



Charter for The Delaware Estuary Science and Technical Advisory Committee

The Delaware Estuary Program: A National Estuary Program
Coordinated by the Partnership for the Delaware Estuary

<http://www.DelawareEstuary.org>

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STAC Membership and Information

<http://www.delawareestuary.org/science-and-technical-advisory-committee/>

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The Partnership for the Delaware Estuary brings together people, businesses, and governments to restore and protect the Delaware River and Bay. We are the only organization that focuses on the entire environment affecting the river and bay — beginning at Trenton, including the greater Philadelphia metropolitan area, and ending in Cape May, New Jersey and Lewes, Delaware. We focus on science, encourage collaboration, and implement programs that help restore the natural vitality of the river and bay, benefiting the plants, wildlife, people, and businesses that rely on a healthy estuary.



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A Product of the Partnership for the Delaware Estuary, Coordinator of the Delaware Estuary Program—A National Estuary Program

The Delaware Estuary

Science and Technical Advisory Committee

Charter and Operating Guidelines

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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 Delaware Estuary Program 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). To address science and management issues in the Delaware Estuary study area, this area of interest may be expanded to consider the whole watershed, including the non-tidal Delaware River, and/or adjacent watersheds. Any recommendations or initiatives that extend to the upper Delaware River watershed will be coordinated with the EIC and Delaware River Basin Commission as appropriate.

This amended version of the Delaware Estuary STAC Charter supersedes all earlier versions.

II. Purpose

The principal purpose of the STAC is to provide PDE and the collaborating entities of the Delaware Estuary Program with objective, expert advice, and peer review for 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 PDE 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 III.



III. Roles and Functions

To fulfill the purpose in Section II, the STAC undertakes diverse initiatives, and regularly reports on progress to the EIC. For example, the STAC:

- Provides advice and peer review regarding overall science and technical issues, programs, and projects that PDE and collaborating entities may consider or take part in to advance CCMP Strategies and address science and resource management needs, such as those articulated in the 2006 White Paper or recent State of the Estuary reports;
- Provide scientific peer review and indicator assessments for State of the Estuary Reports, including where possible a periodic Technical Report for the Delaware Estuary and River Basin, to track ecological status and trends and summarize actions and needs related to environmental indicators for the Delaware Estuary Program;
- Facilitates and assists in the coordination of environmental monitoring programs, including a periodic inventory and gap Monitoring Assessment analysis;
- Prepares periodic technical briefs to summarize the state of knowledge regarding emerging issues or high priority topics;
- Serves as the technical steering group for the biennial Delaware Estuary Science and Environmental Summit, as well as for ad hoc topical workshops if needed;
- Assists in the synthesis of Science Summit proceedings and other contemporary science and resource management information to periodically refresh estuary science needs assessments, such as that in the 2006 White Paper;
- Promotes an ecosystem-based scientific understanding and management of the Delaware Estuary by helping to develop a conceptual framework that integrates across physical, chemical and biological dimensions of the system, including anthropogenic impacts;
- Provides linkages to other science and technical committees and workgroups, facilitating networking, information sharing, and promotion of CCMP strategies;
- Helps raise local, regional and national awareness for the unique qualities and environmental importance of the Delaware Estuary;
- Assists in identifying funding opportunities to address science needs and CCMP strategies, and;



- Where appropriate, assist 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.

IV. 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 and its watershed.

The STAC should include representatives with complementary expertise in different disciplines. Members of the EIC nominate standing representatives from the seven core partners of the Delaware Estuary Program, the Delaware Department of Natural Resources and Environmental Control, the Delaware River Basin Commission, the Environmental Protection Agency, the New Jersey Department of Environmental Protection, the Partnership for the Delaware Estuary, the Pennsylvania Department of Environmental Protection, and the Philadelphia Water Department.

The balance of the STAC membership is comprised of experts nominated from the region and elected by existing STAC members. Considerations for STAC membership include (1) a preference for geographic inclusiveness balances among three Estuary States (DE, NJ and PA) and sub-regions in the Delaware Estuary (watershed, upper estuary, bay); and (2) representation by academia, non-governmental organizations, state, regional and federal agencies. Participation by scientists from industry and other private organizations is desirable.

B. Chair, Science Advisor and Vice-Chair

The STAC is led by a Chairperson, with coordination and support from a Science Advisor. The Chair of the STAC is elected by STAC members (see Section IV.D). The Vice-Chair serves as an alternate for the Chair and is also elected by STAC members. The Science Advisor is the science and technical lead on staff at PDE, or if an alternate is needed, a



designee selected by PDE's-Executive Director. The Chair, Vice-Chair 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 25 representatives, including the Chair, Vice-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 participate in at least half of the STAC meetings per year.

If the STAC loses an elected member other than through expiration of their term of service, the vacancy will be filled during 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 of 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 IV.A. Nominations for elected positions may be submitted by any interested party, including current STAC members, staff, affiliates of PDE 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. Nominations can be submitted throughout the year. Current STAC members whose terms are ending and who wish to continue serving will be added to the ballot. Nominations are reviewed by the STAC Chair, Science Advisor and PDE Executive Director to ensure that they satisfy criteria for membership in the STAC (or his/her designee).

3. Election. Elections are held annually for open seats. 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.



Election packets will be sent by email from the Science Advisor to all STAC members by the end of May. Election packets will contain: nomination letters and expertise summaries for all candidates up for consideration, and a brief summary of STAC needs, including the number of open seats to be filled.

Each STAC member will be asked to consider whether the candidates meet the criteria in Section IV.A., and they will then vote yes or no to each candidate. The total number of yes votes cannot exceed the number of open seats. STAC members who are up for re-election are welcome to vote for themselves.

Voting forms will be returned to the Science Advisor before the stated deadline (e.g., mid June) for consideration. Election to the STAC will be decided by the rank order based on the total number of yes votes until the number of open seats are filled. Voter comments are welcome and will be used if needed to break ties if they arise. Election votes and comments will be maintained in confidence by the Science Advisor and Chair.

4. Chair. The term of the STAC Chair is one year, beginning on July 1 and ending on June 30. STAC members will provide any nominations for Chair to the Science Advisor during the spring election cycle for general STAC membership (Section IV.D.3). Nominations can include self-nominations. If no new nominations are received and the active Chair is willing to continue serving, then re-appointment of the STAC Chair will be automatic (i.e., no election will be needed).

5. Vice-Chair. The term of the STAC Vice-Chair is one year, beginning on July 1 and ending on June 30. Nomination and election of the Vice-Chair is the same as for the Chair (Section IV.D.4).

V. Management and Operation

A. Meetings

Regular meetings of the STAC are open to the public, and agendas for regular meetings will be posted on the PDE 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 and will be scheduled in the preceding quarter. To facilitate coordination on NEP matters, one of the meetings per year is joint with the EIC (typically in fall). To facilitate monitoring



coordination, one of the meetings per year is joint with the Monitoring Advisory Coordinating Committee operated by DRBC (typically in spring). Additional meetings of the STAC, or subcommittees, may be called as required.

2. Location. Generally, meetings are held at the PDE 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. To facilitate participation and to the extent possible, phone and/or internet platforms will be provided for use by STAC members and invited guests. Under extenuating circumstances (e.g., COVID-19 response), STAC meetings may be held entirely via phone or internet platforms as may be required.

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 Vice-Chair will assume duties of presiding. The Science Advisor will assume Chair responsibilities if both the Chair and Vice Chair are absent.

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 within 20 days following each meeting (with support from PDE staff). If the Science Advisor is unable to attend a STAC meeting, the PDE 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:



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- Any member of the STAC
- The PDE-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 Chair, Vice-Chair 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 PDE, its Board of Directors, the EIC and Steering Committee for the NEP. Either the Chair or Science Advisor are expected to attend meetings of the PDE Board, EIC and Steering Committee to provide STAC updates;
- 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.

The Vice Chair is responsible for:

- Serving as an alternate for the Chair upon request or in the absence or incapacity of the Chair or in the vacancy in the office of the Chair;
- Assisting the Chair and Science Advisor upon request.

D. Responsibilities of Members

All STAC members are responsible for:

- Attending (in person or remotely) 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 III.

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 at least two ~~more than one~~ regular meetings 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 PDE's Executive Director may propose formation of subcommittees and technical workgroups. Subcommittees and technical workgroups will 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 and Reports

At its discretion, the STAC may develop scientific and technical “issue papers” or “STAC Briefs” on matters related to the CCMP, periodic needs assessments such as the 2006 White Paper, or in response to emerging issues or opportunities. The STAC also serves as the coordinating body for the periodic production of the Technical Report for the Delaware Estuary and River Basin. Such products can be led and authored by a subset of STAC members, and can engage outside experts as warranted, but in all cases they must be peer-



reviewed by the entire STAC, PDE Executive Director, and EIC before release. 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. Papers will be archived and publicly available for reference on the PDE website.

H. Media and Public Representation

PDE 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, Science Advisor or PDE 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, PDE, the PDE Board, or affiliated entities that work with PDE.

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 reports and issues papers, are to be considered as associated products of PDE 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 may be reimbursed for STAC members to attend regular meetings upon request. When funding is available, 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 to discuss whether funds are available and appropriate compensation amounts.



STAC members are not compensated for their time to attend meetings or to perform regular services. However, ~~if~~ in cases where PDE is successful in raising new funds to develop specific products (e.g., Technical Report for the Delaware Estuary and Basin) or broad science initiatives (e.g., conceptualized Delaware Science and Restoration Trust), then contracts or honoraria may be developed to support specific STAC products that require considerable time on the part of STAC members.

K. Impartiality and Conflicts of Interest

As the scientific and technical review body for the Delaware Estuary Program, it is vital that the STAC maintain impartiality regarding any matters relating to regulatory or policy affairs. When fulfilling STAC functions, STAC members (or their alternates) should focus on factual accounting, such as by summarizing what is and is not known regarding environmental conditions. STAC members may advocate for scientific gap-filling and recommend solutions to environmental challenges, but members must refrain from taking positions on policy or regulatory matters when acting on behalf of the STAC.

No member of the STAC (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 alternate) prior to any discussion on the agenda item with which the member (or alternate) may be in conflict. Following full disclosure of real or potential conflicts, the Chair, Vice-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 PDE contingent on the availability of funds and approval of the PDE Executive Director.

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.



VI. Authorization and Amendments

This STAC Charter is effective with Estuary Implementation Committee (EIC) authorization. Future amendments to this STAC Charter may be proposed by the STAC, EIC or PDE Executive Director. After a minimum 30 day period of review, proposed amendments to the STAC Charter must first be approved by the PDE Executive Director and a two-thirds majority vote of STAC members. If approved, the amended STAC Charter will then be submitted to the EIC as a recommendation. The EIC will have final authority over whether to approve of the recommended amendments to the STAC Charter.

VII. Approvals

STAC Charter Approved by STAC Chair:

Kristi Regan

05/22/2020

Date

STAC Charter Approved by PDE Executive Director/EIC Chair:

Kathy Klein

05/22/2020

Date



15 May 2020

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