

GREATER FARALLONES NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

Decision-Making and Operational Protocols

1. Use of a Consensus Approach

In its most literal sense, “consensus” means that everyone in a group “consents” to the same decision or course of action. It does not necessarily mean that each one consents with the same degree of fervor. Implied is a commitment to support and not undermine in any way. In general, whenever possible the SAC should strive to reach agreement on advice to be provided by way of seeking consensus. In efforts to reach consensus, all voices should be heard, and creative solutions should be sought to resolve issues and craft advice that encompasses the diversity of viewpoints. When considering significant actions, the SAC should utilize straw polls (aka, ad hoc or unofficial votes) to determine where members are at on a given issue. Additionally, it is important to clearly establish if a SAC decision is needed at a given meeting, or if it could or should be made at a future meeting.

2. The Role of Robert’s Rules of Order

As an advisory body, and not a legal decision-making body, Robert’s Rules of Order do not apply to the SAC. However, some of the concepts used in Robert’s Rules of Order have been and should continue to be used by the SAC. For example, being recognized to speak by the Chair and the use of motions to reach some decisions. Offering motions, seconding motions, discussion on a motion, voting on motions are elements found in Roberts Rules of Order that should continue to be used by the SAC.

3. Voting and Absentees

SAC members must be present at meetings to vote. If a member is absent, the appointed alternate may cast a vote, contribute to reaching consensus, and provide input to discussions. If both member and alternate are not at a meeting, the absent seat will not get to vote. Because the SAC Charter states that Council business should be conducted in public, after-the-meeting votes are not allowed. However, when appropriate, SAC actions taken (e.g. the writing of a letter) should reflect that a particular seat was absent (see also #8 below).

4. Minority Views

Whether by way of voting or through efforts to reach consensus, a “minority” view or views may become apparent. All views are important for the Sanctuary Superintendent to hear. When crafting advice (statements, resolutions, letters, etc.) that communicates a majority position of the SAC, the Council should also seek, where possible, to incorporate or acknowledge minority viewpoints that have been expressed. If there is a minority view or views and it is to be incorporated within or attached to a Council letter, those holding that view should be assigned responsibility for drafting that part of the letter.

5. Notice of SAC Action Items

SAC draft meeting agendas will be distributed via e-mail to members at least 10 days prior to a meeting. Agenda items that are expected or designed to bring about a Council “action” (i.e. a vote, a letter or other conveyance of advice to the Sanctuary Manager) will be clearly identified as such. Agenda topics that may result in a Council action will be labeled as “possible” action items. SAC representatives are encouraged to carefully review the draft agenda and prepare accordingly for expected or possible action items. If a SAC member feels that an agenda item could result in a Council action, but the item is not labeled as such, the SAC member should request a review of the agenda through the Chair and/or SAC Coordinator. Similarly, if after distribution of the draft meeting agenda, a SAC representative wishes to bring up a new action item at the meeting, that member should immediately bring the request forward in time for an updated agenda to be produced and distributed at least three days prior to the meeting (this is not always possible but will be considered).

6. Introducing Day-of-the-Meeting Actions

In general, the SAC should only take an action (i.e. motions, votes, agreement upon advice to be given to GFNMS) on such matters that have been agendized and clearly marked as expected or possible action items. Council actions should not be sought on other issues, unless there is a critical timing issue involved, an emergency concerning the Sanctuary, or in cases where the matter is related to a non-substantive process-issue. Determination of what constitutes an acceptable day-of-the-meeting proposed action falls to the Chair.

7. Role of Non-Government Alternates

Alternates to the non-government seats on the SAC may express views and cast votes that are of their own opinion. Non-government alternates are not appointed to the SAC to serve as proxy voters for absent members. While an alternate’s views may agree with and/or be influenced by that of the member’s, their contributions to Council discussions or votes are expressed independently.

8. SAC Letter Writing

Members wishing to propose that a letter be written by the SAC are encouraged to come to meetings with draft language for consideration. Prior to a SAC meeting, every effort should be made to include a draft proposed letter in the meeting packet and/or to send it to members via email at least 1-2 weeks prior to the meeting. Additionally, if appropriate, a minority viewpoint should be included within proposed letters. If the content of a letter cannot be finalized at a SAC meeting, then the Chair will complete the letter or recommend an appropriate subcommittee. If a letter drafting subcommittee is formed, it should be comprised of representatives holding varying viewpoints on the given issue to allow for a balance of perspectives to be reflected. When the letter being written is based on the results of a SAC vote, it should contain a listing of the voting results (yes, no, abstain) by SAC seat and note which seats were absent.

During Council session, efforts to finalize a proposed letter should involve taking a straw poll early on to see what level of agreement exists, followed by a deliberative process to understand and attempt to address the concerns of those not comfortable with the proposed letter or action. If approval of the letter comes to a vote, those that have contributed to editing the letter should vote first.

Unless otherwise agreed to at a SAC meeting, final draft SAC letters will be distributed to Council members via e-mail prior to being sent. This will assure that everyone on the Council, including

those that may have missed the meeting at which a letter was approved to be written, will know that it is going to be sent. This will also provide a final opportunity (generally 3-5 days) for feedback from Council members if something about the draft letter seems inconsistent with the Council's agreement or motion.

If not time sensitive, the Council should also consider that some draft letters can wait until the following SAC meeting for full comment and finalization.

9. Process for Introducing a Resolution

If a member wishes to introduce a resolution for the council to consider a certain action (i.e., a recommendation to the sanctuary to consider), the member should request the DRAFT Resolution Template from the Council Coordinator, which includes a DRAFT watermark and the required disclaimer used in all documents and written communications from the council ("The council is an advisory body to the sanctuary superintendent. The opinions and findings of this letter/publication do not necessarily reflect the position of the sanctuary and the National Oceanic and Atmospheric Administration"). The member should then send the DRAFT Resolution to the Council Chair and Coordinator along with the request to have the item added to the agenda as an "Action Item". The Council Chair or Coordinator will then distribute the DRAFT Resolution to the SAC prior to the meeting.

A member can also bring a proposed action/resolution up during a meeting (during member reports or SAC business sections is most appropriate), but because there are limitations to taking action on an item not agendized, that proposed resolution will likely be added to the next meeting agenda, prior to which the member can draft, or request that the Chair draft, proposed language for the SAC to discuss and vote on during the next meeting.

Once a resolution is passed and the language is approved, the Council Coordinator and Chair or Secretary will work to prepare the final documentation. The Coordinator will send the final copies to the Sanctuary Superintendent, to ONMS leadership, or other relevant parties, and coordinate with the Sanctuary Superintendent to report back to SAC on how the sanctuary will proceed with the council's recommendations.