

Maryland American Eel Workgroup Operating Guidelines

Background:

The American Eel Workgroup (EWG) is established to serve as an advisory body to the Department on matters concerning the American eel commercial fishing industry. Specifically, the Department is seeking coordinated industry input on the management of this fishery in order to achieve the goals and objectives of the fishery’s participants. All advice offered to the Department via the EWG will be vetted through the Tidal Fisheries Advisory Commission. Should the Department choose to move forward with advice involving regulations; the Department will adhere to the established public process for initiating regulatory change. This includes public scoping of the regulatory idea, obtaining input from both the Tidal and Sport Fisheries Advisory Commissions, and a public comment opportunity during the regulatory process.

Membership:

The membership of the EWG is representative of the diverse regions and sectors within the commercial American eel fishery. The EWG currently consists of 10 voting members representing 7 sectors around the Chesapeake Bay and Maryland’s Coast. By virtue of their roles as industry leaders, three of the voting seats are held by the president of the Maryland Watermen’s Association, the president of the Chesapeake Bay Commercial Fishermen’s Association, and the Chair of the Tidal Fisheries Advisory Commission. Nominations for representative seats are provided to the Department by current industry members.

Members will be expected to speak for all sectors of the fishery equally and without bias.

Nominated members of the EWG were selected by region and/or sector and will represent the Eel Industry based on their sector. The seven sectors are listed below.

Fish Dealer	Bait Fishery	Upper Bay Fisherman	Middle Bay Fisherman	Lower Bay Fisherman	Coastal Bays/Ocean Fisherman	Late Season Fisherman
Licensed Maryland fish dealer	Crabber that harvests eels for personal use as bait	Fishes Bay Bridge and north	Fishes Cove Point to the Bay Bridge	Fishes South of Cove Point	Fishes in the Coastal Bays or Atlantic Ocean	Fishes Summer/Fall Fishery

EWG Member Eligibility

The Natural Resources violation history of each potential Sector Representative will be reviewed by the Department. An individual will be ineligible if they:

- Have acquired 10 or more points related to Eels within the past 2 years (10 points = 30 day suspension).
- Have any Federal violation (i.e. Lacey Act) related to Eels for the past 10 years.
- The Department may also take into account other factors when determining eligibility, which include, but are not limited to excessive reporting violations, revocation of fishing permits, and probation before judgment dispositions for tier II and III offenses.

Member Responsibilities:

- **Prepare for meetings:** Read and **distribute** all information prior to meetings; discuss issues with the people you represent; and prepare to communicate the viewpoints and concerns of those you represent.
- **Service Between Meetings:** Maintain regular communication with the people you represent, informing them of the progress and work of the EWG.
- **Work in Meetings:** Attend to process; follow the 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 SBWG.

Term of Tenure and Selection of Future Members:

Consistent with the Tidal Fisheries Advisory Commission, members are appointed to a two year term. The Department will request that industry leadership conduct a comprehensive review of the membership every two years. An individual may serve more than one term.

Attendance

- In the event that you are unable to attend a meeting, you must notify the DNR staff person assigned to the EWG within 48 hours of the meeting.
- If a Member or is unable to attend 75% of EWG meetings during a calendar year, the Department will ask that individual to step down and the next person on the nominations list will be asked to participate.
- The DNR staff person will notify EWG members if a meeting is to be canceled for lack of a quorum.

Quorum

A quorum is a simple majority of appointed Members and is required in order to hold a meeting and vote on any issue.

Communication and Decision-Making Ground Rules

The EWG is asked to consider each suggested ground rule in an effort to facilitate group discussions:

- 1) Only EWG Members (Industry Leaders, Sector Representatives) will sit at the meeting table.
- 2) Only one member will speak at a time, each member will have equal opportunity to participate.
- 3) Each Member will focus on the agenda issue to keep the discussion moving forward.
- 4) Each Member will respect all other Members and individuals of the public that may be in attendance at meetings.
- 5) Each Member will strive to listen actively and be open-minded.
- 6) Public observers will be allowed to address the EWG at a designated time period on the agenda for each meeting.
- 7) For topics that are not on the agenda, DNR staff will use a public sign-up list in deciding how to allocate the available time on the agenda to the number of people who want to speak.

Motions

Only Industry Leaders and Sector Representatives may make a motion.

1. If a motion is made, it shall be written down and reviewed for accuracy. Before discussing the motion, there needs to be a second to the motion. If the motion receives a second, DNR staff will facilitate a fair and equitable discussion among the EWG members, and an opportunity for public comment as time allows.
2. Discussion shall be limited to the merits of the immediately pending question or issue.

3. A seconded motion shall be approved by a majority of the EWG members in order to be adopted. Motions may be voted upon using ballots rather than a show of hands.
4. If the motion is approved, but not carried unanimously, the Department requests that the EWG inform the Department on the reason for the dissenting vote(s). This is needed as the Department is the decision-making body, and not only needs to hear the reasons for supporting the motion but also those that oppose the motion.

Support Staff

The Maryland DNR Fisheries Service shall designate a staff person(s) to support the EWG.

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
- Meeting Facilitator - Ensure adherence to agenda and operating guidelines; facilitate and clarify discussion; involve membership; explore diversity of opinions/inputs; resolve discussions; facilitate public participation in a fair and equitable manner while maintaining an atmosphere of civility and respect; allocate meeting time to accommodate discussion
- Technical Support: Provide information and consultation regarding technical issues.