



Northwest Straits Commission

Commission Member Handbook

2019

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Northwest Straits Commission Meeting Dates

See the Northwest Straits Commission website for meeting dates, locations, agendas, minutes and supplemental information: <http://www.nwstraits.org/get-involved/events/>

Commission meetings alternate between in-person meetings in one of the seven Northwest Straits counties and WebEx conference calls. Unless otherwise noted or scheduled, WebEx meetings will be held from 10:00 am-12:00 pm and in-person meetings will be held from 10:00 am-3:00 pm.

Northwest Straits Commission Members

The Northwest Straits Commission ‘board of directors’ is comprised of five gubernatorial appointees, one Secretary of the Interior appointee representing tribes, a representative of each of the Marine Resource Committees in the seven counties, and the Puget Sound Partnership.

See the Northwest Straits Commission website for a list of current Commission members and their biographies: <http://www.nwstraits.org/about-us/the-commission/>

Northwest Straits Commission Staff

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Director

- Leadership, fiscal responsibility, programmatic oversight, media and legislative contact, personnel issues, public relations, NWSC representative to regional advisory groups
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- MRC grant management, contracts, budget, internal and external communications, web site
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Communication and
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- Event logistics, outreach materials/displays, social media, website, newsletter, photo management, information distribution
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Public Law 105-384: Establishment of Northwest Straits Marine Conservation Initiative

PUBLIC LAW 105-384—NOV. 13, 1998

112 STAT. 3459

Northwest
Straits Marine
Conservation.

TITLE IV—NORTHWEST STRAITS MARINE CONSERVATION INITIATIVE

SEC. 401. SHORT TITLE.

This title may be cited as the “Northwest Straits Marine Conservation Initiative Act”.

SEC. 402. ESTABLISHMENT.

There is established a commission to be known as the Northwest Straits Advisory Commission (in this title referred to as the “Commission”).

SEC. 403. ORGANIZATION AND OPERATION.

The Commission shall be organized and operated in accordance with the provisions of the Northwest Straits Citizen’s Advisory Commission Report of August 20, 1998, on file with the Secretary of Commerce (in this title referred to as the “Report”).

SEC. 404. FUNDING.

(a) IN GENERAL.—The Secretary of Commerce may, from amounts available to the Secretary to carry out the work of the Commission, provide assistance for use in accordance with the Report and the priorities of the Commission—

Records.

(1) to collect marine resources data in the Northwest Straits;

(2) to coordinate Federal, State, and local marine resources protection and restoration activities in the Northwest Straits; and

(3) to carry out other activities identified in the Report as important to the protection and restoration of marine resources in the Northwest Straits.

(b) PROVISION.—The Secretary may provide the assistance authorized by subsection (a) through the Director of the Padilla Bay National Estuarine Research Reserve, unless the Governor of the State of Washington objects. If the Governor objects, then the Secretary may provide the assistance through the Administrator of the National Oceanic and Atmospheric Administration.

SEC. 405. LIMITATION.

Nothing in this title provides the Commission with the authority to implement any Federal law or regulation.

Approved November 13, 1998.

Northwest Straits Commission

Rules of Procedure

REVISED October 7, 2019

Introduction

In 1998, in an effort to address the serious decline in marine resources in the Northwest Straits, Congress authorized The Northwest Straits Marine Conservation Initiative (HR 3461) (the Initiative). This legislation created the Northwest Straits Commission (Commission), an umbrella organization encompassing a network of seven county-based Marine Resource Committees (MRCs). The Commission provides technical assistance, integrates scientific information, develops ecosystem-level coordination and guides funding for the MRCs. These Rules of Procedure (Rules) describe the structure of the Commission as well as the process and procedural rules which govern the Commission and its members.

1. Organizational Model

The Commission is a regional coordination and support body. Among its many goals are the following:

- to deliver technical assistance to MRCs;
- to fulfill all Commission responsibilities as described in the [Murray/Metcalf Report to the Convenors](#);
- to create a strong identity for the public and decision-makers that brands the Commission as a partner in Salish Sea recovery;
- to develop reasonable skill sets within the program; and
- to be cost effective.

To achieve these goals, the Commission will:

- employ a small administrative staff, supervised by a director (the director) and augmented by additional program staff as needed;
- maintain shared offices/infrastructure at the Padilla Bay NERR;
- use Commission committees to streamline effectiveness;
- develop science, economic and outreach partners;
- establish an independent panel of science experts;
- coordinate with MRCs to develop and address regional education/outreach, funding, science, training and community relations;
- meet Commission benchmarks for performance, as prescribed by the Initiative and monitor MRC progress towards achieving Performance Benchmarks; and
- work in coordination with the Northwest Straits Foundation.

2. Membership

There are thirteen members of the Commission. Each of the seven MRCs shall have a representative on the Commission. Internal MRC rules govern the selection of their representative to the Commission and determine the duration of that representative's term. The Governor of the State of Washington is allotted five appointments, each on a four-year rotating term. One of those is required to represent the Puget Sound Partnership. The final seat is a tribal representative appointed by the Secretary of the Interior.

3. Alternates

The seven MRCs are encouraged to appoint alternate representatives to the Commission. The MRCs are further encouraged to send their appointed alternate to as many Commission meetings as possible, so that the Commission and the alternate will be familiar with each other in the event the regular member is unable to attend. When the regular appointee is absent, the alternate may fully participate in the Commission meetings including making decisions, whether by consensus or vote. Gubernatorial appointees may nominate an alternate, whose appointment will be subject to approval by the Commission. The Department of the Interior appointee may appoint an alternate.

4. Officers

A Chair and a Vice-Chair will be elected for a term of one year at the Commission's regular meeting in April, or at the next scheduled meeting of the Commission if no meeting is held that month.

5. Committee Structure

To streamline effectiveness the Commission uses a standing Executive Committee.

The Executive Committee will be comprised of the Commission Chair, the Commission Vice-Chair, the chairs of any other committee, the Director and the Director of the Padilla Bay NERR (ex officio). The Executive Committee shall have no fewer than two MRC representatives. In the event that the Executive Committee has only one MRC representative, an at-large MRC representative will be appointed by the chair of the Commission.

Additional committees and/or ad hoc committees may be formed from time to time. The chairs of these committees must be a member or alternate of the Commission. Interested individuals may join these committees at the discretion of the committee chair.

6. Meetings

The Commission will meet monthly on the last Friday of the month or at such other time as is agreed upon by the Commission. The meeting venue will rotate around the region to facilitate participation by the MRCs and county commissioners/councils. Conference calls may take the place of in-person meetings as agreed upon by the Commission. The Chair may schedule special meetings.

The minutes of each meeting shall consist of decisions, future agenda items and documentation of the most important discussions. A draft of the previous month's minutes will be circulated to all Commission members for review prior to the meeting.

Guidelines for Northwest Straits Commission and Foundation overlap:

1. Hold joint meetings of the Commission and Foundation Executive Committees once or twice a year.
2. Encourage representation between members of the Commission and the Foundation Board where appropriate.
3. Ensure that the chair and vice chair of the Commission and president and vice president of the Foundation Board receive agendas and approved minutes for one another's meetings.

7. Open Public Meetings

All meetings of the Commission shall be open and public and all persons shall be permitted to attend. All actions shall be taken in open session. No action shall be taken in executive session. Executive sessions in which the general public is excluded may be convened for the following purposes:

- a) to review negotiations on the performance of public contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;
- b) to receive and evaluate complaints or charges brought against a commissioner or employee;
- c) to evaluate the qualifications of an applicant for employment or to review the performance of an employee.
- d) To discuss with legal counsel representing the Commission litigation or potential litigation when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the Commission

Notice of any official Northwest Straits Commission meeting (in person, conference call or other means) should be made to the public as well as practical means to participate.

8. Quorum

A simple majority of the members of the Commission shall constitute a quorum for the transaction of business. The existence of a quorum is determined at the beginning of the meeting. In the event members leave during the meeting, the quorum requirement is still met.

9. Agenda

The Chair will approve the final draft agenda that will be sent to members at least three days before the meeting. The agenda shall always allot time for public comment. Requests for agenda time should be sent to the Commission office two weeks prior to a meeting.

10. Decision-Making Approach

The Commission shall use a “modified consensus” model for decision-making. All efforts will be made to reach consensus. Consensus means that all parties involved in decision-making share a sense that they have reached a common resolution. Consensus for the Commission will be seen as an agreement that all participants in the decision-making process are, at a minimum, “willing to live with” or “have no opposition” to the decision. If full consensus cannot be reached, a simple majority plus one may call for the issue to be put to a vote. A vote would then require a simple majority plus one to pass.

Voting by proxy is not allowed.

When making decisions, the Commission will determine consensus using the following approach:

1. A member of the Commission makes a motion to take action on an issue being considered by the Commission.
2. A Commission member seconds the motion.
3. Chair facilitates discussion.
4. Following discussion, the Chair asks “are there any objections to the motion? If not, we have consensus.”

11. Representing the Commission

The Chair and the Director are authorized to officially represent the Commission to others. Other Commissioners may officially represent the Commission only when specifically authorized by the Commission, the Chair or the Director.

12. Conflicts of Interest

12.1 Commission members who believe they may have a real or potential conflict of interest in regard to Commission business shall disclose the circumstances of the conflict to the Commission.

12.2 Commission members must comply with subsection 12.3 when the following circumstances apply or it is reasonably foreseeable that they will apply:

- a) the member is beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the Commission, in whole or in part; or
- b) the member accepts, directly or indirectly, any compensation, gratuity or reward from any other person beneficially interested in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the Commission, in whole or in part; or
- c) the member either owns a beneficial interest in, or is an officer, agent, employee or member of, an entity that is engaged in a transaction involving the Commission.

12.3 If required by subsection 12.2 above, the member must:

- a) Recuse himself or herself from discussions by the Commission regarding the specific contract, sale, lease, purchase, grant or transaction; and

- b) Recuse himself or herself from any vote by the Commission on the specific contract, sale, lease, purchase, grant, or transaction; and
- c) Refrain from attempting to influence any other member or employee in any discussion or vote regarding the specific contract, sale, lease, purchase, grant or transaction.

12.4 The prohibitions contained in subsection 12.3 do not prohibit the member from using his or her general expertise to educate and provide general information on the subject area to other Commission members.

13. Adopting Policy

The Commission may, from time to time choose to adopt a new policy, endorse an initiative or comment on an issue of concern.

13.1 Requests for adopting a resolution/position statement must be in writing.

13.2 Requests for adopting a resolution/position statement must be sponsored by a Commissioner or a MRC.

13.3 Sponsored requests are referred to the Executive Committee for consideration. The Executive Committee may alter the language of the resolution/position statement. If approved by the Committee, the resolution/position statement is introduced to the full Commission at a regular meeting.

13.4 Immediately following introduction, the Commission will send a memorandum to the MRC chairs notifying them of the proposed resolution/position statement. During the two-month period following notification, the MRCs may choose to endorse, oppose or comment upon the proposed resolution/position statement.

13.5 Action by the Commission on the resolution/position statement may be considered at a regular meeting.

13.6 Sections 13.1 through 13.5 above may be waived in whole or in part by a consensus of the Commission.

14. Providing comments on proposed legislation

The Commission may, from time to time choose to comment or provide testimony on proposed federal, state or local government legislation.

14.1 Requests for the Commission to comment on legislation should be in writing.

14.2 Requests are referred to the Executive Committee for consideration. The Executive Committee may recommend alterations to comment language and refer the original comment along with alterations to the Commission for approval.

14.3 If approved by the Commission by consensus, the comment or testimony will be provided to the appropriate legislative body or committee.

14.4 Where time does not allow for Commission consensus, the Executive Committee may waive 14.1-14.3 and provide comment if approved by committee consensus.

Northwest Straits Commission Chair

Roles and Responsibilities

- Prepare for NWSC meetings: work with NWSC staff (usually the Director), offer suggestions for meeting agendas, approve meeting agendas and materials.
- Attend and run NWSC meetings: the chair runs the meetings, greets local elected officials and other guests who may attend.
- Participate in Executive Committee: the vice-chair of the Commission officially runs the Executive Committee meetings and the Commission chair, NWSC Director and other committee chairs participate.
- Prepare and assist with the Annual MRC Conference: together with the Director, the chair is the face of the Commission and has a big role at the conference, greeting people (especially VIPs) and assisting with the running of the program.
- Communication regarding hiring or performance of the NWSC Director should be provided to the Department of Ecology through the Director of the Padilla Bay National Estuarine Research Reserve.
- The chair should be familiar with the Commission background, by-laws, and rules of procedure and must be comfortable running a meeting, taking a vote, calling a group to order. The chair should also contribute to ensuring the standing committees of the Commission have membership and are functional.
- On occasion, the NWSC Director may ask the chair to attend external meetings, legislative hearings, MRC functions or other events. The chair must be comfortable representing the Commission as needed to regional leaders.

Marine Resources Committee Representative

Roles and Responsibilities

- Each MRC elects a representative and an alternate to serve as a member of the Northwest Straits Commission.
- MRC representatives are expected to attend and participate in monthly Commission meetings. Attendance is essential to maintaining open lines of communication between the Commission and MRCs.
- MRC representatives provide valuable information about the work of the MRC to the Commission in order to keep the group apprised of activities, opportunities and challenges.
- The MRC representative provides a written monthly report to the Commission. This report is sometimes prepared and/or submitted by the MRC staff member. The MRC representative provides a verbal summary of the report at Commission meetings and provides additional details if needed.
- MRC representatives are expected to report back to their MRC on what s/he heard and learned at Commission meetings. This person is the primary communication link between the MRC and the Commission. This is important for providing explanations of budget issues, regional programs or other significant matters. If the representative does not attend the subsequent MRC meeting, s/he should provide a written update on the meeting for sharing among MRC members. Time should always be allocated on MRC meeting agendas for Commission updates.
- MRC representatives are expected to inform Commission staff and their alternate in a timely manner if they are unable to attend a Commission meeting.
- Representatives are also expected to attend Commission-related events, including the annual MRC conference.

Gubernatorial Appointee to the Commission

Roles and Responsibilities

The Governor of the State of Washington appoints five members of the Commission. One of these representatives is required to represent the Puget Sound Partnership. Additionally, one tribal representative is appointed to the Commission by the U.S. Secretary of the Interior.

Governor's appointees are expected to:

- Attend monthly meetings of the Commission. Participate in discussions and help to provide advice and direction on policy and budget issues. Provide vision and regional perspective.
- Serve on at least one additional committee.
- Keep the Commission apprised of updates or news items from the organizations or interests that they represent or are knowledgeable about.
- Attend events of the Commission, including the annual MRC Conference. Let Commission Director know if unable to attend meetings. Frequent absences hamper a members' ability to effectively participate in the work of the Commission.
- Disclose potential or actual conflicts of interest.

Current Governor Appointees (as of October 2019)

This information can also be found online at <https://bit.ly/2KSuDrw>.

- Tom Cowan Start: 02/22/2016 End: 10/31/2019 General Public
- Nancy McKay Start: 11/01/2015 End: 10/31/2019 General Public
- Laura Blackmore Start: 05/04/2019 End: 10/31/2023 Puget Sound Partnership Representative
- Ronald Thom Start: 12/09/2016 End: 10/31/2020 General Public
- Chris Castner Start: 1/29/2019 End: 10/31/2022 General Public

Northwest Straits Commission

Committee Membership

Executive Committee

Mission: To streamline effectiveness the Commission uses a standing Executive committee.

The Executive Committee will be comprised of the Commission Chair, the Commission Vice-Chair, the chairs of any other committee, the Director and the Director of the Padilla Bay NERR (Ex-officio). The Executive Committee shall have no fewer than two MRC representatives. In the event that the Executive Committee has only one MRC representative, an at-large MRC representative will be appointed by the chair of the Commission.

Members as of October 7, 2019

- **Elsa Schwartz** – Chair
- **Alan Clark** – Vice-Chair
- **Tom Cowan**
- **Ron Thom**
- **Jude Apple** – Ex-officio
- **Lucas Hart** (Staff Liaison)

External Relations Committee

Mission: Working with the NWSC Director, the committee will conduct outreach to key audiences to expand understanding of the Northwest Straits Commission’s mission and accomplishments.

Rationale: There’s a continual need to educate managers and elected officials about the Initiative, its history and its relationship to other regional restoration efforts. This kind of outreach can lead to improved opportunities for funding and new partnerships. Commission members, as volunteers, have a different perspective and important story to tell about the importance of the NWSC. They represent constituents when talking with elected officials and have greater flexibility in making requests of these officials.

Tasks: Identify key audiences, develop a strategy and materials for outreach, schedule and conduct outreach

Members as of October 7, 2019

- **Tom Cowan** – Chair
- **Christina Koons**
- **Nan McKay**
- **Alan Clark** (Clallam MRC)
- **Don Hunger** (NWS Foundation - staff)
- **Lucas Hart** (Staff Liaison)

Science Advisory Committee

The Science Advisory Committee assists and guides us with our work. The Commission's credibility as a science-based organization depends on the involvement of experts in a variety of relevant disciplines. It's important that we review our work from a scientific perspective, are aware of scientific studies and questions that can inform local and regional projects; and that key individuals in the scientific community know about our work.

Role of the Science Advisory Committee:

- Provide scientific input and guidance to the Commission on specific issues and opportunities. (e.g. kelp monitoring/recovery, Puget Sound eelgrass recovery strategy, ESA-listed rockfish recovery plan, and Sound-wide survey of intertidal spawn habitat/ forage fish)
- Conduct technical review of MRC projects proposed for funding by the Commission, where appropriate.
- Help identify ways to effectively integrate our work with scientists and their projects around the region.

Members as of October 7, 2019

- **Ron Thom** - Chair – Pacific Northwest National Laboratory; Coastal and estuarine ecosystems/ eelgrass.
- **Tessa Francis** - Puget Sound Institute; Manager, Ocean Modeling Forum. Impacts of shoreline dynamics on aquatic food webs and populations/ forage fishes and salmon recovery.
- **Tom Mumford** – Marine Agronomics LLC/retired WA Dept. of Natural Resources; Kelp ecology and management in Washington state.
- **Marine Program Manager**– Staff Liaison

Committees Currently on Hiatus

- Education Committee
- Tribal Committee
- Strategic Planning Committee
- MRC Conference Planning Committee
- Communication Ad Hoc Committee

Northwest Straits Commission

Green Business Practices

- Carpooling to Commission meetings is strongly encouraged and Commission staff will do their best to support carpooling logistics. An added benefit of carpooling is that Commission meeting discussions start well before the meeting and continue on the way home. Carpooling also saves money, reduces carbon emissions and fosters strong personal relationships.
- Single-use plastic bottles of water are discouraged and staff will do their best to provide refillable pitchers of water or other beverage options at Commission meetings and events.
- Meeting materials will be provided electronically prior to meetings whenever possible and staff will maintain a link to meeting materials on the NWSC web site. Commission members are encouraged to bring laptops to meetings to avoid the need for hard copies of materials. However, hard copies will happily be provided upon request.
- Every-other-month Commission meetings are held via conference calls using the WebEx platform. This reduction in travel to in-person meetings has resulted in significant monetary and carbon dioxide emission savings.

