

Council Efficiencies and Effectiveness White Paper

Introduction

In March 2020 the global COVID-19 pandemic abruptly upended our lives and the ways in which we do business. Across the globe individuals, businesses, organizations, and governments went into varying degrees of lockdown. Since then, life has been a continual exercise in adaptation dictated by the severity and extent of the virus, and the norms, preferences, and precautions we have taken on as individuals and organizations.

The Pacific Fishery Management Council (Pacific Council or Council) had to abruptly pivot from the March 2020 Council meeting during “before times” to an online meeting in April of 2020. Many of us began working from home, experiencing meetings as the now familiar checkerboard of faces or names. As the nature of the disease has changed, and along with it public health guidelines, for many life has returned to a semblance of normalcy. At the same time, the pandemic has probably forever changed how we approach daily life and led to a reevaluation of how we “do business” personally and professionally.

For the Council, this meant returning to limited in-person meetings in March 2022 with a subsequent cautious expansion of in-person participation. Recognizing how our lives have changed and seeking to learn from our experiences, in April 2022 the Council directed its Executive Director, Merrick Burden, to prepare a white paper surveying ways in which Council operations might change based on what we have learned from operating successfully as a virtual, online organization.

To do so, Mr. Burden convened a series of meetings with staff to brainstorm how we might change our practices. Ever present for this group was the bottom-line objective of improving Council decision making. For the purposes of this effort, staff consider “improving Council decision making” to mean

“Any change in information quality, information flow, public input, or Council procedure which lead to an enhanced ability for the Council to make optimal decisions concerning West Coast fisheries.”

Staff consider several objectives in support of this goal to include (while not being limited to):

- A strategic approach to Council initiatives and priorities which brings workload demands in-line with available resources.
- Reduction in high rates of advisory body turnover due to burnout or other factors.
- Improvement in the timing and flow of information which enables greater consideration of potential policy implications.

- Clearer articulation of policy considerations and analyses by Council or agency staff, advisory body members, or others.
- Enhanced representation and participation of stakeholders in ways that capture the true diversity of West Coast fisheries interests.

In these meetings, staff discussed what works well – and what doesn’t – when it comes to Council operations. In separate meetings we focused on Council meetings themselves, advisory body meetings occurring in conjunction with the Council session or independently, and what staff do to make this work. This white paper reflects the results of these discussions. But first, the paper summarizes what staff have learned from the jump into the virtual world during the past two years. It is those lessons that inform the ideas we present for possible changes in future operations. We note our ideas are not narrowly focused on what the pandemic taught us – we see this as an opportunity to broadly consider how the Council has operated before the pandemic up to now. At the same time, staff view the Council as an efficient and effective organization, and we do not advocate change for change’s sake.

Lessons Learned from Operating During the COVID-19 Pandemic

Council staff pivoted rapidly and seamlessly from a tradition of large in-person meetings to online in the days from the end of the March 2020 meeting to the beginning of the April 2020 meeting. Fortunately, the Council’s forward thinking Information Technology staff had already been working to improve our online meeting capabilities and the technology, platforms, and equipment was at hand to make this possible. In addition, staff were already well versed in conducting webinars with large and small groups before there was a need to switch to virtual Council and advisory body meetings.

During this time of remote work, several things transpired that tended to change the way we went about our daily business. For many of us, the lack of face-to-face time with our colleagues resulted in an exponential increase in the number of meetings we needed to attend and schedule on a daily basis in order to ensure coordination and sharing of information because of the lack of informal opportunities to interact. Second, the manner in which we needed to coordinate with one another in order to advance Council policy changed substantially, with a greater need for topic leads taking the place of group discussion and debate. Third, as the months and years of remote public process dragged on, we became increasingly aware that our process relies heavily on personal relationships, and we were often relying on relationships that had been established prior to the COVID era. We also learned that many of the ways in which we envisioned we would use the technology years from now are capable of being done today, and that one of the major obstacles impeding this uptake of technology was our ability and willingness to embrace it. The era of remote work forced us to embrace many technologies, and we are now well-versed in their use. We also learned that making headway on Council policy in a remote setting was something we were more capable of doing than many of us expected. However, while technology enabled much of this shift, the workload demands on many staff and individuals changed and increased dramatically in order to run these technological platforms and to facilitate meetings with them.

- Fundamental change in the way we do business is possible given the right tools, technologies, and the right mind-set.
- While many things are possible technologically, costs and workload issues quickly increase for some staff as different technologies are embraced.

- The Council got its business done but there was an intangible cost due to the loss of nonverbal and informal communication, and the erosion of personal relationships.
- The use of technology and remote meetings that use that technology can be helpful tools for budget management and cost considerations.

Council and Advisory Body Meetings

The pandemic proved that the Council can get its business done in a virtual environment while also affirming the value of interacting in person. Staff, along with the rest of the Council family, are searching for a future that capitalizes on the best of both worlds. But whatever direction we go in, the focus should be on maintaining and enhancing our capacity to run effective and efficient meetings that lead to good decision making with a complete record of those decisions.

As conditions have allowed, the Council has encouraged and facilitated in-person participation in the belief that it improves decision-making. In-person interaction includes important nonverbal communication, such as eye contact, to occur, and benefits from opportunities for informal conversation at the margins of meetings. Side conversations build relationships and can help resolve issues that might otherwise impede progress in a more formal group setting and fosters a sense of solidarity among participants in the Council process. On the other hand, there are obvious benefits to meeting virtually in terms of cost, convenience, access to individuals that cannot participate in-person, and meeting participation.

Simultaneous hybrid meeting format

The return to in-person Council meetings in March 2022 demonstrated that for the Council floor session a hybrid format, which combines in-person and virtual simultaneously, can work. In this context hybrid means that most Council members meet in-person while some may join the meeting virtually, including a small number of Council members, members of the public, and agency staff. Staff do question, however, whether there is an imbalance between in-person and virtual participants, because virtual participants may miss out on the nonverbal and informal communication happening among in-person participants. For staff, the hybrid format brings greater demand on time and resources, which is currently barely sustainable. Nonetheless, we have shown that the hybrid format is possible and can facilitate participation and development of sound Council policy; we expect that limited hybrid Council sessions may continue in the future, and it is anticipated that there will be an opportunity for the public to provide oral testimony remotely. There has been interest in expanding the hybrid format to advisory body meetings, but without a substantial commitment of resources in terms of staff capacity and equipment, broad deployment does not appear possible. Staff also see an even bigger problem in the advisory body setting with the imbalance between in-person and virtual participants, and this tends to compromise the work being produced by those advisory bodies.

Sequential remote and in-person meeting format

Staff discussed a second model that might be considered hybrid in which a portion of a meeting occurs online while another component occurs in person. So far this model has not been deployed in any concerted way so it is hard to tell if it would have any benefit. Perhaps the closest example is that some advisory bodies hold brief online meetings to prepare for an upcoming Council meeting where they are meeting in person. Although not construed as such, these examples offer

a hint of what this type of hybrid format might entail. Advance preparation online can make subsequent in-person meetings more effective and efficient.

Alternating remote and in-person meeting format

A variation on the sequential hybrid model described above would be to mix in-person and online Council meetings of varying duration and focus. The Council has long hewn to a five meetings per year schedule set for the months of March, April, June, September, and November. This tempo seems to work well although the original rationale for the timing of these meetings – except for the salmon-focused March and April meetings – may have been lost. The Council may wish to explore new formats with a topic-specific focus. In recent years the Council has spent about 40 percent of its time on groundfish topics, the remaining three fishery management plans plus the fishery ecosystem plan take up an additional 36 percent of the time, with all other topics taking up the balance. This distribution of Council floor time by topic gives a clue to how topic-specific meetings might be organized. For example, given the dominance of groundfish subject matter, a meeting might take up those topics exclusively. Alternatively, when determining the focus of meetings, and whether to hold them online or in person, the Council could look at features such as controversy, public interest, advisory body engagement, and the complexity of the decisions. The bottom line would be to match the meeting format to the kind of deliberations expected to occur, with low levels of deliberation aligning with a remote setting, and high levels of deliberation aligning with an in-person setting.

Our experience with online meetings has made staff question whether advisory bodies always need to meet in conjunction with the Council meeting. Traditionally most advisory bodies met during a Council meeting in part for logistical reasons (securing meeting space) and in some instances because of the need for ongoing interaction between advisory bodies and the Council (best exemplified in the annual salmon harvest specifications process). The downside of this overlap is that it compresses the time available for the advisory bodies to draft their written reports and deliver them to the Council. Often a written report is distributed shortly before the relevant agenda item, providing little opportunity for Council members to absorb their contents. Before the pandemic, advisory bodies with light agendas would meet remotely and in advance if the length of their session was too short to warrant the cost and time of travel. Staff see opportunities and rationale for scheduling online advisory body meetings prior to Council meetings, but this would require necessary information being in hand in time for that advisory body to meet, and no interaction between that advisory body and the Council being necessary. Effective and timely information flow – briefing materials to advisory bodies and resulting recommendations to the Council – would be necessary for this approach to advisory body meetings to work.

If the Council pursues online advisory body meetings as a permanent fixture of the Council process, it may want to consider both the subject matter and the make-up of advisory bodies when deciding between virtual and in-person formats. For example, technical discussion by management teams may work with online formats, while negotiations over allocation recommendations by an advisory subpanel could benefit from in-person discussion.

Takeaways:

- Online and hybrid meeting formats are feasible to a limited extent, but advantages and disadvantages exist. Staff's ability to manage concurrent remote or hybrid meetings are

limited, and such formats may not be conducive to effective policy development in certain instances and for certain policy considerations.

- Wide deployment of hybrid meetings will entail substantial investment in staff capacity and equipment.
- “Hybrid” could be conceptualized as either concurrent or sequential meetings, with one remote piece and one in-person piece.
- The Council could take a hard look at its current meeting schedule and explore a mix of in-person and online meetings, perhaps with a topic-specific focus.
- If meeting online, advisory bodies may not always need to meet in conjunction with the Council.
- When considering the meeting format, the make-up of the participants and the subject matter should be taken into account.

Council Decision Making

When it comes to the Council decision-making process, the scope and volume of what the Council now takes up is a concern. The scope of Council considerations has vastly increased in the 46 years of its existence, justifiably in the eyes of many stakeholders given how norms and expectations about exploiting the marine environment have changed. But this mission creep may lead to unsustainable workload for everyone involved in the process, resulting in burnout and a decline in the quality of Council decisions.

Strategic planning

In practical terms this expansion of topics speaks to planning in the Council process, both at the strategic level and in setting the agendas for future Council meetings. Strategic planning has been done in an implicit and somewhat ad hoc way through groundfish workload planning sessions and the year-at-a-glance planning tool that lists topics for the coming five Council meetings. The Council may wish to consider whether to embark on a more formal, comprehensive strategic planning exercise. Such an exercise could address the scope of topics the Council considers, how to prioritize and schedule decisions, and the format and timing of Council meetings in relation to the prioritization of decisions.

The Council sets the agenda for its next meeting during the last agenda item during the current meeting. It also reviews and updates the year-at-a-glance planning document to outline its medium term decision-making schedule. Council decision making for a particular action often carries across multiple meetings that may entail scoping an action, refining alternatives, and choosing a preferred alternative. In these instances, a planning discussion during the actual agenda item could help tee up the agenda setting that happens at the end of the Council meeting. This would allow the Council to work from more refined versions of the draft agenda and year-at-a-glance planner at the end of its meeting. Because it is contingent on what happens during the current meeting, the future agenda planning session has to be taken up at the end of the meeting. At this point, however, Council members and others may be anxious to end the meeting and get home. Although it is hard to tell whether and how this may affect Council decisions on future agendas, further thought could be given to how and when the Council engages in this type of planning. This could be part of a broader strategic planning discussion and could also overlap with changing the timing and format of Council meetings. As an example, agenda planning itself might be taken up as part of shorter online Council meetings instead of at the end of longer in-person sessions.

Quality, length, and timeliness of agency and advisor reports

Finally, staff take note of the way in which advisory body reports are presented to the Council. These written reports are a vital contributor to Council decision making but the contents can be lengthy, complicated, and ineffectively presented. In the past some advisory body members thought reports have to be “read into the record” verbatim, which is not the case. This approach is abetted by late submission of reports, meaning that Council members have not had the opportunity to read the written material and may in fact wish to have it read to them in its entirety. Report summarization and the use of presentation slides as an adjunct to oral delivery have become more common in recent years. Whether these approaches are optimal is an open question, however.¹ Council members should have a frank discussion about how the delivery of written reports and oral presentation of that information informs their decision making. Guidelines on the delivery and presentation of advisory body reports could emerge from such a discussion.

Takeaways:

- Mission creep may be leading to unsustainable agency and Council staff workload and a decline in the quality of Council decisions.
- The Council could benefit from a 360-degree strategic planning exercise.
- The agenda planning process should be rethought.
- The Council should think about how it receives information through agency and advisory body reports and whether and how changes could contribute to better decision making.

Information Flow and Council Operations

The Council process is organized around the flow of information and its translation into action through decision making. Information flow is managed through various operations carried out by staff and Council members themselves. In a sense, information and operations bind together the various ideas outlined above.

In an ideal world the information necessary to make good decisions would be delivered at a time and in a format that allows it to be absorbed, considered, and acted upon. Each Council meeting is framed by a series of explicit steps intended to manage this flow of information. Council staff develop an agenda for the Council meeting and other advisory bodies and request that documents from agencies and any preliminary reports be submitted so that they can be distributed in advance of the meeting. Distribution of the advance Briefing Book should allow Council members, advisory bodies, and the public to absorb and understand complex analyses prepared by Council and agency staff. Leading up to a Council decision point, advisory bodies use the briefing materials to formulate recommendations, which appear in written reports far enough in advance to be read and understood. During the Council session the public presents its views informed by analyses and reports, advisory bodies highlight the results of their analyses and deliberations in impactful oral presentations, and the Council makes a fully informed, well-reasoned decision.

We know that this ideal is rarely met in all its particulars. The Council’s Briefing Book deadline is missed, and complex analyses come in at the last minute. Advisory bodies burn the midnight oil drafting reports on a wide variety of topics. The Council often sees these written reports minutes

¹ See for example [*The Cognitive Style of Powerpoint: Pitching Out Corrupts Within*](#) by Edward R. Tufte.

before it takes up the topic. Long oral presentations do little to enlighten the Council. The Council engages in lengthy but ultimately inconclusive discussion. The picture is never quite as dark as portrayed here, but this dark mirror points out ways in which information flow could be improved.

These shortcomings have many masters; as receivers of information Council members have limited control over when and how it is presented to them. But through pronouncements of policy and procedure the Council could more explicitly set expectations around what it needs to make good decisions.

The Council may wish to discuss what consequences, if any, should be attached to deadlines. At one extreme late submission of certain materials (e.g., lengthy, complex analyses) could be prohibited. The consequence of a missed deadline could be that the Council is unable to make a decision; we cannot know whether this provides enough incentive to compel staff to meet the deadline and the costs may very well outweigh any benefit in the eyes of the Council. At the other extreme, deadlines could be eliminated entirely. This scenario is premised on only disseminating information electronically; Council staff could simply post written material on the Council website when received, for example. We doubt either of these scenarios is palatable; they are intended to provoke thought and discussion about the policies and procedures surrounding the flow of information to the Council.

The presentation of advisory body reports was discussed above. Here it is sufficient to say that these reports are also part of the flow of information supporting Council decisions. In this context the Council may wish to consider whether any realistic, enforceable deadlines can be established for these reports.

The Council also may wish to consider guidelines about its own conduct when deliberating. Council discussion can be lengthy and repetitive. Motions, which frame and memorialize Council actions, may be poorly conceived and inadequately vetted. In the aggregate such shortcomings can lead to long days, exhaustion, frustration, and potentially poor decision making. On the other hand, the Council would want to avoid establishing policies and procedures around members' own conduct that inhibit free, frank, and productive discussion.

Takeaways:

- The Council process rests on the timely provision of information leading to decisions and actions.
- Consequential deadlines carry risks of failure but could over the long-term lead to better information flow.
- Advisory body reports are key components of information flow; timing and format bear scrutiny.
- The Council's own conduct contributes to the quality of outcomes.

Other Considerations

Since the Council assigned the Executive Director with this task, several ideas and proposals for improving Council operations have been offered from Council members, advisors, and others. While the full length of those suggestions would not be appropriate for this paper, the recommendations received can be organized into several distinct themes. These include:

- Briefing Book deadlines: The Pacific Council’s Council Operating Procedures (COPs) do not contain any mention of a “Supplemental Briefing Book deadline”. While it has become practice to accept materials at a date after the formal Briefing Book deadline, the Supplemental deadline that is referenced in the Council’s COPs was intended to accommodate comments from the public after the Briefing Book has been assembled. In recent years a substantial amount of material is not received by the Briefing Book deadline. Staff believes this is detrimental to the Pacific Council’s process as it does not allow for review of material by the public or formal participants in the Council process prior to a Council meeting. It may be reasonable to explore a different deadline than the four-week deadline currently stipulated in the Council’s COPs; however greater adherence to Council Briefing Book deadlines - whatever they may be - in order to foster advance review of materials by the public and others would likely enhance our process.
- Representation and Participant Diversity: Questions have been raised regarding the representativeness of the Council process to the stakeholders affected by Council policies. Several observations have been offered regarding reasons why our process and representation may not be ideal and fully reflective of West Coast fishery stakeholders, including: difficulty attending meetings due to location and travel cost, difficulty understanding the process and the material, lack of awareness of the Pacific Council process, and shortcomings in outreach and communication. Likely this is a multi-faceted issue that will take efforts on several fronts to overcome. In order to increase representation and diversity of participation, we may need to consider factors such as: use of technology to enhance access, dedicating more resources to outreach and communication, and making materials available in multiple languages.
- Public comment times: The Pacific Council process is a public process and input from members of the public on Council agenda matters is very important. However, the Pacific Council is quite generous with the amount of time allowed for public comment, and at times the amount of public comment on controversial agenda items can go on for a long time, inadvertently shortening up the amount of time available for subsequent agenda items and compromising Council deliberation and decision making over those subsequent items. A review of public comment timelines from various commissions, councils, and other public processes indicates that our allowance for public comment could be shortened up by a couple of minutes and would be more in line with common practice.

Wrap Up: Some Specific Suggestions for Further Exploration

As outlined in the sections above, there are several avenues that may be worthy of more in-depth investigation and potential action for improving the effectiveness and efficiency of the Council. Some of these items are high-level strategic considerations, while others are operational and tactical considerations. If the Council chooses to move forward with any of the themes or ideas captured in this paper, staff envision the Council taking a lead role in any strategic considerations, while Council staff would take a lead in further fleshing out the operational considerations.

Moving forward, staff envision a process where 1) the Council would identify any topics for further exploration and consideration at the September 2022 Council meeting, 2) staff would flesh out those topics in greater detail, consulting with some Council members as appropriate, and 3) bring back a more fully fleshed out discussion or plan regarding the topics of interest to the Council at the March 2023 and June 2023 Council meetings where the Council would be asked to take action.

The list of topics below is certainly not an exhaustive set of issues that could be explored but it is an attempt at synthesizing the concepts identified in this paper and which could be more fully examined and brought back for Council consideration.

1. Strategic considerations

- 1.1. Could a strategic planning exercise help the Council make headway on key items, and help add focus to the expanding nature of topics that the Council has taken on over the several decades since its inception?
 - 1.1.1. This item could involve a few steps that include: 1) an internal interview process with Council members to identify key issues and concerns, followed by 2) a retreat of some Council members and key staff to discuss a strategic approach to Council business.

2. Tactical and Operational considerations

- 2.1. Does the Council wish to pursue greater use of hybrid or online meetings? If so, what is the purpose of entertaining the hybrid format (personal health reasons, budget considerations, staff burnout management). If this is of interest to the Council, staff could flesh out in greater detail the implications, costs, and other resource demands that it will take to do so. Also, having some people meet in person and others remotely has implications for the overall effectiveness of the meeting. Should the Council choose to go in this direction, remote participation can occur in different ways including:
 - 2.1.1. Hybrid Advisory Body meetings
 - 2.1.1.1. Remote participation open to anyone at any time.
 - 2.1.1.2. Remote participation of some participants upon approval of the Executive Director and/or Chair based upon clear criteria.
 - 2.1.2. Hybrid meeting where some advisory bodies are virtual while others are in person but meeting during the Council meeting week.
 - 2.1.3. Remote presenter to in-person advisory body meeting.
 - 2.1.4. Remote public listening/comment of an in-person advisory body meeting.
- 2.2. Is the Council interested in staggering the Council and advisory bodies to a greater degree than occurs now? This would be intended to bring information along in advance of the Council session, however there are several considerations:
 - 2.2.1. Briefing Book deadlines: materials would need to be submitted in advance in order for the advisory bodies to meet and adequately digest information.
 - 2.2.2. Would we need to stretch out hotel contracts to cover up to two weeks or so?
 - 2.2.3. Would Council staff need to be present for longer time periods during Council meetings than they do now?

- 2.2.4. This may reduce/eliminate the episodes where Team reports come in late the night before, and help ensure states, Council members, etc. have materials in a timely manner.
- 2.3. Could topic-specific Council meetings help with Council effectiveness? For example, we could devote one meeting to specific groundfish items.
 - 2.3.1. There are at least two ways to envision how this would occur, including:
 - 2.3.1.1. Adding a one- or two-day remote meeting to the existing approach of 5 meetings per year. This approach could help effectiveness if it reduced demands on other meetings.
 - 2.3.1.2. Alternatively, we could shift one of the current 5 meetings to a topic or Fishery Management Plan-specific meeting. This may help encourage focus during this meeting.
- 2.4. How could Council timelines and deadlines be constructed so as to better ensure adequate and timely flow of information to help support Council deliberation and policy?