

Raritan Basin Watershed Management Project

Council General Operating Principles

1. Decision-making Approach – in order of preference

- a. Full consensus (all Council members agree with the decision)
- b. General consensus (nearly all Council members agree with the decision, and those who do not agree with all aspects of the decision are willing to accept the decision, taken as whole, to move forward)
- c. Separate views (there are opposing views that cannot come to general consensus). All of the views on an issue must be documented, including the areas of agreement and disagreement and the reasons why disagreements continue to exist. For discretionary plan components, the Council will reach full or general consensus where possible, and defer decisions until a later planning cycle where no consensus exists. In such cases, the “separate views” will be recorded as a foundation for further discussion.
- d. *Robert Rules of Order* are not used (i.e., no motions, seconds, votes, etc.)
- e. Mandatory Plan Components – The NJ Department of Environmental Protection has final authority regarding legally mandated components of the plan (e.g., TMDLs), which must be consistent with applicable federal and state law. Other plan components are discretionary. *Because the watershed management plan will be most successful where decisions evolve from stakeholder consensus, every effort will be made to maximize consensus decisions on mandatory plan components, with a goal that such decisions all are based on consensus.*

Therefore, legally mandated components shall be identified as early as possible. The planning process shall emphasize attainment of consensus for such components. However, where consensus on the mandatory plan components is clearly not possible by established deadlines, the Council will use “separate views” for these components, and defer to NJDEP for final decisions. The NJSWA will confer with the Council Chair and NJDEP, compile the separate views (see 1.c, above) and implement steps as necessary to move forward.

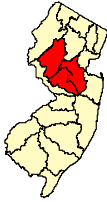
2. **Meeting Minutes** – Expect draft minutes to be delivered generally within one week of meeting, including achievements and next steps. . These will be summary minutes, providing the issue, general aspects of discussion (without attribution), and decision. Members will have until one week before the next Council meeting to submit comments and suggested revisions. If, in the judgment of the Chair and the facilitator, the comments or suggested revisions are non-controversial, they will be incorporated into the draft, which will then become final. If the comments or suggested changes are considered controversial, the minutes will be considered at

the next meeting of the Council and finalized to reflect the outcome of those discussions.

3. **Meeting Notices and Agendas** – To be sent out at least two weeks ahead of time. Agendas will be divided into four basic parts: Progress Reports (WMA Committees, TAC, Evaluation Committee); Business Items; Major Discussion or Decision Topic; and Agenda Topics for Next Meeting.
4. **Discussion Materials** – To be sent out at least two weeks ahead of time whenever possible. If anything complex or lengthy is handed out at the meeting (rather than before), it will be for presentation at that meeting and discussion at a later meeting.
5. **Use of Meeting Time** – The Council will decide topic-by-topic whether an issue should be addressed directly by the full Council, or should be addressed by a committee/work group and then presented to the full Council. .
6. **Council and Committee Membership Mix** – Representation by the full range of stakeholders is the desired and ideal situation. While the Council and committees must continue to operate even with significant “missing interests,” the staff and participating stakeholders should continue to encourage full and balanced participation of all interests and to reach out to stakeholder interests who are not actively involved or represented in the process, as well as to the public. For purposes of these Principles, the term stakeholder means individuals, organizations and others with interests that will be significantly affected by the management plan (see proposed NJDEP Water Quality and Watershed Management Rules, N.J.A.C. 7:15-2.6(d) for a listing of interests that must be invited to participate).
7. **Decisions** – Full consensus or general consensus on an issue constitutes a decision. A “decision” has also been reached when there are multiple views on a mandatory plan component that the full Council agrees cannot be reconciled (the group “agrees to disagree”) and multiple views are recorded for inclusion in the planning process, with no consensus. Decisions will be made by the Council members present at a meeting called for that purpose. However, final recommendations of the management plan will require a polling of all Council members, whether attending the relevant meeting or not. The Council will provide members notice of meetings where decisions are being sought at least two weeks ahead of time (see #3 and #4, above). Members may make use of the minutes provided under #2, above, or decision documents prepared by staff (for more complicated matters), and will be given sufficient time following a meeting, if needed, to confirm decisions with constituents, governing bodies, decision-makers or others.
8. **Re-visiting Decisions** – If a new participant wishes to have a decision reconsidered, they should first discuss the basis of the decision and the issue they have with the Council or Committee leadership. Where a new participant still has a concern about a decision, or where someone who participated in the consensus wishes to raise a new issue or perspective, or new information not previously considered, that person should develop a concise, written proposal and submit it to the Chair. (Staff will condense any longer proposals.) The Chair will then provide it to the committee or sub-committee that originally addressed the issue. If that committee or sub-committee believes that the issue has merit, the consensus

decision gets revisited and the committee or sub-committee should provide their recommendation to the Chair for inclusion on the agenda of an upcoming Council meeting.

9. **Discussion Leaders** – In general, the Chair will lead discussions on Progress Reports, Business Items and Agenda Development. NJWSA staff generally will facilitate the Major Discussion or Decision Topic. Where the Council or NJWSA believes that NJWSA would better serve as technical expert for the discussion or has a conflict of interest on the topic, or where the topic is exceptionally controversial, then RESOLVE or another neutral facilitator should lead the Major Discussion or Decision Topic.
10. **Discussion Involvement** – Council meetings are for the purpose of discussion and consensus development among Council members. The Chair has discretion to involve non-Council members in the discussion, but shall ensure that the Council members themselves have full and adequate time for discussion. Each Council meeting will allow some time for input from non-Council members.
11. **Tracking Ideas** – NJWSA shall work with the Council to develop and implement a system to track ideas as they come into the planning process, from inception to decision, so that participants can understand how the management plan was generated and why ideas were or were not incorporated. The tracking system should be as simple as possible.
12. **Role of Watershed Management Area Committees and Chairs** – To foster the process and confidence in the outcomes, the Council believes it is necessary for the Council, WMA Committees and all other committees and subcommittees to operate and reach consensus in a transparent, fair and consistent manner. The Council recommends that all WMA Committees and subcommittees and their Chairs operate, at a minimum, under the same principals and general guidelines as the Council. The Council also believes it is important for the WMA Committees and subcommittees to provide opportunities for public input on specific draft and proposed recommendations before they are finalized. In seeking consensus, the WMA Committees and subcommittees should ask each participant at the meeting to express whether they support or do not support the proposed recommendation or approach for dealing with a particular discussion topic. In addition, for decisions on the final plan components or recommendations made without participation or input from all stakeholder interests, the minutes should note the "missing" stakeholder interests and state the reasons they did not participate if known. The Council and the WMA Committees will discuss and agree on the operating principles for the Council, WMA Committees and subcommittees.



Raritan Basin Watershed Management Project

Council General Communications Guidelines

1. **Spokespersons (General)** – The Chair or someone delegated by the Chair speaks for the Council, based on Council guidance. NJWSA staff can “speak for the Council” only to answer basic questions with objective (fact-based) answers. Informational requests that are more complex, in-depth or judgmental should go to the Chair. However, only NJWSA and NJDEP can speak for the overall Raritan Project. All public statements should refrain from characterizing the views of, or attributing comments to, individual members. (Council minutes will be available to the press, as to all members of the public.)
2. **Speaking to the News Media** – Council members will refer all inquiries from the press regarding the Council to the Chair or NJWSA staff. Council members may discuss their own perspectives with the press but will be an advocate for decisions of the Council, and may not represent the Council (unless designated to do so by the Chair). Individual Council, committee, and WMA members should not and will not use press contacts to publicly criticize or exert external pressure on Council leadership, supporting staff, or any individual Council, committee, or WMA members.
3. **Media Coverage** – The Council and the Project staff will encourage media coverage of the Project to encourage additional participation. Methods will include topic-related press releases and other programs that attract attention through their informative content, but include meeting information to spur public involvement.
4. **Web Content** – Any Web-based information is public information and is not affected by these guidelines.
5. **Internal Communications** – Internal project communications between NJWSA, NJDEP and any sub-contractors are not affected by these guidelines.
6. **Communications from Committees and Sub-committees** – The Council recommends that all committees and sub-committees use a communications protocol similar to that of the Council. A short “how to” guide shall be provided.
7. **Advocacy (Adopted 20 Nov 01)** – *The Council will become involved in advocacy regarding watershed management only through the following processes:*
 - a. *Individuals may not identify themselves as being from the Raritan Project or speaking for any committee unless authorized. Note: Individuals may mention their participation in the Raritan Project and membership on project committees if they also state that they are not speaking for or representing the Raritan Project.*
 - b. *The Council shall authorize individuals to advocate on its behalf based on a consensus decision; the Council should anticipate the interests of those not involved in the process.*

- c. *Authorized individuals may advocate on behalf of the Council for increased public attention to and knowledge about relevant government processes, and for provision of education about these issues. Such individuals may also advocate for continuation of the watershed management process and public involvement in it.*
- d. *Advocacy by the Council on legislation, regulations and similar legal issues should occur only with full consensus or general consensus (i.e., consent, where nobody is opposed to the Council taking action even though some might not desire the action) of the Council members. The Council distinguishes advocacy (taking a position on an issue that can be transmitted to those addressing the issue) from lobbying (having a representative engage in directly influencing decision-makers on behalf of the Council position). The Council may have representatives present its positions upon invitation by decision makers.*
- e. *The Council will not advocate regarding specific development projects, plans by other government efforts, etc., in the absence of a watershed management plan. Upon adoption of the watershed management plan, the Council will limit its advocacy regarding such projects and plans to support for implementation of the watershed management plan.*