

## LOWER COLUMBIA RIVER SALMON FISHERIES STAKEHOLDER GROUP

### OPERATING PRINCIPLES

*(Approved as of May 19, 2008)*

For any collaborative process to operate smoothly, it is helpful for those involved to agree at the outset on the purpose for the process and on the procedures by which the group will govern its discussions, deliberations, and decision-making.

#### **I. PURPOSE OF THE LOWER COLUMBIA RIVER SALMON FISHERIES (LCRSF) STAKEHOLDER GROUP**

The current one-year bi-state harvest agreement allocating the allowable take of Columbia River spring Chinook and summer Chinook among the recreational and commercial fisheries will expire at the end of 2008. New agreements must be in place before March of 2009. Based on past experience developing these harvest allocation agreements, Oregon Department of Fish and Wildlife (ODFW) and Washington Department of Fish and Wildlife (WDFW), on behalf of their respective Commissions, are convening this collaborative stakeholder group comprised of representative members of both the commercial and recreational fishing communities.

The purpose of the LCRSF Stakeholder Group is to develop recommendations regarding a lower Columbia River spring and summer salmon fishery management plan including future allocation of allowable harvests of salmon between the commercial and recreational fisheries.

The recommendations should be consistent with the two states' statutory obligations and conservation mandates and should include objective-based approaches applicable across a variety of run sizes and across a long-term time horizon consistent with US v. Oregon (through 2017).

The products of the Stakeholder Group will be provided directly to the Department staff and the Commissions for consideration in development of the final fishery management plan.

This collaborative process will precede and inform the formal public participation connected with establishing these fisheries agreements (i.e., public hearings with the two state Commissions). While participants in this collaborative process may have other issues or interests regarding the long term direction of salmon fishing on the Columbia River, the focus of this group will be the future of these combined fisheries, their collective structure, performance, stability and marketability over the lifetime of the next joint allocation agreements.

#### **II. PARTICIPATION**

Interests Represented. Stakeholder Group members represent interests that will be substantially affected by the allocation of allowable harvests over the next several years. The members were chosen because of the variety of their interests, experience with fisheries issues, and willingness to work together in a collaborative, consensus process. In order to foster creative problem solving, members are encouraged to voice their individual viewpoints and ideas. In order to broaden and strengthen the chances of success for the anticipated final consensus recommendations, members

are expected to bring the perspectives of their constituent groups, as well as others with similar interests, to the process.

Attendance at Meetings. Members are expected to make a good faith effort to attend all meetings. It is expected that the group will meet up to eight times prior to release of their products. Because of the collaborative nature of the meetings, it is important to have the members attend every meeting so that progress can be continued with the same group.

Members may propose an individual who could attend in their place to represent their interests (an alternate). Authority to approve proposed alternates rests with ODFW and WDFW. Once approved, alternates are expected to adhere to these Operating Principles. Alternates must be approved prior to the initial meeting at which they participate. If extenuating circumstances exist, members can request one additional alternate be approved. The alternate should be knowledgeable about fishery issues and the topics to be discussed at the meeting. The alternate's primary responsibility is to inform the member about the deliberations at the conclusion of the meeting; the alternate does not have decision-making authority. It is the responsibility of the member to prepare the alternate for the meeting by sharing background information and an overview of the deliberations leading up to the meeting.

Given the interest in consistency of participation and the opportunity to seat an alternate if necessary, if a member misses more than two meetings the facilitator will speak with the individual about how to ensure their interests are being represented in the process. If an alternate attends in place of the member, it will not be considered a 'missed' meeting.

In those instances when a member cannot attend a meeting, they will strive to alert the facilitator as soon as possible in advance of the meeting; however, the substitution can take place as late as the day of the meeting. The facilitator will work with alternates to assist as needed in making their participation as constructive as possible.

Withdrawal from the Stakeholder Group. Any member may withdraw from the Stakeholder Group at any time. Communication about the reasons for withdrawing, if related to the process, would be appreciated. Good faith provisions (see below) apply to those who withdraw.

The decision to replace a member will depend on factors such as how far along the group is in the process, whether addition of a new member would be disruptive, and whether the loss of the interests represented by the withdrawing member creates a serious imbalance on the Stakeholder Group in terms of expertise and/or interests. Authority for decisions about replacing members rests with the ODFW and WDFW Directors.

### **III. ORGANIZATIONAL STRUCTURE**

Stakeholder Group Members. The members are working together to achieve a mutually acceptable outcome that satisfies, to the greatest degree possible, the interests of all participants. Those involved in developing the plan agree to work together to produce recommendations that integrate the mandates, concerns, and ideas of all those significantly affected. All Stakeholder Group members agree to:

- Attend meetings and follow through on promises and commitments;

- Bring concerns from their interest group or organization up for discussion at the earliest point in the process;
- Share all relevant information that will assist the group in achieving its goals;
- Keep their organizations informed of potential decisions and actions;
- Support the eventual product if they have concurred in it; and
- Concur in decisions about the Stakeholder Group process, including overseeing the implementation of the operating principles.

It is expected that Stakeholder Group members have authority to reach agreements on behalf of their organizations. Members whose organizations have a formal internal decision-making process are expected to convey the timetable for that process to the Stakeholder Group at the outset so the implications can be considered in developing an overall timeline for product development.

ODFW and WDFW. Stakeholder Group members recognize that under the ODFW and WDFW statutes and regulations, final decision-making authority rests in the hands of the Commissions/ Departments. The Departments are committed to developing recommendations for future fishery management plans that have achieved concurrence and support from the range of stakeholders, to the extent possible.

Department Staff. The Stakeholder Group will have assistance from ODFW and WDFW staff who will attend all meetings. While ODFW and WDFW staff may sit at the table and participate in the Stakeholder Group deliberations as needed, they are not Stakeholder Group members. Legal questions that need to be addressed by the States will go through ODFW and WDFW staff.

Facilitator. Stakeholder Group meetings will be facilitated by RESOLVE on behalf of the Oregon Consensus Program (OCP). The facilitator will not take positions on the issues before the Stakeholder Group. The facilitator will work to ensure that the process runs smoothly. The facilitator's role usually includes developing draft agendas, distributing meeting materials, facilitating meetings, working to resolve any impasse that may arise, preparing meeting summaries, and other tasks as requested. The facilitator will keep confidential information disclosed in confidence. To the extent issues arise with the process, group members are encouraged to approach the facilitator, OCP, or agency staff.

Subgroups. As necessary, the Stakeholder Group may choose to form subgroups. The Stakeholder Group will designate subgroup members as needed for the anticipated tasks and outcomes. At the direction of the Stakeholder Group, subgroup members may develop draft products and make recommendations to the Stakeholder Group. Subgroups will not make decisions on behalf of the Stakeholder Group. Any Stakeholder Group member can be a member of a subgroup.

#### **IV. MEETINGS**

Open to the Public. All Stakeholder Group meetings will be open to the public. However, ODFW and WDFW expect that the range of public perspectives will be included in the Stakeholder Group process primarily through the involvement of the Stakeholder Group members. Recognizing this, there will only be two 15-minute periods for public comment at each Stakeholder Group meeting (one before lunch and one before the group adjourns). Members of the public are encouraged to submit written comments (forms will be provided at each meeting) on the work of the Stakeholder Group, which will then be distributed to all members for consideration.

Agendas. Proposed meeting agendas will be drafted by the facilitator in consultation with Stakeholder Group members, circulated in advance of meetings, and approved or revised at the beginning of each meeting.

Action Item Memos. In order to assist the Stakeholder Group in documenting its progress and activities, within seven days of each meeting RESOLVE will prepare and distribute an action items memo. These memos will convey major decisions and ensure that timelines for completing agreed upon actions are clear to all participants. These will be distributed to WDFW and ODFW staff and all Stakeholder Group members for review prior to public distribution.

Breaks and Caucuses. Meetings may be temporarily suspended at any time at the request of any member to allow consultation among Stakeholder Group members. Requests should be respectful of all members' time. If the use of caucuses becomes disruptive, the Stakeholder Group will revisit the process.

## **V. DECISION-MAKING AND COMMITMENTS**

Consensus. The Stakeholder Group will strive to operate by consensus. Consensus is defined as “all Stakeholder Group members can live with the recommendation or decision.” All recommendations and materials will be reviewed and discussed by the Stakeholder Group before being forwarded to the Departments for their consideration.

Absence of Consensus. If consensus cannot be reached the Stakeholder Group will be asked to articulate areas of agreement and disagreement and the reasons why differences continue to exist.

If the Stakeholder Group chooses to articulate areas of agreement and disagreement, members representing the different perspectives on specific issues will be asked to prepare language reflecting their views. The language should clearly identify the issues and information needs and uncertainties. In addition, those members that support each perspective will be identified.

Decision Making. Decisions will be made by consensus of those Stakeholder Group members present at a meeting, except for concurrence on major products where consensus will be sought from all Stakeholder Group members. Major products include any final recommendations regarding the fishery management plan or future allocation of allowable harvests. If the members present at a meeting reach consensus on a major product, the facilitator will convey the results to those absent from the meeting and assess their ability to agree. Consensus will not be achieved until all members have confirmed agreement.

## **VI. SAFEGUARDS FOR THE MEMBERS**

Good Faith. All members agree to act in good faith in all aspects of the collaborative effort. As such, members will consider the input and viewpoint of other participants and conduct themselves in a manner that promotes joint problem solving and collaboration.

Acting in good faith also requires that:

1. specific proposals made in open and frank problem solving conversations not be used against any other member in the future;

2. personal attacks and prejudiced statements are not acceptable;
3. individuals not represent their personal or organization's views as views of the Stakeholder Group;
4. individuals express consistent views and opinions in the Stakeholder Group and in other forums, including contacts with the press; and
5. individuals with process concerns will raise them in the group and not via the press and/or other public forums.

Should a Stakeholder Group member be found to be acting in bad faith the facilitator will be asked to talk with the individual(s) about the situation. A variety of approaches will be explored, accordingly, to redress the concerns including the possibility of having the member removed. The authority to replace and/or remove a member from the Stakeholder Group rests with the ODFW and WDFW Directors.

Rights in Other Forums. Participation in the Stakeholder Group process does not limit the rights of any member. Members will make a good faith effort to notify one another in advance, if another action outside the process will be initiated or pursued, which could affect the proposals, recommendations, or agreements being discussed.

Press/Other Public Forums. All Stakeholder Group members agree to refrain from making negative comments about or characterizing the views of other Stakeholder Group members in contacts with the press. They also agree not to knowingly mischaracterize the positions and views of any other party, nor their own, in public forums.

## **VII. PROCESS SUGGESTIONS/GROUND RULES**

Stakeholder Group members agree to apply the following ground rules:

1. Focus on the task at hand – *Lots to accomplish – Stick to the agenda*
2. One person at a time - *Use tent cards*
3. Allow for a balance of speaking time – respect time limits
4. Be civil
  - Be tough on issues and questions, not on people and organizations
  - No personal attacks
5. Listen with respect (two ears/one mouth)
6. Keep side conversations to a minimum.
7. Turn off cell phones or put them in the non-ring mode during formal meeting sessions.

And consider the following process suggestions:

- Seek to learn and understand each other's perspective.
- Encourage respectful, candid, and constructive discussions.
- Seek to resolve differences and reach consensus.
- As appropriate, discuss topics together rather than in isolation.
- Make every effort to avoid surprises.

## **VIII. SCHEDULE**

*May 19, 2008*

Given the timeline for the State Fish and Wildlife Commissions to make allocation decisions, recommendations from the Stakeholder Group are needed by October 31, 2008. In developing its recommendations, the Stakeholder Group will meet up to eight times, if necessary.