

Maryland Oyster Advisory Commission

Operating Guidelines

September 17, 2007

Background

The 2007 Maryland General Assembly passed House Bill 133 “Chesapeake Bay Oyster Restoration” requiring the Secretary of Maryland’s Department of Natural Resources (DNR) to establish an Oyster Advisory Commission (OAC). This legislation directs the OAC to:

- Review the best possible science and recommend changes to the framework and strategies for rebuilding and managing the oyster population in the Chesapeake Bay under the Chesapeake Bay Oyster Management Plan;
- Review the latest findings of the multi-state and federal government’s Environmental Impact Statement evaluating native and nonnative oyster restoration alternatives for the Chesapeake Bay; and
- Review any other scientific, economic, or cultural information relevant to oysters in the Chesapeake Bay.

In addition, the legislation directs the OAC to report their findings and recommendations on the following to the Governor and General Assembly by December 31, 2007:

- Strategies to minimize the impact of oyster disease, including the state repletion program and bar cleaning.
- The framework and effectiveness of the oyster sanctuary, harvest reserve, and repletion programs, and the overall management of natural oyster bars, after performing a cost–benefit analysis that considers biological, ecological, economic, and cultural issues.
- Strategies to maximize the ecological benefits of natural oyster bars, and
- Strategies to improve enforcement of closed oyster areas.

The OAC will remain active following completion of their December 2007 report.

Membership

- The Secretary of Maryland’s Department of Natural Resources is provided the responsibility of selecting the membership of the OAC under House Bill 133.
- The OAC Members shall have the following roles:
 - Prepare for Meetings: Read distributed meeting information in advance of meeting; discuss pertinent issues with the constituents you represent; and prepare to communicate and discuss constituent’s viewpoints at meetings.
 - Service Between Meetings: Maintain regular communication with the constituents you represent, informing them on the status of the OAC and representing the OAC accurately.
 - Work in Meetings: Attend to process; follow agenda; suggest solutions or compromises; search for closure.

Participate: Use the capacities and resources you possess; promote the ideas, perspectives, and constituencies you represent while adhering to the purpose of the OAC.

Term of Tenure

- The OAC members shall serve at the pleasure of DNR's Secretary.

Chairperson

- The Secretary of DNR shall designate a Chairperson for the OAC.
- The Chairperson shall have the following roles:
 - Leader - Model leadership and governance behavior; preside in a neutral manner; synthesize concepts; forge relationships; develop OAC consensus.
 - Meeting Facilitator - Ensure adherence to agenda and operating guidelines; facilitate and clarify discussion; involve membership; explore diversity of opinions/inputs; resolve discussions.
 - Administrator - Approve agenda items; set stage for meetings; approve OAC correspondences; and track tasks of and/or requested by the OAC.

Support Staff

- The Maryland DNR Fisheries Service Director shall designate a staff person(s) to support the OAC.
- The assigned staff person(s) shall have the following roles:
 - Administrator - Prepare and distribute meeting agendas, meeting summaries and meeting support information; arrange for meeting space; and secure materials and/or resources to facilitate meetings.
 - Technical Support: Provide information and consultation regarding technical issues.

Agenda and Meeting Support Information

- The agenda for OAC meetings shall be established by the Members and approved by the Chairperson, and include any specific issues requested by the Secretary of DNR.
- The agenda and meeting support information shall be distributed one week in advance of the OAC meeting.

Attendance

- The OAC membership is extended to each member as an individual based upon their interest and expertise. Proxy attendees will not be permitted for this effort.
- In the event that you are unable to attend a meeting, you must notify the DNR staff person assigned to the OAC within 24 hours of the meeting. The DNR staff person will work with you to obtain and provide your input to the OAC.
- The DNR staff person will notify OAC members if a meeting is to be canceled for lack of a quorum.
- If a Member is unable to attend 75% of OAC meetings during a calendar year, the Secretary of DNR shall determine if the appointed representative should be removed.

Quorum

- A quorum is a simple majority of appointed Members.

Communication Ground Rules

- The OAC is asked to consider each suggested ground rule in an effort to facilitate group discussions:
 - 1) Only OAC Members will sit at the meeting table.
 - 2) Members will strive to focus on their values and interests, not their positions.
 - 3) Only one Member will speak at a time, each member will have equal opportunity participate.
 - 4) Each Member will focus on the agenda issue to keep the discussion moving forward.
 - 5) Each Member will respect all other Members and individuals of the public that may be in attendance at meetings.
 - 6) Each Member will strive to listen actively, be open-minded and maintain a sense of humor.
 - 7) Public observers will be allowed to address the OAC at a designated time period on the agenda for each meeting.

Decision-Making

- The OAC will strive to make its decisions on a consensus model but set forth that if consensus cannot be reached then a simple majority can decide an issue.
- Members with minority views can request that their views be explicitly included in any decisions and recommendations that are made to the Secretary of DNR.

Meeting Summaries

- Meeting summaries shall be prepared as a record of any OAC meeting wherein official business is conducted.
- Except for specific language of any motion or language a Member requests to have on the record, meeting summaries shall reflect the general discussion or presentation as opposed to being verbatim.
- Draft meeting summaries shall be distributed to Members within fifteen (15) working days following the OAC meeting to which the meeting summaries apply.
- Draft meeting summaries, with or without amendments, shall be approved by a quorum of the Members.
- Only approved meeting summaries of OAC meetings may be distributed to non-members.
- The DNR staff person assigned to support the OAC shall maintain a master file of OAC meeting agendas, meeting summaries, and meeting support information.

Public Comments

- If asked to comment on a matter under consideration by the OAC, a Member shall differentiate between personal views, and any official position taken by the OAC.

OAC Positions and Recommendations

- Official positions or recommendations adopted by the OAC which believes warrant the attention of the Secretary of DNR shall be recorded in the OAC meeting summary and transmitted to the Secretary of DNR, as official correspondence.

Official Correspondence

- Official correspondence generated by the OAC shall be reviewed and signed by the Chairperson.
- Copies of any correspondence transmitted by the OAC shall be provided to all Members.
- The DNR staff person(s) assigned to support the OPC shall maintain a master file of all correspondences transmitted by the OAC.

Travel Reimbursement:

- OAC members can receive travel reimbursement for meetings in accordance with the State of Maryland's travel reimbursement guidelines and rates.
- OAC members will receive expense account forms at each meeting, and shall complete the requested information and provide to the DNR principal staff person.
- Reimbursement may take 2-4 weeks.