

Oregon Hatchery Research Center Board

Charter and Operating Procedures

October 2, 2015

The Oregon Hatchery Research Center Board (Board) was established in August 2013 in accordance with House Bill 3441.

With the passage of House Bill 3441 by the 2013 Oregon Legislative Assembly and the signature by Governor Kitzhaber, the Oregon Department of Fish and Wildlife and Oregon State University began a new chapter in the operation of the Oregon Hatchery Research Center (OHRC).

The mission of the OHRC is to understand the mechanisms that may create differences between hatchery and wild salmon and steelhead, develop approaches to best manage any differences in order to meet fishery and conservation objectives, and help Oregonians understand the role and performance of hatcheries in supporting and protecting Oregon's native fish. The OHRC will foster and support a wide range of research and education projects and provide unique state-of-the-art facilities, including four simulated streams.

The OHRC is strategically located in the Alsea Basin, surrounded by streams and close to coastal fisheries that offer natural laboratories to study the life cycle and interactions of wild and hatchery fish and their management on a broad "basin-to-landscape" basis. The site also is close to other scientific institutions such as the Hatfield Marine Science Center and Oregon State University.

Board Composition

The Board consists of 15 members, 12 voting members and 3 non-voting members, appointed by the Director of the Oregon Department of Fish & Wildlife (ODFW). All members of the Board must be residents of this state who are well informed on matters related to the fish management policy and scientific research and who demonstrate an interest in research related to the propagation of fish in hatcheries.

The 12 voting members will represent:

- 1 – Oregon Salmon Commission
- 1 – Columbia River gillnet salmon fishery
- 2 – Wild fish advocacy organizations
- 2 – Statewide sport angling organizations
- 1 – Agricultural industry
- 1 – Coastal ports
- 1 – Forest products industry
- 1 – Independent scientific community

- 1 – Fish habitat restoration interests
- 1 – Oregon Indian tribes

The 3 non-voting members will represent:

- 1 – Oregon Department of Fish & Wildlife
- 1 – Oregon State University
- 1 – Federal government agencies

The term of office is four years, but members serve at the pleasure of the Director. Before expiration of the term of a member, the Director will appoint a successor whose term begins on July 1. A member is eligible for reappointment. If a vacancy occurs for any reason the Director will make an appointment to become effective immediately for the unexpired term.

Board Operations

The Chair and Vice Chair(s) will serve as the key contacts for the Board with the State government and as the official spokesperson(s) for the Board, and issues correspondence and reports on the Board's behalf.

Duties of the Chair: The Chair may delegate specific responsibilities to the other Board members as appropriate. The Chair's responsibilities are to facilitate, but not direct the work of the Board. Working with Board members, the Chair schedules and sites meetings, develops agenda items, arranges for special Board needs, and organizes and conducts Board meetings. The Chair may serve in the capacity of the Chair for two consecutive 2-year terms. In the temporary absence of the Chair, the first Co-Vice Chair serves in his or her place.

Duties of the Vice Chair(s): The vice Chair(s) serve as Chair in the temporary absence of the Chair, and assist the Chair in the performance of the Chair's duties.

Conduct of Meetings: At least 24 hours prior, public notice will be given of the time, place, and agenda of any formal meetings. A formal meeting is defined as having the majority of members in attendance, including any subcommittees. Seven Board members constitute a quorum for a formal Board meeting. Only Board members may function as Board members; substitutes or designees are not permitted. Interactive video, conference call or other techniques allowing for interaction and participation in the meeting constitutes attendance. The agenda for each meeting must be approved by the Board. While public attendance is allowed at meetings, public testimony and/or comment may be allowed only upon the approval of the Board. Meeting minutes, and any written materials used by the Board at the meeting, constitute the formal meeting record. ODFW staff prepares Board meeting minutes, which include the time and location of the meeting, attendees, and a brief summary of Board decisions. At the next Board meeting, the Board will approve the minutes of the previous meeting then post them on the ODFW web site. The Board may form and direct the function of the Board subcommittees comprised of the Board members to complete assignments directed by the Board. Written products of analyses of subcommittees must be submitted to the full Board for discussion or

revision prior to final adoption by the Board. Subcommittees may complete their assignments in informal work sessions, including meetings with technical specialists or others as necessary for the accomplishment of the work of the subcommittee. Subcommittees of seven or more members may not take any formal actions such as voting. Board workgroups (two members) may hold informal work sessions for which there is no formal record.

All meetings of the Board will be conducted consistent with applicable statutes of the State of Oregon (ORS 192.610 to 192.690)

Consensus and voting: The Board will use the Robert's Rules of Order for all meetings. It is the intent of the Board to operate by consensus while providing for minority options. Consensus is attained when a majority of the Board members reach agreement as determined by a Board vote taken at a Board meeting with a quorum present. A motion by a Board member is required before a vote. Motions must be seconded before discussion or voting. All motions will be discussed prior to a vote. A Board member must call for a vote. An abstention is a non-vote. When a member abstains, the total number of voting members must equal a quorum and a majority vote is required for consensus. Board members wishing to note a partial or entire minority opinion will be noted in the text where it applies, and will be published as an appendix to the report or letter.

Any discussion may be tabled (set aside for later discussion) if a Board member calls for tabling it, another member seconds the tabling, and the Board majority votes to table the issue. A tabled issue can be raised for discussion if a Board member moves to reactivate a discussion, the motion is seconded, and the majority of the Board votes to reactivate the discussion. Board members will honor decisions made and avoid re-opening issues once resolved.

The Board may vote by written ballot so long as the ballot identifies the member voting, and the votes are announced.

The Board acknowledges that their recommendations are advisory to the OHRC Director and that final decisions on the operation of the Oregon Hatchery Research Center are the purview of ODFW and OSU.

Expectations of Board members

All Board members agree to act in good faith in all aspects of these discussions. This includes being honest and refraining from undertaking any actions that will undermine or threaten the intent of the Board. It also includes behavior outside of meetings. Expectations include:

- Members commit to be prepared for and participate in all meetings to the extent possible.
- Members agree to be respectful at all times of other Board members, staff, and audience members. They will listen to each other and seek to understand the other's perspective, even if they disagree.

- One person will speak at a time. Side conversations and other meeting disruptions will be avoided.
- Members agree to make every effort to bring all aspects of their concerns about these issues into Board meetings to be addressed.
- Members agree to refrain from personal attacks, intentionally undermining the Board and OHRC, and publicly criticizing or mis-stating the positions taken by any other participants during Board activities. Concerns regarding personal attacks or intentional misinformation will be brought to the attention of the Board chair or ODFW. If evidence justifies, the offending member will be advised of such concerns. Continued violations of these ground rules may result in removal by the ODFW Director of the Board member from the Board in consultation with the Board chair and ODFW.
- Any written communications, including e-mails, blogs and other social networking media, will be mindful of these procedural ground rules and will maintain a respectful tone even if highlighting different perspectives. Members are reminded that e-mail, blogs and other social networking media may be considered public documents.
- Individual Board members agree to not present themselves as speaking for the Board, without specific direction and approval by the Board chair and ODFW.
- Requests for information made outside of meetings will be directed to the Board chair. Responses to such requests will be limited to items that can be provided within a reasonable amount of time.

Attendance: Regular attendance and participation by each board member is critical to furthering the good work of the board. Each board member is highly valued for their insight and particular area of expertise, which helps the board make the best possible decisions moving forward. The board recognizes there may be an occasional OHRC meeting that conflicts with other scheduling and responsibilities (or an illness), and asks that the Chair be notified as soon as a member is aware of a scheduling conflict or illness (to guarantee a quorum at each meeting). The Chair will make every effort to accommodate a Board member's needs, and phone/electronic participation can be arranged in advance. If a Board member misses (3) OHRC meetings in a row (unless pre-arranged with the Chair and/or Director, or due to illness), the Director will re-appoint that member's position.

Conflict of Interest: The Chair shall call for identification and discussion of conflicts of interest after the Board adopts an agenda or task. An actual pecuniary (financial) conflict of interest is presented by any action, decision, or recommendation that would be to the private (distinct from that of the general public) financial benefit or detriment of a Board member, a relative of a Board member, business or institution with which a Board member is associated. A potential pecuniary conflict of interest is present by any action, decision, or recommendation that could result in such a private financial benefit or detriment. A non-pecuniary conflict of interest is presented when a reasonable person would conclude that a non-pecuniary interest of a Board member conflicts with the service of the Board member by significantly impairing the Board member's objectivity or by significantly compromising the Board member's professional judgment.

Each Board member must acknowledge any pecuniary or non-pecuniary conflict of interest in connection with the matters being addressed by the Board, at the time the matter comes before the Board for consideration. Any Board member with an actual pecuniary conflict of interest shall publicly announce the nature of the conflict and must refrain from discussing and voting on the action under consideration but may answer questions posted by the rest of the Board. A member with a potential pecuniary conflict of interest shall publicly announce the nature of the potential conflict, and the potential pecuniary conflict of interest is then subject to a full discussion by the Board. If, after discussion, the Board determines that there is no actual pecuniary conflict of interest, the member bringing forth the potential pecuniary conflict may thereafter participate in discussion and vote on the action under consideration.

If a reasonable person could conclude that a non-pecuniary interest of a Board member conflicts with the service of the Board member by significantly impairing the Board member's objectivity or by significantly compromising the Board member's professional judgment, the Board member shall publicly disclose the nature of the non-pecuniary conflict. The non-pecuniary conflict of interest is then subject to discussion by the Board. As determined by the Board after the discussion, if a reasonable person would conclude that the member's non-pecuniary interest significantly impairs the member's objectivity or significantly compromises the member's professional judgment, the Board member must recuse himself or herself from the substantive discussion, voting and working on the action under consideration or on the particular issue related to the conflict of interest, as determined by the Board.

Communications: The primary means of communicating the results of the Board's work will be through meeting minutes, work products, presentations, and annual report which will be presented to the Oregon Legislature.

Oral communication will be based on previous written documents. The exception may be oral progress reports to the Governor or Legislature made by the Chair. The Chair will coordinate the communications of the Board, and will serve as the spokesperson for the Board, although this function may be delegated as appropriate. Any concerns of individual Board members that involve the appointing or oversight authorities or state agencies should be addressed by Board process and directed to those authorities through the Chair. The Chair will make every effort to carry out the decisions of the Board and fairly represent the concerns of individual Board members. Discussions between Board members and the public, agencies, legislators and staff in public meetings of the Board are opinions of the individual Board members and do not reflect the consensus of the Board.

Confidentiality: ODFW is the custodian of Board records, which are released only with the approval of the Chair. To preserve Board integrity, Board members will not publicly discuss (outside of formal or informal Board meetings) ongoing Board deliberations, or pending discussion that concern specific conclusions and/or recommendations. While Board members are free to publicly discuss the subjects that may come before the Board, they must explicitly indicate they are not speaking as a Board member. Draft materials and deliberations in whole or in part of the Board are to remain confidential (to the extent permitted by Oregon Public

Records Law) until the Board approves them for release. The Board finds that the public interest in encouraging frank communications between Board members outweighs the public interest in disclosure, and that confidentiality of draft materials is a generally accepted practice of independent science Boards. However, the Board may use such draft materials and other materials and information in consulting with colleagues, state agencies, or for technical review. At some point during the development of a product, the Board may release (requires a majority vote) the draft product.

Modification of the Charter: The Board may modify this charter by a majority vote of the Board, taken during a Board meeting. Any substantive revisions to the Charter will be reviewed by the ODFW Director.