

Ground Rules

Pelagic Longline Take Reduction Team (PLTRT)

(Updated slightly for September 2020 meeting)

The following ground rules have been informed by CONCUR's professional experience, discussions with NOAA Fisheries, directives in the Marine Mammal Protection Act, and past input by Take Reduction Team (TRT) members. These ground rules are intended to foster and reinforce constructive interaction and deliberation among TRT members. They emphasize clear communication, respect for divergent views, creative thinking, collaborative problem solving, trust building, working towards consensus, and the pursuit of mutual gains. The TRT may decide to reconsider and revise these ground rules if they appear not to be serving the TRT process.

Representation

- **TRT recruitment and selection.** TRT members have been invited to serve by the NOAA Fisheries Assistant Administrator for Fisheries. TRT members were selected based on professional expertise or experience in the areas of conservation or biology of marine mammal species or fishing practices which result in the incidental mortality and serious injuries of such species. TRT members were also selected for their diversity of interests, geographic location, communication network, capability to work with diverse viewpoints, and commitment to developing a consensus-based Take Reduction Plan.
- **Checking back with constituencies.** TRT members have also been recruited based upon their ability to ably represent the views of an important constituency. TRT members should work to keep their constituencies informed of the TRT's efforts and to reporting relevant feedback to the TRT. In reporting back, TRT members will strive to integrate the views of their constituency rather than resorting to a "lowest common denominator" portrayal.

Participation and Collaboration

- **Primary and alternate TRT members.** Primary TRT members will make every effort to attend all TRT meetings. Team members may identify alternates if they will not be able to make all team meetings. No Team member may have more than one alternate. Names of candidate alternates are to be submitted at least one month in advance of the next meeting for approval by NMFS. Alternates should represent the same organization or constituency as the primary representative, be knowledgeable and able spokespersons, and be committed to working collaboratively towards a consensus agreement. Primary TRT members will work with their alternates to ensure that they are up to speed on TRT deliberations. This will enable alternates to step in effectively as needed and keep the project from "backsliding." If neither the member nor alternate can participate in the meeting, another individual is welcome to attend as an observer.

- **Active, focused participation.** Every participant is responsible for communicating his/her perspectives and interests on the issues under consideration. Voicing these perspectives is essential to enable meaningful dialogue. Everyone will participate; no one will dominate. Only one person will speak at a time (i.e., no sidebar conversations). Everyone will help stay on track. Participants will turn off their cell phones during TRT meetings.
- **Respectful interaction.** Participants will respect each other's personal integrity, values and legitimacy of interests. This includes avoiding personal attacks and stereotyping.
- **Integration and creative thinking.** In developing, reviewing and revising work products, participants will strive to be open-minded and to integrate members' ideas, perspectives and interests. Disagreements will be regarded as problems to be solved rather than battles to be won. Participants will attempt to reframe contentious issues and offer creative solutions to enable constructive dialogue.
- **Mutual gains approach.** Participants will work to satisfy not only their own interests but also those of other TRT members. Participants are encouraged to be clear about their own interests and to recognize the important distinction between underlying interests and fixed positions.

Commitment to process

- Participants will make a good faith effort to achieving the goals of the project. This includes working collaboratively with other TRT members to develop a consensus-based product.
- Participants will review meeting materials in advance of the meetings and come prepared to address the meeting objectives.
- Meetings will start on time. Participants who know that they will be absent, late, or have to leave early will inform project staff in advance and coordinate with their alternates as needed.
- As a set of mutual obligations, TRT members will commit to adhere to these ground rules once they are ratified. TRT members are encouraged to help uphold and enforce these ground rules.

Online Platforms May Be Used for PLTRT Briefings or Meetings

- From time to time, the PLTRT may meet via online platforms such as GoToMeeting or WebEx rather than convening in-person meetings to help achieve goals of efficiency and public health safety.
- The TRT Coordinator or Facilitation Team will provide advance notice of the use of virtual platforms and provide coaching as needed to acquaint team members with the functionality of these platforms to enable their effective participation.

TRT Decision Rules

- The TRT will strive to develop and come to agreement on a draft Take Reduction Plan (and any subsequent revisions) using a consensus decision rule. In particular, TRT members will pursue “conditional unanimity,” where all participants are able to support (i.e., “to live with”) and agree not to block a package of agreements developed over the course of the group’s deliberations.
- TRT members recognize the need to make simple process agreements to move the effort forward. From time to time, TRT facilitators may use “straw votes” to track progress and help the group arrive at short-term decisions to propel the process forward in an efficient fashion.
- In the event consensus cannot be reached, the TRT will advise the Secretary of Commerce in writing on the range of possibilities considered by the team and the extent of support for respective elements of TRT’s proposals, As appropriate, majority and minority views will also be represented.

Multi-interest Work Teams and Interest Group Caucusing

- NOAA Fisheries staff and CONCUR expect that cross-interest group work teams may be an important way to develop constructive, integrative work products during and between TRT meetings. The aim of such work teams is to encourage multi-interest options and work products rather than work products put forward by a single bloc or interest group. It is anticipated that work teams will meet primarily by teleconference.
- As appropriate, opportunities will be provided during TRT meetings for caucusing within interest groups.

Media Contact and Contact with Political Representatives

- TRT members will refrain from discussing details of the TRT process with the media or political representatives. In particular, TRT members will not represent the views of others, characterize ideas or proposals still under discussion, or prejudge outcomes. TRT members recognize that premature efforts to "negotiate through the press" or through other political avenues can undermine the success of a collaborative effort.
- TRT members contacted by the media are encouraged to direct these inquiries to NOAA Fisheries staff. As well, NOAA Fisheries staff will work with the TRT to develop “talking points” for relating to the media.

Information Sharing and Joint Fact-Finding

- TRT members recognize that the Atlantic Pelagic Longline TRT project depends on using the best readily available information.
- TRT members commit to identify information needs in a timely fashion and to contribute in framing needs for additional research and analysis.

- TRT members commit to share, and not withhold, relevant information. Preliminary information will be treated as such.

TRT Communication Protocols

- TRT members wishing to send email correspondences or documents to the full TRT are requested to send these through the TRT Coordinator and the facilitation team.

Use of Project Website

- NMFS maintains a PLTRT website where key Team documents are posted and accessible. To view, please go to: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/pelagic-longline-take-reduction-plan>

Role of Facilitation Team

- The TRT facilitation team (CONCUR, Inc.) serves as a neutral and will not act as an advocate for particular outcomes. The facilitators will strive to ensure that all TRT members clearly articulate their respective interests and to assist members to complete their work in a well-informed and efficient fashion.
- The TRT facilitation team will prepare Key Outcomes Memoranda (KOMs) to summarize the main results of the TRT meetings. These KOMs will endeavor to summarize key decisions made, issues discussed, and the next steps identified for moving the process forward. They are not intended to serve as a transcript of the meetings. The facilitators will strive to prepare KOMs within two weeks of the meetings, which will then be reviewed by NMFS staff and prepared for circulation to the TRT.
- NEAR-FINAL versions of Key Outcomes Memoranda will be circulated to the TRT for RED FLAG review. TRT members will be invited to propose edits to correct critical errors or omissions. The facilitation team will review suggested edits in consultation with the TRT Coordinator and integrate edits as appropriate as FINAL Key Outcomes Memorandum TRT members.
- The TRT facilitation team will serve as the primary secretariat in assisting parties to develop the draft and final Take Reduction Plan. The Take Reduction Plan, unlike the Key Outcomes Memoranda, will be subject to detailed review and approval by all TRT members.