

***The Great Lakes Panel on Aquatic Nuisance Species
Organizational Strategy and Guidance for Operations***

Iteration II: Final Draft: November, 2005

(Please note that this version of the document includes highlighted segments to denote significant revisions to the operation of the Panel)

Table of Contents

- A. Background
 - Introduction
 - History
- B. Mission of the Great Lakes Panel
- C. Principles Governing Operation of the Great Lakes Panel
- D. Membership
 - Regular
 - Alternate
 - At-Large
 - Interested Parties/Observers
 - Invited
 - Appointment of Panel Members
 - Membership Responsibilities
- E. Panel Officers
 - Roles and Responsibilities
 - i. Panel Chair
 - ii. Panel Vice Chair
 - iii. Committee Chairs
 - Election Process
 - i. Panel Chair
 - ii. Panel Vice Chair
 - iii. Committee Chairs
 - Nomination of Panel Officers
 - Election of Panel Officers
- F. Panel Committees
 - Executive Committee
 - Standing Committees
 - Ad Hoc Committees
- G. Staff Support
- H. Meetings
 - Frequency of Meetings
 - Requirements for Notice of Meetings and Public Comment
 - Meeting Agenda
 - Meeting Conduct and Decisionmaking Procedures
 - Meeting Summaries/Minutes
 - Panel Decisionmaking Between Meetings
- I. Making Recommendations to the National ANS Task Force and Guidelines on Advocacy
- J. Funding
- K. Annual Work Plan
- L. Annual Report
- M. Amending The Operational Guidance Document
- N. Definitions *(to be completed)*
- O. Appendices: Committee Operational Guidance *(to be completed)*

***The Great Lakes Panel on Aquatic Nuisance Species
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Iteration II

A. Background

Introduction

The federal Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (NANPCA, Public Law 101-646 16 USC, 4701-474) provides federal legislative support for programs aimed at aquatic nuisance species (ANS) prevention and control. Among its provisions was the creation of the Great Lakes Panel on Aquatic Nuisance Species (the Panel), as required by Section 1203 of NANPCA. This document presents an organizational strategy and guidance for the operations of the Panel, as well as background information on the establishment of the Panel; a mission statement; information on the Panel's structure and functions; membership and operational guidelines; and information on current funding for carrying out the requirements of Section 1203.

It should be noted that the federal legislation refers to "aquatic nuisance species" (ANS), as in the title of the Great Lakes Panel on Aquatic Nuisance Species. This term, however, is often used interchangeably with aquatic invasive species (AIS), the preferred term of federal and state managers. An aquatic invasive species is defined as a species not native to the ecosystem under consideration, whereby introduction of this species does or is likely to cause economic or environmental harm or threaten human health. Recognizing the legislative source of the term ANS, other references in this document will be made to aquatic invasive species (AIS).

History

The enactment of NANPCA was a response to the growing threat that AIS pose to the environment and economy of the United States and was prompted to a large extent by the introduction of the zebra mussel to the Great Lakes and its subsequent economic and ecological impacts to the region. Although the introduction and spread of the zebra mussel played a central role in prompting passage of the federal legislation, NANPCA was also established to prevent the occurrence of new AIS introductions and to limit the dispersal of ANS already in U.S. waters. In drafting NANPCA, Congress recognized that mitigation of the adverse impacts of all AIS is dependent on a well-coordinated outreach, research, monitoring and prevention/control program at the national as well as regional levels. Mechanisms established by NANPCA to address these challenges include:

- **Establishment of a national Aquatic Nuisance Species Task Force:** The Aquatic Nuisance Species (ANS) Task Force is an intergovernmental agency charged with implementing NANPCA and subsequently the National Invasive Species Act (NISA), enacted in October 1996. The Task Force is comprised of representatives from seven federal agencies and 11 ex-officio members and is co-chaired by representatives of the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration..

- **Establishment of regional ANS panels:** Under NANPCA, the ANS Task Force requested that the Great Lakes Commission convene the Great Lakes Panel on Aquatic Nuisance Species per Section 1203 of the Act. Since 1991, the Great Lakes Panel has worked to prevent and control the occurrence of aquatic nuisance species in the Great Lakes on a regional basis.

Establishment of the Great Lakes Panel created a permanent body of regional AIS experts and stakeholders that contributes substantially to information and education programming, research and management coordination, and regional coordination of policy initiatives. Effective prevention and control efforts in the Great Lakes region continue to be the first line of defense in slowing or preventing the spread of aquatic invasive species not only in the Great Lakes but to other regions of the country as well (e.g., the Mississippi River watershed, Chesapeake Bay, Gulf of Mexico, among others). Although the Great Lakes Panel was established under federal legislation, the engagement /participation of our Canadian counterparts on the Panel is recommended by the ANS Task Force to provide advice on AIS problems that plague the binational resource of the Great Lakes.

With the approximately 20 federal agencies working on research, use, prevention or control of AIS, the need for coordination and collaboration on a regional level is essential. The Great Lakes Panel's multijurisdictional representation makes this entity well-suited to meet the complex challenges posed by AIS invasions. A 1994 report to Congress, *Findings, Conclusions and Recommendations of the Intentional Introductions Policy Review*, further confirmed the need for regional interjurisdictional panels in making ecologically credible decisions. Congress also recognized that, by providing sound advice to the ANS Task Force with input from experts in a seriously impacted region, the Great Lakes Panel makes a substantial contribution to the collective effort at both the regional and national levels.

The role and potential contributions of the Great Lakes Panel were reinforced and enhanced by the National Invasive Species Act of 1996 (NISA), which reauthorized NANPCA and further responded to the increasingly national scope of the AIS problem. The zebra mussel, for instance, has colonized most of the Mississippi River since its discovery in the Great Lakes in the mid-1980s and is gradually extending its range westward. To address this expanding threat, NISA strengthened existing AIS prevention and control efforts and authorized the formation of new regional ANS panels. By doing this, NISA further encouraged the use of regional panels as mechanisms to assist the ANS Task Force in developing coordinated approaches to prevent and control ANS introduction and spread. The states and provinces in the Great Lakes-St. Lawrence region have increasingly recognized this need to collaborate on a regional basis to develop and implement effective AIS prevention and control programs.

Since the Great Lakes Panel was formed as the first regional ANS Panel in 1991 under NANPCA, five other regional Panels have been established.

- The Western Regional Panel on Aquatic Nuisance Species was established in 1997. Its members are Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, New Mexico, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, and the territory of Guam. The Western Panel

also focuses on issues affecting the Canadian provinces of Alberta, British Columbia, Manitoba, and Saskatchewan. See <http://answest.fws.gov/>.

- The Gulf and South Atlantic Regional Panel on Aquatic Nuisance Species was established in 1999 as the Gulf Regional Panel on Aquatic Nuisance Species, representing the states of Alabama, Florida, Mississippi, Louisiana, and Texas. The Gulf Regional Panel was originally part of the Gulf of Mexico Program, but in 2001 an ad hoc committee decided this setup was not ideal. In 2002, the Gulf Regional Panel became independent from the Gulf of Mexico Program and now receives administrative support from the Gulf States Marine Fisheries Commission. In 2004 and 2005 Georgia and South Carolina joined the Gulf Regional Panel, which was renamed the Gulf and South Atlantic Panel. See http://nis.gsmfc.org/gomrp_on_ais.shtm
- The Northeast Aquatic Nuisance Species Panel was established in 1991 with a state membership of Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. AIS issues in the Canadian provinces of New Brunswick, Nova Scotia, and Quebec are also considered. The Northeast Panel has standing committees that include Ballast Water; Communications, Education, and Outreach; Policy and Legislation; and Science and Technology. See <http://www.northeastans.org/>
- The Mid-Atlantic Regional Panel on Aquatic Nuisance Species was established in 2003 and is hosted by the Chesapeake Bay Program. The Mid-Atlantic Panel represents Delaware, Maryland, New Jersey, New York, North Carolina, Pennsylvania, Virginia, Washington D.C., and West Virginia. The Mid-Atlantic Panel hosts four committees, the Fisheries Management Planning Coordination Workgroup, Living Resources Analysis Workgroup, Non-Tidal Habitat Workgroup, and the Submerged Aquatic Vegetation Workgroup (Mid-Atlantic Regional Panel on Aquatic Nuisance Species, 2005). See <http://www.chesapeakebay.net/marp.htm>
- The Mississippi River Basin Panel on Aquatic Nuisance Species was also established in 2003, representing the states of Alabama, Arkansas, Colorado, Georgia, Iowa, Illinois, Indiana, Kentucky, Kansas, Louisiana, Maryland, Michigan, Minnesota, Montana, Mississippi, Missouri, North Carolina, Nebraska, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, Wisconsin, West Virginia, and Wyoming. Committees include the Executive Board, Education and Communication Committee, Research and Risk Assessment Committee, and the Prevention and Control Committee See <http://www.ux.cerc.cr.usgs.gov/MICRA/MRB%20Panel%20on%20ANS.htm>

Recognizing the significance of AIS problems on a national scale, President Clinton signed Executive Order 13112 in 1999, establishing the National Invasive Species Council (NISC) to work on both aquatic and terrestrial invasive species issues. The NISC operates as an intergovernmental agency under the executive branch for the purpose of coordinating federal, state, and local invasive species management programs. The Council's two main goals include minimizing "the environmental, economic, and human health effects caused by invasive species" and reducing "the threat of further invasions of invasive species" (Executive Order 13112). Under the auspices of NISC, the management plan *Meeting the Invasive Species Challenge* (2001) was developed. The management plan focuses on AIS prevention and pathway identification; international cooperation; rapid response; eradicating invasive species and controlling their spread; monitoring; restoration of displaced native species and damaged

habitat; research; evaluation of impacts to the environment, economy, and human health; technology advancement; and education.

B. Mission of the Great Lakes Panel

The mission of the Great Lakes Panel is to prevent new aquatic invasive species from entering the Great Lakes basin and to control those AIS populations already established in the basin. The Panel carries out this mission through the following activities, per Section 1203 of NANPCA as amended by NISA, pursuant to appropriations:

- Identifying AIS priorities for the Great Lakes
- Developing regional position statements on AIS priorities and making recommendations to the national ANS Task Force, as stipulated in Section 1202 of NANPCA (as amended 1996)
- Assisting the ANS Task Force in coordinating federal AIS program activities
- Providing advice to public and private individuals and entities concerning AIS prevention and control
- Coordinating AIS program activities in the Great Lakes related to information and education, research and regional coordination activities, and other areas that are not cited directly in the 1990 Act
- Providing a forum for interagency and interorganizational communication and a mechanism for regional exchange of information regarding AIS issues

C. Principles Governing the Operation of the Great Lakes Panel

Section 1203(c) of NANPCA (as amended by NISA, 1996) requires the ANS Task Force to encourage the development and use of regional panels in the coordination of AIS prevention and control as indicated in the aforementioned mission statement. The regional panels, along with the ANS Task Force and committees, provide an intergovernmental mechanism to implement a coordinated federal program as authorized under NANPCA. The principals governing the operation of the Great Lakes Panel are based on federal law.

The operations of the Panel are also influenced by its role as an advisory body to the ANS Task Force, which is governed by the requirements of the Federal Advisory Committee Act (FACA). While the Panel itself does not require a FACA charter, the activities of the Panel are covered under the FACA charter for the ANS Task Force. Under that charter, the Panel is treated as a subcommittee and reports its recommendations to the Task Force. The Panel, as a separate entity, however, is not required to be chartered.

The following are the main principles guiding the operations of the Great Lakes Panel:

- Participation by all interests in the binational Great Lakes-St. Lawrence basin will be maximized to ensure that NANPCA Section 1203 goals are fully addressed
- The Panel will not duplicate or replace efforts by the federal, state, provincial, local, academic and nongovernmental sectors related to ANS prevention and control. The Panel will build upon and showcase these efforts and activities

- The Panel will use a consensus-based approach in setting priorities and all related decisionmaking activities, except where otherwise indicated in this document
- The Panel will serve as a coordinator, catalyst and convener, relying upon its membership and other interested stakeholders to perform most program activities (e.g., information/education, research, public information, regional coordination and outreach)
- The Panel will serve as a principal regional policy conduit to the national ANS Task Force and federal, state and provincial agencies with regard to Great Lakes AIS-related research, information/education and regional coordination activities
- The Panel will coordinate, where possible, regional AIS program activities that are not necessarily conducted pursuant to NANPCA (as amended in 1996)
- The Panel will be administered by the Great Lakes Commission

D. Membership

Section 1203 of NANPCA provides limited guidance for establishing membership of the Great Lakes Panel, calling only for the convening of “a panel of Great Lakes representatives from Federal, State and local agencies and from private environmental and commercial interests...” In establishing the membership of the body, it is desirable for the Panel to be both broad in representation and yet manageable in size. To achieve this, the Great Lakes Panel shall have a five-tiered membership, based on the following categories: regular members, alternate members, at-large members, observers and interested parties, and invited observers.

Regular Membership: The regular membership arrangement for the Great Lakes Panel will be drawn from the key agencies/organizations pursuant to the “categories of interest” identified in Section 1203 of NANPCA, listed below. In the interest of maintaining an optimal and functional Panel size, membership policy dictates that, where available, associations or other “umbrella” groups will be requested to designate a single individual to represent all members of the association.

- U.S Federal: One member each from the U.S. Fish and Wildlife Service; the National Oceanic and Atmospheric Administration; U.S. Coast Guard; the U.S. Army Corps of Engineers; the U.S. Environmental Protection Agency; the State Department; and the U.S. Department of Agriculture Animal and Plant Health Inspection Service.
- State: One member each from the states of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin.
- Regional/Binational: One member each from the Great Lakes Fishery Commission, the International Joint Commission, and the Great Lakes Commission (ex-officio).
- Tribal Authorities: One member each from the Great Lakes Indian Fish and Wildlife Commission and the Chippewa-Ottawa Treaty Fishery Management Authority
- Local: Two members representing coastal communities, preferably one U.S. and one Canadian. Canadian members serve on the basis of an observer status.
- Citizen/User Groups: Representatives from citizen/advocacy groups such as Great Lakes United, the Great Lakes Sport Fishing Council and Great Lakes Coalition

- Private/Commercial: One member representing the Council of Great Lakes Industries. One member each from the Great Lakes - St. Lawrence maritime industry and the public water supply sector
- University/Research: Two members from the Great Lakes Sea Grant Network; one providing expertise on research initiatives, the other on advisory services/extension. One member from a U.S. Fish and Wildlife Service Cooperative Research Unit.

The representatives serving as regular members on the Great Lakes Panel will be appointed by their affiliated agency/organization pursuant to the NANPCA categories of interest. All appointed regular members on the Panel must be reviewed and approved by the ANS Task Force. Regular members serve for a period of time determined by the appointing entity. The appointment is to be renewed or changed as appropriate. Upon the resignation of a regular member, the agency/organization represented by that member will be asked to provide a replacement. Each regular member holds voting privileges on the Great Lakes Panel.

Alternate Membership: Alternate members are designated to serve on the Panel on behalf of designated regular members when that member is unavailable to participate in Great Lakes Panel meetings and other relevant Panel initiatives. As with regular members, alternate members are selected by the agency/organization pursuant to the NANPCA categories of interest. All appointed alternate members on the Panel must be reviewed and approved by the ANS Task Force. Alternate members serve for a period of time as determined by the appointing entity. The appointment is to be renewed or changed as appropriate. An alternate member may vote when the regular member he or she represents is absent from the meeting or not participating in the relevant Panel initiative. Alternate members serving as Chair of a Panel committee hold full voting and consensus rights. Although alternate members are not eligible to vote when the regular member they represent is present, they are encouraged to fully participate in Panel meetings and other related initiatives.

At-Large Membership: Six representatives are elected on a biennial basis to serve on the Panel as at-large members, providing their special expertise, interest, significant reason, or advisory capability. Generally speaking, the at-large members represent certain constituents or areas of expertise that were not identified in the original list of Panel membership under the categories of interest when the Act was first passed. The intent of the at-large membership program is to ensure that there is balanced representation among all stakeholders involved in the AIS issue, particularly in regards to emerging issues and priorities. All elected at-large members on the Panel must be reviewed and approved by the ANS Task Force. At-large members of the Panel hold full voting privileges.

Interested Parties/Observers: Interested parties/observers include those individuals, agencies or organizations not formally affiliated with the Great Lakes Panel, but who are interested in participating in Panel meetings or other Panel functions and/or initiatives. The following situations may apply to interested parties/observers: Section 1203 of NANPCA does not provide for direct membership if: 1) their category of interests (e.g., environmental, commercial) is already adequately represented on the Panel, or 2) their role in AIS species research, control and monitoring is comparatively limited.

Interested parties/observers do not hold voting privileges but are invited to attend all Great Lakes Panel meetings and participate in and contribute fully in Panel discussions. They are also eligible for committee membership and participation. Panel members may suggest to the Great Lakes Commission any agencies/organizations that should be designated as interested parties/observers. Similarly, any such agency/organization can request that designation via communication with the Great Lakes Commission. After the initial recommendation or inquiry, interested parties/observers will be appointed by the Panel Administrator in consultation with the Chair of the Panel.

Invited Observers: The ANS Task Force recommends participation by Canadian representatives on the Great Lakes Panel, recognizing that the Great Lakes system is a multijurisdictional resource shared with Canada with ecosystem management issues that present binational ramifications. Representatives of the following Canadian organizations/agencies are invited to serve on the Great Lakes Panel as invited observers: One member each from the Department of Fisheries and Oceans (federal); the Ontario Ministry of Natural Resources, Societe de la Faune et des Parcs du Quebec; and Ontario Hydro. Invited observers do not hold voting privileges but are encouraged to attend all Great Lakes Panel meetings and participate in and contribute fully in Panel discussions. They are also eligible for committee membership and participation.

Appointment of Panel Members

- Great Lakes Panel members should be formally appointed by their respective agencies, organizations or the interests they represent, with the exception of at-large members.
- Appointments require approval of the ANS Task Force (i.e. the two co-chairs representing the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration) and must meet criteria for a federally chartered advisory body. If any such federal criteria preclude non U.S. membership, those interests will be encouraged to serve as invited observers or be designated as interested parties/observers and, through this vehicle, participate in Panel activities.
- Membership invitations will be extended by the Panel Administrator after consultation with the Panel executive committee and the ANS Task Force.
- The ANS Task Force can also act to modify membership in terms of categories of interest as well as the individual agencies represented within the Panel's categories of interest.
- Interested Parties/Observers: The Great Lakes Commission will manage the list of interested parties/observers.

Membership Responsibilities: Individuals appointed to serve on the Great Lakes Panel should be well-versed in AIS prevention and control issues, and have a sincere interest in an active role in Panel initiatives. Once appointed, Panel members assume the following responsibilities:

- To make every effort possible to attend Panel meetings or, if attendance is not possible, to arrange for participation by the alternate member
- To represent their respective agency/organization and provide an AIS programmatic update (successes, challenges, concerns, status) at each Panel meeting, which also should be submitted in writing to Panel staff for inclusion in the meeting minutes

- To report back to their respective agency/organization on key Panel initiatives under discussion
- To participate in meeting discussions and serve the Panel to the best of his/her abilities
- To serve on Panel committees and participate in relevant activities
- To participate in the process of policy development, sharing expertise as appropriate and providing feedback in the review of policy position statements
- To provide information on Panel views and relevant initiatives when serving on other committees
- To be cognizant of and acknowledge the mission of the Panel in work for the agency/organization being represented
- To be respectful of others participating in Panel initiatives and their statements and opinions

E. Panel Officers

Roles and Responsibilities

Panel Chair: The Chair will preside over the operations of the Great Lakes Panel and will be assumed by the Panel Vice Chair following the end of that term as vice chair. If the Vice Chair decides not to assume the chair position, the Chair will then be selected from the regular membership of the Panel to serve a two-year term. Eligible members are those with at least two years of service with the Panel. *(Note that Chairship eligibility has been opened to the regular Panel membership).* The Chair holds the following responsibilities:

- Take a lead role in conducting Panel meetings;
- Oversee the activities of the Panel Executive Committee;
- Work with the Executive Committee and Panel staff in developing an agenda for Panel meetings;
- Serve as ex-officio member of all Panel committees;
- Oversee the conduct of Panel committees;
- Serve as the principal Panel liaison to the national ANS Task Force, including oversight and submission of Panel recommendations to the Task Force and meeting reports;
- Serve as spokesperson for the Panel at meetings and conferences as appropriate and feasible
- Oversee the Panel's decisionmaking process, based on consensus and majority voting.

Panel Vice Chair: The Vice Chair will assist the Chair in presiding over the operations of the Great Lakes Panel and will be selected from the regular membership of the Panel. Those eligible to serve as Vice Chair must have at least two years of service with the Panel. The Vice Chair will serve a two-year term and have the status of Chair-elect, assuming the position of Chair at the end of that term. The Panel Vice Chair holds the following responsibilities:

- Perform duties of the Chair when the Chair is unavailable;
- Participate as a member of the Executive Committee.

Committee Chairs: Chairs of the standing committees of the Panel will be selected from the regular, at-large or alternate membership and serve for two-year terms. Alternates selected as Committee Chairs will have full voting privileges and consensus rights on committee and Panel deliberations, regardless of whether the regular member is in attendance or not.

Committee Chairs will hold the following responsibilities:

- Conduct committee sessions (2-3 hours in duration) during Panel meetings, including setting the committee meeting agenda
- Conduct committee meetings and/or teleconferences outside of Panel meetings as needed, with support provided by designated Panel staff

Election Process

Panel Chair: The position of chair is normally assumed by the regular member of the Panel who has served as Vice Chair for the 2 prior years. Upon approval of the ANS Task Force, the Chair will serve a two year term. It should be noted that the Vice Chair has the option to decline serving as Chair following service as Vice Chair; whereby the position for Chair would be open to regular members for election by the Panel.

Panel Vice Chair: The position of Vice Chair is open to any member of the Panel who has served in good standing for at least two years. The Vice Chair is elected by the Panel membership (including regular and at-large members). Upon approval of the ANS Task Force, the Vice Chair will serve a two-year term. The Vice Chair will normally assume the Chair upon expiration of the Chair's term (i.e., Chair-elect).

Committee Chairs: The position of committee chair is open to any regular, alternate or at-large member of the Panel who has served in good standing for at least one year. Committee chairs are elected by Panel members (including regular and at-large members). In the absence of nominations or if an elected committee chair should decline the position, the Panel Chair will designate a committee chair from the Panel membership.

Nomination of Panel Officers: The call for nominations is conducted on a biennial basis and is coordinated by the Panel Administrator. Panel officers should be nominated based on willingness to serve, experience and ability to attend regular meetings. Nominees for each officer position should meet the specific requirements as described in the section on Panel membership. The availability of nominations is announced at the fall Panel meeting in odd years with nominations open until for 45 days.

Election of Panel Officers: The election of Panel officers following the nomination period are conducted electronically by the Panel Administrator by the end of March, with new officers assuming their positions at the start of the spring Panel meeting. Panel officers serve for a two year term with no term limits. Voting members include regular and at-large members and those alternate members serving as committee chairs (refer to Great Lakes Panel list at www.glc.org/about/taskforce/glpanel.html). In cases regarding Panel membership, where there is a regular and alternate member, only one vote per membership slot should be cast on the election ballot for each position. Election of officers is based on a supermajority of 75 percent of the votes cast by Panel member. In the event of a vacancy in the chair position, the Vice

Chair will move to the chair position and a special election will be held for the Vice Chair. In the case of other officer vacancies, a special election will be held.

F. Committees

Executive Committee

An Executive Committee will be established to provide administrative and executive functions for the Panel. The Executive Committee will be comprised of the Panel Chair, Vice Chair, and chairs of the Panel's three standing committees: Information and Education, Research Coordination and Policy Coordination. The Executive Committee, led by the Panel Chair, will be staffed by the Panel Administrator from the Great Lakes Commission. The main functions of the Executive Committee will be to work with the Panel Administrator and other staff, as appropriate, to plan Panel meetings, develop meeting agendas, and identify important items to be discussed by the Panel and other administrative items as necessary. The Executive Committee will also provide final approval for recommended actions of the Great Lakes Panel to be communicated to the ANS Task Force.

Standing Committees

The standing committees operate under the auspices of the Great Lakes Panel to accomplish the Panel's mission and to advance AIS priorities in discrete areas as identified by the Panel and/or by individual committees. Standing committees of the Panel include:

- Information/Education
- Research Coordination
- Policy Coordination (*changed from Policy and Legislation Committee due to FACA guidelines*)

The standing committees listed below should function in the same manner as the full Panel in all aspects of decisionmaking and procedures. Membership of the standing committee is open to all five membership tiers of the Great Lakes Panel, including regular, alternates, at-large, observers/interested parties and invited observers. The regular and at-large Panel members are required to volunteer for one of the standing committees for a commitment of two years. After this period, members may ask to switch to another standing committee, if interested. Each standing committee is required to have five base members. In the event that a committee has fewer than five members, the committee chairs will designate one or more members to serve on that committee.

Under the leadership of the committee chairs, each standing committee will be responsible for:

- Establishing and/or abiding by a mission statement, including goals, objectives, and an annual work plan
- Developing and/or maintaining a committee priorities document to be used as a guide for generating ideas for funding proposals for projects to be conducted under the auspices of the Great Lakes Panel and/or the respective standing committee, as appropriate

- Recruiting five voting (e.g., regular and at-large) Panel members to sit on the committee
- Recruiting any additional members who may provide expertise and advise
- Submitting committee recommendations to the Panel Chair for submission to the ANS Task Force Executive Secretary for approval

New standing committees will be instituted by consensus of the Great Lakes Panel, with the approval of the ANS Task Force.

Note: Further details on each standing committee regarding mission statement, goals and objectives and annual workplans will be provided as appendices to this operational guidance document at a future date, following the approval of the operational guidance document.

Ad Hoc Committees

The Panel may, from time to time, establish ad hoc committees to address specific issues or tasks not covered by the standing committees. Ad hoc committees are established for a specific purpose (e.g., ballast water management policy) and for a specific period of time. Once the purpose for which the committee was formed has been accomplished, the committee is disbanded. Ad hoc committees can be instituted by consensus of the Panel. Potential members to serve on ad hoc committees will be identified by the Panel and approved by the Panel Chair in consultation with the Executive Committee, and may include non-Panel members with specific expertise who are willing and able to serve. Invitations to serve will be made in writing by the Panel Administrator. All other provisions pertaining to standing committees are applicable to ad hoc committees.

G. Staff Support

As indicated under Section 1203 of NANPCA, the Great Lakes Commission is responsible for providing staff support to the Great Lakes Panel. The level of staff support will be a function of the availability of funds. The Executive Director of the Great Lakes Commission will designate a Panel Administrator from Commission staff to oversee Panel operations and assign personnel to provide staff support to specifically address the Panel's mission, as stipulated under NANPCA, Section 1203.

To advance the mission of the Great Lakes Panel, the Panel Administrator, with assistance from Panel staff, will provide the following support services, pursuant to funding:

- **Communication Network:** The following communication mechanisms will be maintained on a regional basis to facilitate ongoing, effective communication among Panel members and observers/interested parties: a website, www.glc.org/ans/panel.html, hosted on the Great Lakes Information Network (GLIN); an ANS Panel list serve; a quarterly newsletter, *ANS Update*; and ongoing correspondence on Panel business conducted both by electronic and traditional mail.
- **Conduct of Panel Meetings:** Logistical support for Panel meetings will be provided, including arrangements for meeting facility/accommodations and all related

communication with the Panel members and interested parties. Support for meeting facilitation will be provided for both plenary and committee break-out sessions. A summary of the meeting will be documented, including meeting minutes and a list of action items/recommendations that are submitted to the ANS Task Force. Panel meeting minutes will also be posted on the Great Lakes ANS website and distributed electronically to Panel membership and interested parties.

- **ANS Task Force Meetings:** Arrangements will be made by the Panel Administrator for Great Lakes Panel representation at the fall and spring meetings of the ANS Task Force. In the event that the Panel Chair or Vice Chair is not able to attend, the Panel Administrator or another appropriate Great Lakes Commission project staff member will act in this role. Staff is also responsible for the preparation of briefing book summaries and meeting presentations to update ANS Task Force members on Panel initiatives, policy developments, recommendations and actions regarding AIS prevention and control in the Great Lakes region.
- **Standing Committees:** Responsibility for the operation and related activities of the Panel standing committees will be assigned to individual staff members. This includes staff support for committee sessions both during and between Panel meetings.
- **Administrative Duties:** Development of annual proposals that provide financial support for ongoing operation of the Panel, grant progress reports and annual reporting on the Panel accomplishments, policy developments and recommended actions. These administrative materials will be submitted to the Executive Secretary of the ANS Task Force.

H. Meetings

Frequency of Meetings: Pursuant to funding, meetings of the Great Lakes Panel will be scheduled at least once a year. These meetings will normally be held in April and October. Locations for these meetings will vary, with the fall meeting normally held in Ann Arbor, Mich. At the close of each Panel meeting, the dates and location of the next Panel meeting will be announced, as recommended by the Panel Chair and Executive Committee with input from the Panel Administrator.

Requirements for Meeting Notice and Public Comment: All meetings are open to public and should be announced at least 30 days prior to the meeting. To make the notice of the meeting more widely available to the general public in advance of the meeting, the Great Lakes Panel will submit the meeting information to the Executive Secretary of the ANS Task Force for posting on the ANSTF website. All Great Lakes Panel meetings will provide an opportunity for public comment.

Meeting Agenda: The following guidance is used in developing the agenda for Panel meetings:

- Membership roll call to determine a quorum (see section below on Meeting and Decisionmaking Procedures)
- Introduction of meeting participants
- Panel Member Progress Reports: Brief updates regarding respective AIS activities from Panel Members (regular, alternates, at-large), interested parties and observers. (If

possible, these updates are requested to be submitted in writing in advance of the meeting; if not, within two weeks following the meeting.)

- Regional/Federal Update Presentations (e.g., Great Lakes Panel; ANS Task Force, Federal legislative developments, U.S. Coast Guard, U.S. EPA)
- Regional Initiatives
- Old Business: Status of actions from prior Panel meeting and committee work
- Committee Sessions
- New Business: Solicitation of ideas to be addressed by the Panel;
- General Public Comment as required under FACA (If possible, public comment are requested to be submitted in writing in advance of the meeting; if not, within two weeks following the meeting.).

Meeting Conduct and Decisionmaking Procedures

- **Membership Roll Call and Introduction of Visitors/Guests:** At the beginning of each Panel meeting, a formal roll call of members will be taken to record attendance and determine a quorum. Also, the Chair/Vice Chair will ask visitors and guests to introduce themselves after the roll call is conducted.
- **Quorum for Decisionmaking:** A quorum will be established upon the attendance of a simple majority (50 percent plus 1) of voting members (regular, alternates in the case of regular member absence, and at-large members) in order to conduct official business at a Panel meeting. If a quorum is not met, a meeting can still proceed, but no official business can occur particularly in regards to approval of Panel policy positions and recommendations
- **Robert's Rules of Order:** Panel meetings shall be conducted according to Robert's Rules of Order, except as modified by these guidelines. Procedural decisions such as the approval of minutes, and agendas, establishment of ad hoc committees, and others will be made under the majority voting process of Robert's Rules of Order. Under Robert's Rules of Order, any item of business brought before the Panel must be made in the form of a motion and seconded. In the case of simple, non-debatable motions, the Panel Chair (or other individual presiding over the meeting) will call the question as follows: "All those in favor of the motion say aye" and after the affirmative voice is expressed, "All those opposed say no." The Panel chair (or other individual presiding over the meeting) will announce the results of the vote in an unambiguous manner such as "the ayes(nays) have it," "the motion passes(fails)" or "the resolution is adopted (defeated)."
- **Consensus Based Decisionmaking:** Policy decisions such as changes to operations of the Panel, policy positions and recommendations transmitted to the ANS Task Force and the like are made under the consensus process. As a guiding principle, consensus is defined as "reaching a decision wherein most of the group agrees." Consensus is generally accepted agreement without a majority vote. Consensus does not require unanimity. In other words, if there is a lack of active or voiced opposition on a decision and the members are willing to let the decision move forward, consensus has been reached. The following established method will be employed for documenting consensus. The Chair will determine, based on the discussion and polling of voting Panel members present, whether and when a broad consensus has been reached and an action may move forward. Under this model, an action may move forward upon one of the following conditions:

- There unanimous support by voting Panel members, or
 - There is significant support and lack of active or voiced opposition.
- **Dispute Resolution:** If concern is expressed by an individual over a decision, the Chair/Vice Chair will ask the voting Panel member(s) expressing concern whether they can “live with the decision.” If the answer is no, the Chair/Vice Chair will either extend discussion to try to address the member(s) concerns or call for a formal vote, using Robert’s Rules of Order, to determine the level of consensus among the members present. Minority or dissenting opinions are considered important in the decisionmaking process and will be developed when there is less than full consensus on a decision or recommendation.
- **Public Participation:** All meetings of the Panel will be open to the public. Members of the public attending Panel meetings will be given an opportunity to address the Panel regarding issues pertinent to AIS issues.
 - Public comment on any agenda item shall occur at the time of Panel discussion on the item but before any decisions are made on the item. Comments by any member of the public shall be limited to a maximum of three minutes on any agenda item.
 - Public comment on issues not on the agenda shall occur during the General Public Comment period. Comments by any member of the public during the General Public Comment period shall be limited to a time limit as determined by the Chair. The Chair of the meeting shall determine whether an issue is properly a matter for comment before the Panel; however, such determination may be overturned by a consensus vote of the Panel.
 - Members of the public not able to attend meetings of the Panel are allowed to provide the Panel with testimony in writing prior to any officially called meeting of the Panel. Any such written correspondence will be read into the official record of the meeting. Lengthy documents will be referenced in the record and not read.

Meeting Summaries/Minutes: Staff is responsible for preparing summary minutes of each Panel meeting.

- Action items, recommendations and other relevant policy developments will be summarized at the conclusion of each meeting as a standing item on each agenda and transmitted to the ANS Task Force within 30 days.
- Meeting summaries should be prepared within 60 days of each meeting and, along with the action item list, will form the official minutes of each Panel meeting. Minutes will also include reference to all studies and reports received, issued and/or approved for distribution to the full membership, interested parties and to others upon request. Meeting proceedings, prepared by the Panel Administrator with assistance from staff, will be submitted to the ANS Task Force, archived in the Task Force office in Arlington, Va., for public inspection.

Panel Decisionmaking between Meetings

From time to time, the Great Lakes Panel will need to take action on items during periods of the year between the regularly scheduled meetings. The Panel Chair may at his/her discretion convene conference calls of the Panel to discuss proposed actions or may communicate in writing or via email requests for Panel consideration of a particular item or action. All Panel

members will be encouraged to provide input and participate in any conference call discussions that may be arranged between meetings. Any proposed actions or communications that occur as a result of conference call discussions or written or email requests will move forward only if consensus exists among those Panel members providing comments. When a proposed action or communication is developed, ample time (at least three weeks) will be given for Panel members to review and comment on the proposed action or communication. When Panel members choose not to respond during a specified review period, it will be assumed by the Chair that there are no objections to the proposed action moving forward. In other words, silence will be construed to mean agreement (i.e., support for proposed action).

Request for Panel action or deliberation between meetings can be initiated by any Panel member through communication to the Chair or the Panel Administrator. Requests for these actions should be made in writing or via email to either the Panel Chair or Panel Administrator. The Panel Chair, in consultation with the Executive Committee, will decide whether a request is urgent enough to be brought before the Panel between meetings or whether it can be postponed and discussed at the next in-person meeting. The process for Panel decisionmaking between meetings also applies on the level of the standing committees.

I. Making Recommendations to the National ANS Task Force and Guidelines on Advocacy

The Great Lakes Panel is responsible for providing recommendations to the ANS Task Force on specific issues tasked to it. If the Panel or a standing committee of the Panel has identified and evaluated options or alternatives on an issue, the rationale as to why a particular option or alternative was selected should also be presented as part of the recommendation. All communications to the ANS Task Force should require a response from the Executive Secretary of the Task Force.

The Great Lakes Panel, as an entity, or Panel standing committees may not represent the national ANS Task Force in any matters relating to national, international or regional policy, legislation or regulations. Generally speaking, under FACA guidelines, entities serving under a federal agency (i.e., regional ANS Panels serving under the ANS Task Force) cannot advise the federal government directly. It follows that Panel recommendations in the form of advocacy may not be made directly to any other federal agency or to Congress. However, the representative agencies, organizations and interest groups serving on the Panel and/or Committees may provide input on these matters on an individual basis.

J. Funding

Consistent with Section 1301 (b) (6) of NANPCA, the U.S. Fish and Wildlife Service will provide financial support to the administrative entities to fund the regional ANS panels. In the case of the Great Lakes Panel, the administrative entity is the Great Lakes Commission, a binational public agency dedicated to the use, management and protection of the water, land and other natural resources of the Great Lakes-St. Lawrence system. The Commission serves

the eight Great Lakes states and the provinces of Ontario and Quebec and is founded in state and U.S. federal law.

Funding provided by the U.S. Fish and Wildlife Service will be allocated to support the general operation of the Great Lakes Panel as discussed under the aforementioned section covering staff support. Additional funding for Great Lakes Panel activities will be dependent on the priorities of the annual work plan and the ability of the Great Lakes Commission to secure special project funding from other sources.

K. Annual Work Plan

The Great Lakes Panel will provide an overall annual work plan for its activities at the spring meeting, based on the individual work plans that have been developed by the Panel standing committees. The Panel work plan will be incorporated into the Great Lakes Commission workplan based on the role of staff providing support for the Panel. This plan shall include proposed work items, estimated costs, staff allocations and background information on each work item to be used in prioritizing components of the plan based on availability of funds, other critical resources and timeline for completion. Since the Great Lakes Commission is separately involved in its own invasive species-related projects, the Panel work plan will be clearly organized to show which activities will be accomplished with funding specifically available to support the work of the Panel as well as Great Lakes Commission-led special projects that are done in partnership with the Panel. Projects that the Great Lakes Commission undertakes that do not directly or indirectly involve the Panel will not be included in the Panel work plan, but will be reported on at regularly scheduled Panel meetings as regional initiatives.

L. Annual Report

The Great Lakes Commission will develop an annual report on Panel activities based for submission to the national ANS Task Force each year (*note that date for annual report submission has yet to be determined*). The report will include information regarding the activities, decisions, and recommendations of the Panel and its committees that took place during the previous program year. Also included in the report will be contributions from Panel officers, based on their respective responsibilities in serving the Panel. The report should also include a brief action plan of anticipated work for the upcoming year.

M. Amending the Operational Guidance Document

Any amendments of changes to the approved operational guidance document will require two-thirds majority vote consensus of members present at an officially called Great Lakes Panel meeting. Any suggested amendments must also be submitted to and approved by the ANS Task Force.

O. Definitions *(to be completed)*

- Federal Advisory Committee Act (FACA)
- Panel Administrator

P. Appendices: Panel Committee Operational Guidance *(to be completed)*