

# **Barnegat Bay Partnership**

## **Science and Technical Advisory Committee**

### **Charter and Operating Guidelines**

**April 22, 2010**

## **I. NAME AND AUTHORITY**

The Barnegat Bay Partnership (BBP) Science & Technical Advisory Committee (STAC) shall operate under the authority of the BBP Advisory Committee (AC).

The Study Area for the STAC is the study area identified in the Barnegat Bay Partnership's Comprehensive Conservation and Management Plan (CCMP), a guiding document for this National Estuary Program (NEP) and the subsequent 2008-2011 Strategic Plan. As appropriate, the Study Area may be expanded by the Policy Committee (upon the recommendation of the Advisory Committee).

## **II. LOCATION**

The principal mailing address of the STAC is the Barnegat Bay Partnership, Ocean County College, College Drive, Toms River, New Jersey 08754-2001; Attention: STAC. Phone: 732-255-0472.

## **III. PURPOSE**

The principal purpose of the STAC, where authorized by all applicable laws, regulations, and other pertinent authorities, is to provide the BBP 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 and BBP's Strategic Plan. It works with the Advisory Committee to identify and prioritize science and technical needs within the Barnegat Bay-Little Egg Harbor Estuary and its watersheds, and assists with the BBP's efforts to raise awareness and resources for addressing these needs. The STAC also facilitates communication among other specialized science and technical subcommittees, 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 its purpose as stated in Section III, the STAC undertakes initiatives based upon broad direction from the AC, and regularly reports on progress to the AC. More specifically, the STAC:

- Provides advice and peer review regarding overall science and technical issues, programs, grant proposals, regulations, legislation, and funded projects that the BBP and collaborating entities may consider or take part in to advance CCMP Action Items and the BBP's Strategic Plan;
- Addresses science and resource management needs, including developing potential "issue" papers and identifying emerging issues;
- Serves as the steering group for the State-of-the-Bay Science Conference, as well as for *ad hoc* topical workshops, if needed;
- Assists in the synthesis of State-of-the-Bay proceedings and other contemporary science and resource management reports;

- 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 Barnegat Bay estuary ecosystem;
- Provides guidance and support to the larger science community regarding the creation, reorganization, and/or disbanding of specialized science and technical subcommittees and workgroups of the STAC that can help address overall needs expressed in the CCMP and Strategic Plan;
- Facilitates communication and collaboration among other specialized science and technical committees and/or efforts in the region, and considers ways to help address their needs, where they are consistent with the BBP mission and goals, as articulated in the CCMP and Strategic Plan;
- Helps raise national, state, and local awareness for the unique qualities and environmental importance of the Barnegat Bay estuary;
- Assists in identifying funding opportunities to address science needs and advance overall NEP and regional science agendas; and
- Where appropriate, assists in developing grant and contract opportunities 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 and other documents.

## **V. MEMBERSHIP**

### ***A. Composition and Membership Criteria***

The STAC is comprised of a body of experienced scientists, resource managers, and other experts who represent diverse backgrounds and a broad cross-section of environmental and technical expertise. Members are expected to have general knowledge and interest in aspects of coastal, estuarine and freshwater processes, water quantity and quality, and resource management issues as they relate to coastal New Jersey and specifically the Barnegat Bay-Little Egg Harbor estuary.

The STAC should include representatives with complementary expertise in different disciplines. In part, the STAC is comprised of standing representatives from members of the Advisory Committee, including but not limited to the New Jersey Department of Environmental Protection, U.S. Environmental Protection Agency, U.S. Geological Survey, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Natural Resource Conservation Service, New Jersey Marine Sciences Consortium-New Jersey Sea Grant Program, Jacques Cousteau National Estuarine Research Reserve, Ocean County Health Department, Ocean County Department of Planning, Ocean County Soil Conservation District, Ocean County Utility Authority, Ocean County College, Brick Municipal Utility Authority, Rutgers Cooperative Extension of Ocean County, American Littoral Society, and the Trust for Public Land. The Director of the Barnegat Bay Partnership (or a designee) also serves on the STAC as a non-voting member.

The balance of the membership of the STAC is comprised of elected representatives with a preference for geographic inclusiveness, a balance of scientific expertise, and representation by

academia, non-governmental organizations, industry, and other interests. Participation by scientists from industry and other private organizations is desirable.

### ***B. Chairperson, Vice-Chairperson and BBP Staff Support***

The STAC is led by a Chairperson and Vice-Chairperson. The Chairperson and Vice-Chairperson of the STAC are nominated and voted on by the STAC from the broader STAC membership at the annual meeting (see Section V.D. for recommendation for approval by the AC). The BBP staff support to the STAC will be provided by the Program Scientist or a designee selected by the BBP Director. The Chairperson, Vice-Chairperson, and Program Scientist are voting members.

### ***C. Number of Members and Vacancies***

The STAC should be comprised of no less than 15 and no greater than 25 representatives, including the Chairperson, Vice-Chairperson and Program Scientist. Membership is voluntary and a member may resign at any time by written notice to either the Chairperson or Program Scientist. A member may also be subject to removal for failure to attend meetings (see Section VI.E) or unethical conduct.

If the STAC loses an elected member other than through expiration of their term of service, the Program Scientist 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 (see Section D.1). If the lost member is a standing representative, the Program Scientist will solicit the appropriate agency (or AC representative) to provide a replacement.

### ***D. Terms and Appointment Procedures***

1. Term of Service. The term of service for standing members who are appointed as representatives of standing committees and partner agencies is indefinite and at the discretion of the groups being represented. The term of service for elected members is two years and runs concurrently with the state fiscal year. Reappointment is permissible through standard election procedures for members who have demonstrated a firm commitment to performing the functions and roles (as stated 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, partners of the BBP and collaborating entities, and from the public. Self-nominations are also welcome.

Nomination letters should be submitted with a curriculum vitae and/or a short description of expertise to either the Chair or Program Scientist 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 Chairperson or Program Scientist before May 1<sup>st</sup> of the year their term expires. All nominations and names of nominating individuals are reviewed by the STAC Chair,

BBP Program Scientist, and BBP Director to ensure that they satisfy criteria for membership in the STAC.

3. Elections. Elections are held biennially 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 Program Scientist to all STAC members. Election packets will contain the list of all candidates, summaries for all candidates, the number of open seats to be filled, and a voting form.

Voting forms will be returned to the Program Scientist 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. Election results and the elected members must subsequently be reviewed and approved by the AC.

4. Chairperson and Vice-Chairperson. The term of the STAC Chairperson and Vice-Chairperson is on a biennial basis and is set up to provide continuity in the functioning of the STAC. The STAC Chairperson and Vice-Chairperson will each serve a two-year term. The STAC Vice-Chairperson will normally succeed the Chairperson, at which time a new Vice-Chairperson will be elected.

## **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 BBP'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 BBP's website in advance of regular meetings. Visitors are welcome to attend, and are invited to participate in discussions at the discretion of the Chairperson or Program Director.

1. Frequency. Meetings of the STAC are held at least once per quarter. Additional meetings may be called as required.

2. Location. Generally, meetings are held at Ocean County College in Toms River, New Jersey. STAC meetings can be rotated to member locations and other locations at the discretion of the Chairperson and Program Director.

3. Governance. The Chairperson (or in his/her absence, the Vice-Chairperson) of the STAC presides over each meeting, calls the meeting to order, reviews the agenda, reviews the previous meeting's minutes, leads the meeting to ensure progress towards completion of the agenda, and adjourns the meeting at an appointed time.

The Program Scientist, in consultation with the Chairperson and Vice-Chairperson, 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 Program Scientist is unable to attend a STAC meeting, the BBP Director will designate a staff alternate.

4. Voting. Each member of the STAC will have one vote. A member can designate an alternate from their organization who can vote in the absence of the member.

5. 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 Chairperson); however, at his/her discretion, parliamentary procedures may be waived. Should disputes arise, the presiding person will implement Robert's Rules 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 agenda items to any STAC member for consideration. 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;
- Any member of the Policy or Advisory Committee; or
- The BBP office.

The STAC Chairperson, Vice-Chairperson, and Program Scientist are responsible for reviewing and prioritizing agenda topics, and for distributing the agenda (preferably at least 7 days) before a STAC meeting.

### ***C. Responsibilities of the Chairperson, Co-Chairperson, and Program Scientist***

The Chairperson, Vice-Chairperson, and Program Scientist are responsible for:

- Communicating recommendations, concerns, and peer review outcomes on behalf of the STAC to the BBP's Advisory Committee and Policy Committee. (The Chairperson, Vice-Chairperson, and Program Scientist are expected to attend each meeting.);
- Serving as spokespersons for the STAC to collaborating entities, the media, and the public, both locally and nationally; and
- Directing production and editing content of STAC documents.

In accordance with the CCMP, the Chairperson serves as a voting member of the Policy Committee.

#### ***D. Responsibilities of All 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, as 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 to 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 Chairperson or Program Director 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 BBP 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, the STAC may disband the group by majority vote at any regular meeting.

### ***G. BBP-Funded Research/Implementation/Monitoring***

Depending upon funding levels and budget priorities for the BBP, the BBP may periodically administer a BBP subaward competition by issuing a Request for Proposals (RFP) to address critical data gaps and information needs identified in the CCMP or Strategic Plan. The role of the Partnership office will be to develop the RFP, including the funding amount, and to conduct an external review of all proposals which are received by the BBP via an unbiased and uniform competitive process. The STAC provides a forum for the presentation and discussion of all proposed studies; STAC members will make use of the presentations, discussion, external reviews, the CCMP and/or Strategic Plan, and their own expertise to reach consensus regarding a recommendation for funding projects to the Advisory Committee. STAC member participation in this process will be established taking into account actual or potential conflict of interest as described in Section K, below.

### ***H. Issue Papers***

The STAC may develop scientific and technical “issue papers” on matters related to the CCMP or Strategic Plan or in response to emerging issues or opportunities. Development of issue 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. The STAC will avoid and minimize the potential for any conflict of interest in the development and review of such issue papers. Issue papers developed by the STAC will be submitted to, and reviewed by, the AC for its consideration and approval; however, the STAC reserves the right to review any changes made by the AC to ensure consistency with the best available science.

### ***I. Media and Public Representation***

The BBP depends upon public support and enthusiasm generated by the BBP for implementation of the CCMP and support of other BBP activities that benefit the Barnegat Bay estuary. To this end, active media participation is invited and encouraged by STAC members.

However, only the STAC Chairperson, Co-Chairperson, BBP Program Scientist, and BBP Director will 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 BBP, or affiliated entities that work with the BBP.

### ***J. Liability Disclaimer***

To the extent permitted by the law of the State of New Jersey and federal regulations, 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 BBP and are not to be construed as reflecting the views or support by any particular STAC member or affiliated entity.

### ***K. Conflicts of Interest***

No member of the STAC (or staff representative or alternate) shall participate in any discussion, decision, or vote that would constitute a conflict of interest under federal or state law or policies or procedures of Ocean County College. 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 BBP office will decide whether the STAC member should recuse him/herself from discussion or vote regarding the agenda item in question.

Reviewers may be disqualified from reviewing proposals with respect to which they have any actual or potential conflicts of interest. An individual may not serve on a review panel if he/she has any direct personal, familial, or financial relationship or connection with any of the proposals to be reviewed or with any of the applicants. In addition, individuals who have other types of relationships with the proposals being reviewed or any of the applicants cannot serve on a review panel if that relationship would impair or influence their objectivity or impartiality in reviewing proposals and the conflict of interest cannot otherwise be mitigated or avoided. Some situations that may constitute a conflict of interest include:

- Principal investigators, consultants, or any other participants in proposals cannot serve on review panels to review proposals submitted in response to a BBP solicitation/announcement;
- The application or proposal being considered is from the reviewer's parent institution, one legally a part of that institution, or is from an organization that the reviewer is a member of. This applies to subcontractors or sub-recipients;
- The reviewer and the applicant are related through family or have been related as a student or thesis/post doctoral advisor;
- The reviewer and the applicant have collaborated within the last five years on a related project, article or paper; and
- The reviewer will benefit directly from the project, *e.g.*, as a consultant or paid collaborator.

### ***L. Staff Support***

In addition to services provided by the Program Scientist, staff support for the operation of the STAC may be provided through the BBP, contingent on the availability of funds and approval of

the BBP's Director. Staff support may consist of part-time assistance from regular BBP staff, part-time staff of the BBP, part-time staff contributed by collaborating entities, or students.

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

**STAC Charter Approved by Advisory Committee on:** \_\_\_\_\_  
**Date**