



Charter for the
Reformation and Operation of a

Science and Technical Advisory Committee

Partnership for the Delaware Estuary:
A National Estuary Program

<http://www.DelawareEstuary.org>

April 24, 2006

[Amended June 12, 2007]

[Updated September 18, 2009 for Personnel Changes]

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The Delaware Estuary Science and Technical Advisory Committee Charter and Operating Guidelines

I. Name and Authority

The name of this organization is the Delaware Estuary Science & Technical Advisory Committee (STAC). The STAC works under the authority of the Partnership and reports to the Estuary Implementation Committee (EIC).

The principal area of interest for the STAC is the study area identified in the Comprehensive Conservation and Management Plan (CCMP) for the Delaware Estuary, a guiding document for this National Estuary Program (NEP). As appropriate, the area of interest may be expanded to consider the whole watershed, including the non-tidal Delaware River outside the NEP focus area and emerging issues. Any recommendations or initiatives that extend to the whole watershed will be coordinated with the EIC and Delaware River Basin Commission as appropriate.

The charter of the newly created STAC supersedes the purpose, membership, and functions of the former Delaware Estuary Program STAC.

II. Location

The principal mailing address of the STAC is: The Partnership for the Delaware Estuary; Attn: STAC; One Riverwalk Plaza; 110 S. Poplar Street, Suite 202; Wilmington, DE 19801. Phone: 302-655-4990.

III. Purpose

The principal purpose of the STAC is to provide the Partnership and collaborating entities with objective, expert advice, and peer review for overall scientific and technical matters related to NEP activities and goals, such as those specified in the CCMP. It works with the EIC to identify and prioritize science and technical needs within the Delaware Estuary and its watershed, and assists with the Partnership's efforts to raise awareness and resources for addressing these needs. The STAC also facilitates communication among other specialized science and technical committees, and recommends forming and disbanding new STAC sub-committees and technical workgroups as needed. Specific roles and functions are described in more detail in Section IV.

IV. Roles and Functions

To fulfill the purpose in Section III, the STAC undertakes initiatives based upon broad direction from the EIC, and regularly reports on progress to the EIC. More specifically, the STAC:

- Provides advice and peer review regarding overall science and technical issues, programs, and projects that the Partnership and collaborating entities may consider or take part in to advance CCMP Action Items and address science and resource management needs articulated in the 2006 White Paper, including developing potential issues papers and identifying emerging issues;
- Serves as the steering group for the Delaware Estuary Science Conference, as well as for ad hoc topical workshops if needed;
- Assists in the synthesis of Science Conference proceedings and other contemporary science and resource management information to periodically refresh the Partnership's estuary science needs assessment, such as that in the 2006 White Paper;
- Develops and maintains a current conceptual framework that integrates across physical, chemical and biological dimensions of the system and defines the distinguishing structural and functional traits of the Delaware Estuary's ecosystem;
- Provides guidance and support to the larger science community regarding the creation, reorganization, and/or disbanding of specialized science and technical sub-committees and workgroups of the STAC that can help address overall needs expressed in the CCMP and 2006 White Paper;
- Facilitates communication and collaboration among other specialized science and technical committees in the region, and considers ways to help address their needs;
- Helps raise national awareness for the unique qualities and environmental importance of the Delaware Estuary;
- Assists in identifying funding opportunities to address science needs and advance overall NEP science agenda and
- Contingent upon funding, assists in developing grant and contract programs operated by the Partnership to address science needs; provides advice for development of requests for proposals or contract solicitations, engages qualified scientists to perform targeted research or contract work, and contributes expert scientific peer review of submitted proposals.

V. Membership

A. Composition and Membership Criteria

The STAC is comprised of a body of experienced scientists and resource management experts that represent a broad cross-section of environmental expertise and diverse backgrounds. Members are expected to have general knowledge and interest in aspects of coastal, estuarine and riverine processes, water quantity and quality, and resource management issues as they relate to the Delaware Estuary.

The STAC should include representatives with complementary expertise in different disciplines. In part, the STAC is comprised of standing representatives from key partners and existing science and technical committees, including the Delaware Department of Natural Resources and Environmental Control, the Delaware River Basin Commission, Delaware River Basin Fish and Wildlife Cooperative, Environmental protection Agency, New Jersey Department of Environmental Protection, Pennsylvania Department of Environmental Protection, Philadelphia Water Department, Monitoring Advisory Committee, and the Toxics Advisory Committee. Members of the EIC nominate these standing representatives. The balance of the membership of the STAC is comprised of elected representatives.

Secondary considerations for STAC membership include a preference for geographic inclusiveness and balance among 3 Estuary States (DE, NJ and PA) and sub-regions in the Delaware Estuary (watershed, upper estuary, bay); and representation by academia, non-governmental organizations, state, regional and federal agencies. Participation by scientists from industry and other private organizations is desirable.

B. Chairperson and Science Advisor

The STAC is led by a Chairperson and Science Advisor. The Chair of the STAC is appointed by the EIC from the broader STAC membership (see Section V.D). The Science Advisor of the STAC is the science and technical lead on staff at the Partnership, or if an alternate is needed, a designee selected by the Partnership's Executive Director. Both the Chairperson and Science Advisor are voting members.

C. Number of Members and Vacancies

The STAC should be comprised of no less than 15 and no greater than 21 representatives, including the Chair and Science Advisor. Membership is voluntary and a member may resign at any time by written notice to either the Chair or Science Advisor. A member may also be subject to removal for failure to attend meetings.

If the STAC loses an elected member other than through expiration of their term of service, the Science Advisor will poll the rest of the membership to decide whether

to hold an interim ad hoc election to fill the vacancy or to wait until the next election period. If the lost member is a standing representative, the Science Advisor will solicit the appropriate agency (or EIC representative) to provide a replacement.

D. Terms and Appointment Procedures

1. Terms Lengths. The term of service for standing members who are appointed as representatives of standing committees and partner agencies is indefinite and at the discretion the groups being represented. The term of service for elected members is two years, beginning on July 1st and ending on June 30th. Reappointment is permissible through standard election procedures for members who have demonstrated a firm commitment to performing the functions and roles in Section IV during their previous term.

2. Nomination for Membership. STAC membership is open to all who fulfill the criteria listed in Section V.A. Nominations for elected positions may be submitted by any interested party, including current STAC members, staff, affiliates of the Partnership and collaborating entities, and from the public. Self-nominations are also welcome.

Nomination letters should be submitted with a curriculum vitae and a short description of expertise to either the Chair or Science Advisor of the STAC. Nominations can be submitted throughout the year. Current STAC members whose terms are ending and who wish to be considered for re-appointment, must submit a self-nomination letter of intent and their updated curriculum vitae to either the Chair or Science Advisor before May 1st. All nominations and names of nominating individuals are reviewed by the STAC Chair, Science Advisor and Partnership Executive Director to ensure that they satisfy criteria for membership in the STAC (or his/her designee).

3. Election. Elections are held annually for elected members. In the spring of each year, the STAC will discuss whether its existing size and composition is appropriate to perform its roles and functions and to meet changing demands, such as those related to emerging issues.

Within 30 days of the nomination deadline (mid May), election packets will be sent by the Science Advisor to all STAC members. Election packets will contain: nomination letters and expertise summaries for all candidates up for consideration, a brief summary of STAC needs, including the number of open seats to be filled, and a voting form. Each STAC member will be asked to rank the candidates and furnish additional notes on whether a candidate meets the criteria in Section V.A and fills needs listed in the election summary.

Voting forms will be returned to the Science Advisor before a deadline (mid June) for consideration. Election to the STAC will be decided by summary scores of the

top-ranked candidates needed to fill the number of open seats. Voter comments will be used if needed to break ties if they arise. Election results will be submitted to the EIC for their final approval.

4. Chairperson. The term of the STAC Chair is on an annual basis, with appointment made by the EIC. Although the Chair is appointed by the EIC, STAC members are asked to provide any nominations for Chair to the Science Advisor before July 1 of each year. Nominations can include self-nominations, re-appointment nominations for the immediate past Chair as long as the member is still a STAC member in good standing.

VI. Management and Operation

A. Meetings

A schedule of regular meetings of the STAC will be established at the end of each calendar year, for the next year. This calendar will be posted on the Partnership's website along with a membership list for the STAC.

Regular meetings of the STAC are open to the public, and agendas for regular meetings will be posted on the Partnership's website in advance of regular meetings. Visitors are welcome to attend and are invited to participate in discussions at the discretion of the Chair or Science Advisor.

1. Frequency. Meetings of the STAC are held approximately each quarter. Additional meeting may be called as required.

2. Location. Generally, meetings are held at the Partnership office in Wilmington (One Riverwalk Plaza; 110 S. Poplar Street, Suite 202; Wilmington, DE 19801). STAC meetings can be rotated to member locations at the discretion of the Chair and Science Advisor.

3. Governance. The Chair of the STAC presides over each meeting, calls the meeting to order, reviews the agenda, reviews the previous meeting's minutes, leads the meeting through the rest of the agenda, and adjourns the meeting at an appointed time. If the Chair is unable to preside over the meeting, the Science Advisor will assume duties of presiding. In such a circumstance, the Chair is free to substitute an alternate to attend and vote in his/her place (but not preside).

The Science Advisor, in consultation with the Chair, prepares an agenda in advance of each meeting, makes necessary meeting arrangements, facilitates during each meeting, records minutes, and disseminates minutes following each meeting. If the Science Advisor is unable to attend a STAC meeting, the Partnership's Executive Director will designate a staff alternate.

4. Parliamentary procedures. To ensure democratic process and efficiency, meetings of the STAC may be operated under standard parliamentary procedures by the presiding person (e.g. the Chair); however, at his/her discretion parliamentary procedures may be waived. Should disputes arise, the presiding person will implement Robert's Rule of Order.

B. Agenda Items

Agenda items generally consist of topics germane to the roles and functions that the STAC is expected to provide. Agenda items can also include topics related to STAC business and operation. Emerging issues and opportunities are to be regularly considered as well.

Anyone is welcome to submit matters to any STAC member for consideration for the agenda. However, matters may only be placed on the agenda for consideration at meetings of the STAC by any of the following:

- Any member of the STAC
- The Partnership's Executive Director

The STAC Chair and Science Advisor are responsible for reviewing and prioritizing agenda topics, and sending the agenda out for notice at least 7 days before a STAC meeting.

C. Responsibilities of the Chairperson and Science Advisor

Both the Chair and Science Advisor are responsible for:

- Communicating recommendations, concerns and peer review outcomes on behalf of the STAC to the Partnership, its Board of Directors, and the Estuary Implementation Committee and Steering Committee for the NEP. Either the Chair or Science Advisor is expected to attend each meeting;
- Serving as spokespersons for the STAC to collaborating entities, the media, and the public, both locally and nationally;
- Directing production and editing content of STAC documents.

D. Responsibilities of Members

All STAC members are responsible for:

- Attending and actively participating in as many meetings as possible;
- Responding to interim and *ad hoc* peer review requests ; and
- Working to fulfill all roles and functions of the STAC listed in Section IV.

E. Attendance, alternates and voting

STAC members are permitted to designate an alternate to serve in their place at meetings, and vote on their behalf. Alternates are counted as voting members in determining a quorum. If any member of the STAC or his/her designated alternate fails to attend more than one regular meeting for any year without sufficient explanation, the Chair or Science Advisor may introduce a motion to remove and replace that member.

Each STAC member has one vote. A majority of members constitutes a quorum. Votes can be held whenever a quorum is present. Deciding votes are determined as the majority of votes cast by a quorum.

F. Subcommittees and Technical Workgroups

The STAC may form sub-committees and/or technical workgroups to focus on specific issues or needs. Subcommittees and technical workgroups can consist of both STAC members and additional experts from the region who are not STAC members.

Any STAC member or The Partnership's Executive Director may propose formation of subcommittees and technical workgroups. Subcommittees and technical workgroups shall be formed for a specific purpose. Proposals for new standing or *ad hoc* subcommittees and technical workgroups must provide a summary of the needs and values that would be provided, and describe the tasks, expectations, potential staffing and duration of the group. Group formation must be carefully considered by the STAC, balancing needs and projected positive outcomes with feasibility, access to interested and capable expertise, and availability of support services and resources.

Following discussion, proposals for the formation of a subcommittee or technical workgroup will be decided by majority vote of the STAC members present during the vote. The STAC should provide a specific charge to any new subcommittee. STAC subcommittees and technical workgroups should be chaired by a current STAC member and held to the same professional standards as the STAC. Workgroup members who are not STAC members must abide by STAC rules. Once established, STAC subcommittees and technical workgroups must report to the

STAC about current activities on a regular basis. If a STAC subcommittee or technical workgroup fails to report or show progress, at any regular meeting the STAC may disband the group by majority vote.

G. Issue Papers

The STAC may develop scientific and technical “issue papers” on matters related to the CCMP, periodic needs assessments such as the 2006 White Paper, or in response to emerging issues or opportunities. Development of issues papers will be through democratic principles, rely on best scientific judgment by a majority opinion of STAC members, and adhere to scientific peer review standards.

H. Media and Public Representation

The Partnership depends upon public support and enthusiasm generated by the program for implementation of the CCMP and support of other program activities that benefit the Delaware Estuary. To this end, active media participation is invited and encouraged by STAC members.

However, only the STAC Chair, STAC Science Advisor or Partnership Executive Director should speak on behalf of the STAC, including interactions with the media or at public meetings. Individual members of the STAC are free to speak to any group and identify themselves as members of the STAC as long as any STAC reference is made with a linked disclaimer that their opinions do not necessarily reflect the views of the entire STAC, the Partnership, the Partnership’s Board, or affiliated entities that work with the Partnership.

I. Liability Disclaimer

To the extent permitted by the law of the State of Delaware, Federal regulation, and the By-Laws of the Partnership for the Delaware Estuary, neither the STAC nor any of its members individually, shall be liable for negligent acts or omissions of an employee, agent or representative selected with reasonable care, nor for anything the STAC may do or refrain from doing in good faith, including the following: errors in judgment, acts done or committed on advice of counsel, or mistakes of fact or law.

All documents produced with the assistance of the STAC, including potential issues papers, are to be considered as associated products of the Partnership and are not to be construed as reflecting the views or support by any particular STAC member or affiliated entity.

J. Compensation

Contingent on availability of funding, reasonable travel expenses are reimbursed for STAC members to attend regular meetings. Travel funds are intended for STAC

members who do not possess institutional support for attendance at such meetings. STAC members who intend to request reimbursement must notify the Science Advisor in advance of each meeting and discuss appropriate compensation amounts.

STAC members are not compensated for their time to attend meetings or to perform regular services. However, if the Partnership is successful in raising new funds in the future to sustain broad science initiatives (e.g., conceptualized Delaware Science and Restoration Trust), then honoraria may be developed to support specific peer review requests or development of specific STAC products that require considerable time on the part of STAC members.

K. Conflicts of Interest

No member of the STAC (or staff representative or alternate) shall participate in any decision or vote that would constitute a conflict of interest under federal or state law. Any potential conflicts of interest shall be clearly stated by the member (or staff representative or alternate) prior to any discussion on the agenda item with which the member (or staff representative or alternate) may be in conflict. Following full disclosure of real or potential conflicts, the Chair or Science Advisor will decide whether the STAC member should recuse him/herself from discussion or vote regarding the agenda item in question.

Resolution of conflicts of interest regarding peer review on scientific papers and research proposals should follow standard procedures whereby STAC members with real or potential conflicts do not participate in review of the specific papers or proposals with the conflict

L. Staff Support

In addition to services provided by the Science Advisor, staff support for the operation of STAC may be provided through the Partnership contingent on the availability of funds and approval of the Partnership's Executive Director. Staff support may consist of part-time assistance from regular Partnership staff, part-time staff or students of the Partnership, or part-time staff contributed by collaborating entities.

Opportunities should be sought to support one-year fellowships for graduate students or undergraduate interns who will complete independent studies as part of their degree or cooperative learning programs at affiliated universities.

Duties of staff include assisting with meeting arrangements, agenda dissemination, recording and dissemination of minutes, preparation of STAC products, and website updates related to STAC functions and products.

VII. Authorization and Amendments

This STAC Charter is effective with Estuary Implementation Committee (EIC) authorization. Future amendments to this STAC Charter must be proposed to STAC members and the Partnership's Executive Director at least 30 days prior to the meeting at which they will be acted upon. Proposed amendments to the Charter will be treated as an agenda item for a STAC meeting. Any amendments to this charter must be approved by a two-thirds majority vote of a quorum of the STAC members. The EIC will have final authority over the recommended amendments.

STAC Charter Approved by EIC on:

_____ **Date**