non-profit is “owned” by a board.
5. Non-distribution constraint – money/profit cannot be shared with the shareholders.

501c3's are the most common type of non-profit, largely because they are eligible for tax-deductible contributions.

OSU has a master plan that serves as a firewall for receiving and distributing funds based on this plan.

Fundraising discussion

Some leveraging fund options - matching – some donors want to set up the match (challenge fund), and some the reverse. In competing for funds – it is about the donor's intent. Marketing is also important. It was suggested by TF members that Oregon should focus on the uniqueness of the blend of objectives of the TF and our vision. It was also suggested that the TF may want to think more broadly than neashore research to attract funders, e.g., maybe think of this as the Oregon Ocean Stewardship Foundation.

Recommended Websites

Philanthropy.com

Oregon Community Foundation – oregoncf.org

Finance Committee

The Finance Committee proposed coordinating a series of discussions to help the TF come to consensus on a strategy. They would like to learn about a range of options. 501c3 is gaining traction, but there are still a lot of questions to answer.

They recommend allowing engaging in one-on-one discussions with potential funders, to ask what structures are preferred – e.g., brand new 501c3, existing structure, etc.; and the realm of possibilities for funding packages. What entices them? How important is regional coordination?

The Committee proposed a panel discussion at the next meeting (approximately 1 hour) that the Committee can facilitate. They recommended inviting the following people: Joe Caves to talk about private funds, Mike Valentine (recommended by Joe Caves), Kevin Ranker who has experience with federal funds, Arnie Roblan to talk about State funds, Mike Dickerson from Shorebanks, and the Puget Sound Partnership

Potential questions to ask the panelists are as follows:

1. How did they design their institutional and capital structure/portfolio (e.g. foundation funds, public funds, endowments, small donor campaigns etc.).
2. What tools have they used to develop and leverage funds?

3. What relationships/affiliations were key in maintaining the capital structure?
4. What political realities were/are associated with these strategies?
5. What risks were/are associated with different investment strategies? How can those risks be effectively managed?

Decision – Allocate an hour for the next meeting for a funding panel. The Finance Committee will contact and invite people. TF members should email Laura if they have additional questions to recommend.

It was noted that the Pacific States Marine Fisheries Commission (PSMFC) may be able to serve as a temporary solution for a funding mechanism (a pass-through for receiving and distributing funds) until the state is able to establish one.

Other Sectionss

Various other sections were discussed that need to be included in the TF recommendations, including:

1. Introduction, Rationale, Need for Research, Need for Nearshore Strategic Plan/Strategic Research Plan
2. Research Report
3. Data
4. Outreach and Education
5. Strategy to enhance funding - identify the need and this may be incorporated into the charge for the Executive Director of the Trust
6. Budget – text and rough numbers to do the enhance STAC, Trust, etc. throw some draft numbers out – recurring funds.

Data Management Structure/Processes

The TF discussed the draft that had been prepared for the May 4 Astoria meeting (p14-15). At the agency level, they are already starting to address a lot of the data management needs – technology is driving a lot of this. It was noted that we do not need one place where all data resides, the key is in understanding where it came from, purpose, reliability, how to keep it up to date. Convenience is key.

There was general discussion that contributing data to the network would be voluntary, and the incentive to contribute is that if you are part of the network, you have access to more data. The interest of this group is to make sure a network exists that has value-added. It was recommended that there is a data sharing policy for data that is collected through this trust. So at least we can start building that data.

General Agreement: Data collected through the Trust needs to be shared based on an agreed upon set of data with data standards

It was suggested that DLCD could be the place to house the data network.

It was suggested that the TF think about potential with outreach and education in terms of data. There is an opportunity to support communities and citizen science through data. Think about tools for community engagement that enable them to participate.

To connect this group with other bodies (particularly STAC), you could have some members from these bodies on the data committee, and/or, in a review process OPAC and STAC could check societal and scientific relevance, respectively.

It was noted that it would be good to include research and monitoring capacity in the introduction section of the TF recommendations.

Budget

It was suggested that the TF come up with some estimate of the short and long term costs of what they are proposing. And have some time on a future agenda for this. An alternative suggestion was that the TF talk with Rep Roblan about this before putting time into coming up with an estimate.

Action: Gil will have a discussion with Rep Roblan about coming up with an estimate of proposed costs for what the TF is proposing.

Next Steps/Timeline

Action:

Julie and Jenna will work on pulling together changes, modifications, and decision points – share with TF and ask for areas that people still think are decision points. So the next draft will include highlighted decision points that the TF needs to go through at the next meeting.

Deadline: Send to the Operation Team on June 11, COB, then rest of TF by 14th
The TF will need to send comments back by the 21st

Regarding New Additions (“Other Sections”) – these can be added just before the draft is sent out for the next meeting, but there won’t really be decision points yet.

Actions:

1. Introduction, Rational – Caren will take the lead and Gil is happy to contribute. She will also add some text on research and monitoring capacity.
2. Data Section – Bob will take the lead
3. Strategy to enhance funding – Gil/Funding Committee
4. Research Report – Draft a paragraph for the report – Funding Committee
5. Outreach and Education – Julie will have the new Sea Grant intern consolidate language from the guiding documents identified in the bill as a framework for discussion

Public Comment

Robin Hartmann, Oregon Shores – Would like to see the document focus on outcomes rather than input. How do you evaluate the research that you funded? Suggests a feedback loop to evaluate it each year. Speaking from an OWET perspective. Think about whom else can use this information. In your [the TF] work with Gabriella – have her consider the outcomes of the different models – long term versus short-term functioning organization. Regarding community groups – would like to see them continue on – seems logical to add them as a bullet to the first page and define them better. May encourage more to develop up and down the coast. And set them up so they can receive resources. Likes the idea of the cabinet being separate. Also likes the idea of an inland legislator being involved. Likes the idea of a wave energy person serving on OPAC – help get the requirements from FERC get fed back into this process.