

Oregon Ocean
Policy Advisory
Council Meeting

April 17, 2017



Cape Foulweather, June 2014

Oregon Ocean Policy Advisory Council

Draft Meeting Agenda*

April 17, 2017

- 09:30 am **Member Introductions** – *Scott McMullen* (OPAC Chair)
- 09:35 am **OPAC 101** (55 min) – *Scott McMullen* and *council staff* will provide an overview of OPAC policy and procedures, as well as the recent work program of the council.
- 10:30 am **Review and Approval of the Meeting Summary** for December 8, 2016 (10 min) – *Scott McMullen* (OPAC Chair), *Council Members*
- 10:40 am **Break**
- 10:50 am **Legislative Updates from the Governor’s Office and Agencies** (30 min) – *Jason Miner* and *Agency Staff* will provide an update on ocean related activities in the ongoing legislative session.
- 11:20 am **Federal Budget updates** (20 min) – *Patty Snow* and *Shelby Walker* will provide an update on the proposed federal budget impacts to the Oregon Coastal Management Program and Oregon Sea Grant
- 11:40 am **Territorial Sea Plan Rocky Shores Working Group Update** (20) min – *Robin Hartmann* and *Andy Lanier* will provide an update on the activities of the working group.
- 12:00 pm **Public Comment** (30 min) – *Scott McMullen* – will coordinate a public comment period.
- 12:30 pm **** Working Lunch** (60 min) **** Beach Bill and Plans for the 50 year Celebration. ****
- 1:30 pm **STAC Report on Marine Reserves** (45 min) – *Shelby Walker* and *Cristen Don* will provide a summary from the STAC and ODFW 5 year program review.
- 2:15 pm **Ocean Acidification Updates** (15 min) – *Working Group Members* will present results from recent efforts (legislative days, fishermen – scientist roundtable, federal government engagement).
- 2:30 pm **Break**
- 2:45 pm **Resilience Update** (15 min) – *Shelby Walker* and *OSU Staff* will provide an update on ocean and coastal resilience activities.
- 3:00 pm **PMEC SETS Update:** (45 min) – *Justin Klure*, will provide an update on the activities of the Pacific Marine Energy Center’s South Energy Test Site application process.
- 3:45 pm **Marine Debris Action Plan update** (15min) – *Charlie Plybon* will provide an update on the status of the Marine Debris Action Plan, and ongoing marine debris related activities.
- 4:00 pm **Adjourn**



Oregon Ocean Policy Advisory Council

Member Orientation – April 17, 2017

What's in the Binder?

- Resources provided to you:
 - OPAC Business
 - OPAC Roster
 - OPAC Policies and Procedures (2010)
 - Travel Reimbursement Form Guide
 - Board Handbook
 - Boards and Commissions Ethics Summary
 - Member Resources
 - Oregon Ocean Resources Management Administrative Rules (ORS 196.405)
 - Territorial Sea Plan

OPAC Member
Orientation

Procedures of the Ocean Policy Advisory Council

Structure

- Officers:
 - Chair, Vice-Chair, at-large Executive Committee member
- Offices will be held for a period of 2 calendar years, may be re-elected to subsequent terms
- Committees – members will be appointed by, and serve at the pleasure of the Council.
 - The Council will appoint a Scientific and Technical Advisory Committee (STAC) – to be chaired by the Oregon Sea Grant Director (or other similarly qualified member)
 - Other standing or *ad hoc* committees and subcommittees may be appointed by the Council as deemed necessary.

Procedures of the Ocean Policy Advisory Council (Cont.)

Roles

- Chair and Vice-Chair
 - Setting the Meeting Agendas:
 - The Chair of OPAC will work with an Executive Committee, consisting of the Chair, Vice-Chair, Governor or Governor's designee, STAC Chair, and an at-large position filled with a Council voting member, to design agendas that will be both efficient and effective.
 - Meeting Management:
 - Council Meetings will be run by the Chair
 - When appropriate, the use of a facilitator will enable the chair to participate directly in the substantive process of building consensus and seeking agreement on recommendations.
- The Council's staff, STAC, and other councils, panels, and working groups, will assist the Council by providing appropriate information to support decision making and advisory recommendations.

Procedures of the Ocean Policy Advisory Council

Council Member Roles

- OPAC members serve on the Council representing key stakeholder interests, agencies, and the public, as set out in ORS 196.438.
- There is an expectation that members will bring the concerns and perspectives of their various constituencies to the Council's table, where appropriate, for discussion and possible consensus building.
- All members will directly engage in the consensus-building process, including the identification of issues and development of options informed by technical assistance, and will make consensus decisions on recommendations to the Governor, the State Land Board, state agencies, and local governments.
- To enhance the possibility of constructive discussions and dialogue as members educate themselves on the issues and engage in consensus building, members agree to be candid and respectful of the diversity of views on the topics the Council will address. Members agree to avoid personal attacks both at the table and away from the table.

Procedures of the Ocean Policy Advisory Council

Council Member Roles

- It is understood that many members participate in other initiatives at local, state, regional, and national levels and may advocate in those forums for solutions on issues related to the Council's work, but will make it clear they are representing only themselves, not OPAC, unless OPAC has taken an official position on the matter, in which case it should be presented verbatim.
- Members of the STAC are encouraged to participate in the Council's consensus building on the development of options, but, with the exception of STAC members who are also OPAC voting members, will not participate in voting on the Council's reports and decisions on recommendations.
- The Council may also invite a state agency that is not an OPAC member to designate a representative to attend a council meeting in which the agenda includes issues or topics the invited state agency has expertise in. The invited state agency is encouraged, but not required, to attend the meeting.

Ocean Policy Advisory Council

Executive Appointments Roster and Terms

Name	Position	Term #	Term End Date(s)
David Allen	Elected City Official	2	6.30.2017
Jena Carter	Statewide Conservation/Environmental Organization	1	6.30.2017
Walter Chuck	Ports, Marine Transportation or Navigation	1	6.30.2017
Jaime Fereday	Public At-Large, Coastal	1	6.30.2020
Meagan Flier	Oregon Indian Tribes	1	6.30.2020
Loren Goddard	Coastwide Small Ports and Local Government	1	6.30.2018
Robin Hartmann	Coastal Conservation or Environmental Organization	2	6.30.2018
Richard Heap	Charter, Sport or Recreation Ocean Fisheries, South Coast	1	6.30.2017
John Holloway	Charter, Sport or Recreation Ocean Fisheries, North Coast	1	6.30.2017
Bob Main	South Coast Government	1	6.30.2017
Scott McMullen	Commercial Ocean Fisheries, North Coast	2	6.30.2017
Brad Pettinger	Commercial Ocean Fisheries, South Coast	2	6.30.2017
Charlie Plybon	Coastal Nonfishing Recreation	1	6.30.2018
Fred Postlewait	Public At-Large, Statewide	1	6.30.2020
Terry Thompson	Tillamook, Lincoln & Clatsop Counties Representative	2	6.30.2017

Procedures of the Ocean Policy Advisory Council.

Meeting Planning

Agenda Development

- Overall Policy Statement
 - The Council will attempt to follow an agenda at each meeting that balances the needs to expeditiously complete a planning work program, provide a forum for discussion and action on issues as needed, allow public notice of actions to be taken, and provide the public with a means to raise issues for consideration by the Council.
- The agenda for each Council meeting will be developed from three major sources:
 - The work program and task schedule agreed to by the Council;
 - Additional items proposed by Council members based on a solicitation of Council members prior to the Executive Committee meeting; and
 - Requests from the Governor, State Land Board, state agencies or local government, or the public approved in advance of the meeting.
- All agendas will be prepared by the Executive Committee and approved by the Chair prior to distribution. Draft agendas will be posted on the OPAC web site and mailed to members and to the public at least one week prior to Council meetings. The Executive Committee will invite chairs of Council working groups to Executive Committee meetings as necessary.

Procedures of the Ocean Policy Advisory Council.

Decision Making

Consensus and Decisions

- Overall Policy Statement
 - The Council will endeavor to reach consensus on each policy item or plan decision, including recommendations and resolutions to the Governor, State Land Board, state agencies or local government.
 - A consensus process will enable the Council to more freely discuss issues to arrive at a decision acceptable to all.
 - In some instances, precise wording of a consensus decision may be developed by staff after review of recordings of the discussion for approval by the Council at a subsequent meeting.
- Definition of Consensus
 - Consensus means that each OPAC 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.
 - OPAC will seek consensus decisions on their advisory recommendations. General consensus is a participatory process whereby, on matters of substance, the members (voting and nonvoting), strive for agreements that they can accept, support, live with, or agree not to oppose.

Procedures of the Ocean Policy Advisory Council (Cont.)

Consensus and Decisions (cont.)

- In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on a recommendation, and the Council finds that 100 percent acceptance or support is not achievable, final decisions will require a majority of a quorum of voting members, per OPAC standard voting guidelines.
 - This majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members. The consensus process will preserve the opportunity for minority opinions to be expressed and reflected in the record of the Council's deliberations.
- Quorum/Voting
 - In those instances where consensus cannot be reached after debate and discussion, the Chair may initiate or entertain a motion to vote on the issue. All members, voting or *ex officio*, may fully participate in discussion.
 - Voting members may make motions and seconds. All motions must be seconded to be acted upon.
 - The Chair may also elect to suspend debate and set aside the issue to a subsequent meeting.
 - Minority reports, *per se*, will not be issued, but all products and positions of the Council will reflect minority positions, with minority language to be approved by minority members.
 - A motion to reconsider a decision may be entertained by the Chair, if a majority of those present votes to reconsider.
 - A majority of the voting members of the Council, which may include the Chair, constitutes a quorum for the transaction of business. A council member may attend a meeting, participate and vote by telephone. A quorum is necessary for an official vote of the Council. A majority vote of the quorum present is necessary to take an action.

Procedures of the Ocean Policy Advisory Council (Cont.)

Voting Action

- The Council will endeavor to provide effective notice to the public, groups, agencies and interest parties of official voting actions which the Council may take at a meeting and to provide to both Council members and any interested party written materials related to the proposed action.
- Whenever an item placed on the agenda may result in an official vote of the Council, that item shall be so noted on the agenda as an “Action Item” and shall be so indicated in the public notice the meeting at which the item will be discussed.
- The Council, through its staff, will attempt to provide written information on any proposed “Action Item” which describes the proposed action, the issues involved, legal or policy implications and other information which will assist the public and the Council to understand the item and conclude discussion prior to a vote. This information will, if at all possible, be made available to the members and the public no less than one week prior to the meeting where action will be taken.

Duties of the Council (ORS 196.443)

The purposes of the Ocean Policy Advisory Council are to:

- (a) **Periodically review** the Territorial Sea Plan and submit recommendations for the plan to state agencies represented on the council. The council shall recommend deletions to the Territorial Sea Plan of all site designations and management prescriptions to the Land Conservation and Development Commission.
- (b) **Advance the policies** of ORS 196.420 to the federal government and any multistate bodies.
- (c) **Provide a forum** for discussing ocean resource policy, planning and management issues and, when appropriate, mediating disagreements.
- (d) **Recommend amendments** to the Oregon Ocean Resources Management Plan as needed. If the recommended amendments to the plan incorporate the establishment of a system of limited marine reserves or other protected areas, the council also shall perform an economic analysis of short-term and long-term effects that the establishment of such areas would have on coastal communities. Any recommended amendments related to marine reserves or marine protected areas shall be submitted to the State Fish and Wildlife Commission for review and approval.
- (e) **Offer advice** to the Governor, the State Land Board, state agencies and local governments on specific ocean resources management issues.
- (f) **Encourage participation** of federal agencies in discussion and resolution of ocean resources planning and management issues affecting Oregon.

The Ocean Policy Advisory Council may not, except to the extent of fulfilling its advisory capacity under subsection (1)(e) of this section, establish fishing seasons, harvest allocations, geographic restrictions or other harvest restrictions. [1991 c.501 §8; 2003 c.744 §9]

Duties of the Council (cont.)

Meetings (ORS 196.448)

The council shall meet at least once every six months at a place, day and hour determined by the council. The council also shall meet at other times and places specified by the call of the chair or of a majority of the members of the council.

Coordination with federal programs. (ORS 196.455)

To insure that the Oregon Ocean Resources Management Plan and Territorial Sea Plan are coordinated with federal agency programs for coastal and ocean resources, the Ocean Policy Advisory Council may invite federal agencies with responsibility for the study and management of ocean resources or regulation of ocean activities to designate a liaison to the council to attend council meetings, respond to council requests for technical and policy information and review draft plan materials prepared by the council.

Procedures of the Ocean Policy Advisory Council (Cont.)

- Meeting Records
 - All Council meetings will be videotaped to provide an official record. Written minutes will be prepared, as required by Oregon law (ORS 192.650(1)).
- Council Records
 - All public records of the Council, not otherwise exempt from disclosure by law, are available for inspection and copying. The Department of Land Conservation and Development (DLCD) will act as custodian of the public records of the Council. On behalf of the Council, DLCD will respond to public record requests in a reasonable time, in accordance with the provisions of OAR 660-040-0005 and the Public Records Law, ORS 192.410 to 192.505.