

Bacteria Implementation Group

Ground Rules

The following are Ground Rules for the Bacteria Implementation Group (hereafter referred to as the BIG) agreed to and signed by the members of the BIG in an effort to develop, revise, and execute an Implementation Plan (I-Plan).

The signatories to these Ground Rules agree as follows:

GOALS

The ultimate goal of the BIG is to support efforts to reduce bacteria levels in impaired waterways, in order that they may meet water quality standards and become suitable for their current, designated uses. The BIG strives to accomplish this goal by coordinating, implementing, assessing, and revising the Implementation Plan for Seventy-Two Total Maximum Daily Loads in the Houston-Galveston Region (I-Plan). This I-Plan addresses bacteria loading in waterways for which TMDLs are being done or are completed.

POWERS

The BIG is the decision-making body for the I-Plan. The BIG's powers are to recommend an I-Plan and revisions thereof to the TCEQ for consideration. As such, the BIG will formulate recommendations to be used in drafting and revising the I-Plan and will guide the implementation of the I-Plan to success. Formal BIG recommendations will be identified as such in the planning documents and meeting summaries.

Although formation of the BIG was facilitated by the Natural Resource Advisory Committee and the Houston-Galveston Area Council, the BIG is an independent group of watershed stakeholders and individuals with an interest in restoring bacteria levels to a level safe for contact recreation.

The BIG provides the method for public participation in the planning and implementation process and is instrumental in obtaining local support for actions aimed at restoring surface water quality in the region.

TIME FRAME

The BIG shall function until the completion of a revision and update of to the I-Plan, five years after the approval of the I-Plan by TCEQ, and thereafter as a recommendation of the I-Plan or the BIG.

BIG MEMBERSHIP SELECTION

The BIG is composed of stakeholders from the Houston-Galveston region. Initial solicitation of members for equitable geographic and topical representation was conducted through a call to all stakeholders for nominations in 2008.

Stakeholders are defined as either those who make and implement decisions, those who are affected by the decisions made, or those who have the ability to assist with implementation of the decisions.

MEMBERSHIP

Members include both individuals and representatives of organizations and agencies. A variety of members serve on the BIG to reflect the diversity of interests within the region and to incorporate the viewpoints of those who will be affected by the I-Plan. To effectively function as a decision-making body, the membership shall achieve geographic and topical representation. If the BIG feels a constituent group is not represented fully or at all they have the ability to add members.

ROLES AND RESPONSIBILITIES

BIG members are expected to participate fully in group deliberations. Members will identify and present insights, suggestions, and concerns from a variety of perspectives. BIG members are expected to work constructively and collaboratively with other members toward reaching consensus.

BIG members will be expected to assist with the following:

- Create and oversee workgroups;
- Analyze and summarize data;
- Determine applicable implementation activities;
- Prioritize implementation activities to achieve goals;
- Review and update the I-Plan and timetable for implementation;
- Lead the effort in implementing this plan at the local level;
- Develop a monitoring plan;
- Communicate implications of the I-Plan to other stakeholders in the watershed; and
- Seek to obtain commitments from stakeholders.

BIG members will be asked to sign the recommended I-Plan. The I-Plan will contain information regarding the significance of the signatures, including references to any objections and information about authority. BIG members may submit recommendations as individuals or on behalf of their affiliated organization(s).

H-GAC will serve as the facilitator for meetings of the BIG. In order to carry out its responsibilities, the BIG has discretion to form standing and ad hoc workgroups to carry out specific assignments from the Group. BIG members may serve on one or more workgroups and represent that workgroup at BIG meetings to bring forth information and recommendations.

WORKGROUPS

Topical workgroups formed by the BIG will carry out specific assignments from the Group. Workgroups shall try to recruit participants from the broader community as a means of increasing stakeholder participation.

Each workgroup will be composed of a minimum of at least one BIG member that will serve as a liaison to the BIG and additional individuals with a vested interest in that topic. There is no limit to the number of members on a workgroup. At each workgroup meeting or as appropriate, each workgroup will elect a liaison to the BIG to provide an update on the activities of the workgroup to the BIG, as necessary. The liaison will be, in order of preference, a BIG member, an alternate to a BIG member, or a representative recommended by participants.

Tasks such as research or plan drafting will be better performed by these topical workgroups. Workgroup members will discuss specific issues and assist in developing that portion of the I-Plan; however, BIG members will have the final approval. The workgroups also serve as a forum in which alternate perspectives should be sought and considered.

REPLACEMENTS AND ADDITIONS

The BIG may add new members if (1) a member is unable to continue serving and a vacancy is created or (2) important stakeholder interests are identified that are not represented by the existing membership. A new member must be approved by a majority of existing members. In either event, the BIG will, when practical, accept additional members. The BIG shall consider workgroup participants when filling vacancies on the BIG.

ALTERNATES

Members may designate up to two alternate representatives in the event that the member is unable to attend a meeting. These alternates will be compiled in a list that is submitted to the BIG for approval. Modifications to the list of alternates will be submitted to the BIG for approval on an as-needed basis. An irregular, undesignated alternate may be designated by a member, provided the member notifies the H-GAC facilitator by e-mail or in writing prior to the close of the business day prior to a meeting.

Alternates must abide by these ground rules. An alternate will be able to vote and speak on behalf of the member, will receive the same notifications that are sent to the member, and is encouraged to attend all meetings. An alternate who is neither attending with advance notification nor on the approved list of alternates will not be able to participate in votes.

Absentees may also provide input via another Committee member or send input via the facilitator. The facilitator will present such information to the Committee, but will argue neither for nor against the viewpoint on that person's behalf.

ABSENCES

All BIG members agree to make a good faith effort to attend all meetings; however, the members recognize that situations may arise necessitating the absence of a member. Absences from two BIG stakeholder meetings in a row and without designation of an alternate constitute a resignation from the BIG. H-GAC will contact each member who has an absence to remind them of the rule.

DECISIONMAKING PROCESS

The BIG will strive for consensus when making decisions and recommendations. Consensus is defined as a decision which all stakeholders are willing to accept. Consensus inherently requires compromise and negotiation, and should be inclusive, participatory, cooperative, egalitarian, and solution oriented.

If consensus cannot be achieved, the BIG will make decisions by a simple majority vote. If members develop formal recommendations, they will do so by two-thirds majority vote of those present, with the stipulation that minority reports may be included in the I-Plan.

From time to time, the BIG may make decisions through e-mail, web survey, or other remote means. In general, such decisions will be administrative in nature and shall be consistent with the I-Plan.

QUORUM

In order to conduct business, the BIG will have a quorum. Quorum is defined as at least 51% of the members. Designated alternates attending on behalf of members will count towards the quorum. A quorum is not necessary to hold a meeting or have discussions.

MEETINGS

All meetings (BIG meetings and workgroups) are open to the public and all interested stakeholders are welcome. At BIG meetings, discussion will be primarily among BIG members (or alternates sitting in place of members). Questions or comments from the audience will be addressed at the close of each discussion topic, and will be generally no more than five minutes. Interested stakeholders are encouraged to participate in workgroups.

The BIG shall meet at least twice each year, at an annual meeting and at a mid-year update. The BIG may determine the need for additional meetings. Meetings will be scheduled to accomplish specific milestones in the planning and revision process. Workgroups will set their own meeting schedule to coordinate with BIG meetings, tasks, and milestones, and will generally meet at least once each year in preparation for the annual meeting.

Meetings will start and end on time. Meeting times will be set in an effort to accommodate the attendance of all members.

AGENDA

H-GAC staff, in consultation with all BIG members, is charged with developing the agenda. The anticipated topics are determined at the previous meeting and through correspondence. A draft agenda will be sent to the group with the notice of the meeting. Agendas will be posted on the project website. Agenda items may be suggested by members at the time that the draft agenda is provided. H-GAC staff will review the agenda at the start of each meeting and the agenda will be amended if needed and the members agree. The Group will then follow the approved agenda unless they agree to revise it.

MEETING SUMMARIES

H-GAC staff will draft meeting summaries based on meeting notes and/or audio recordings. H-GAC staff will distribute meeting summaries to the committee for their review and approval. All meeting summaries will be posted on the project website.

DISTRIBUTION OF MATERIALS

H-GAC staff will prepare and distribute the agenda and other needed items to members. Distribution will occur via email and websites, unless expressly asked to use U.S. Mail (i.e. member has no email access). To encourage equal sharing of information, materials will be made available to all. Those who wish to distribute materials to the BIG or a Work Group may ask H-GAC staff to do so on their behalf.

SHARING OF/RELEASE OF INFORMATION

All members agree to openly exchange relevant information that is readily available to them. If a member believes he or she cannot or should not release relevant information, the member will provide the substance of the information in some form (such as aggregating data, deleting non-relevant confidential information, providing summaries, or furnishing information to the facilitator for limited or restricted use or to abstract) or a general description of it and the reason for not providing it directly.

Members will provide information as much in advance of the meeting at which it is to be discussed as is reasonably possible. Information and data provided to the BIG are a matter of public record.

The BIG does not have authority to protect confidential business information (CBI). When information required for BIG deliberations can only be derived from CBI (i.e. innovative technology, cost, or pricing information), the information may only be received by the BIG in aggregate form so as to protect specific CBI from release.

No member is expected to share advance information on its plans or strategy for filing or defending against litigation over TMDL issues. No member is expected to share any information that is subject to attorney/client privilege.

SPEAKING IN THE NAME OF THE COMMITTEE

Individuals do not speak for the BIG as a whole unless authorized by the Group to do so. Members do not speak for H-GAC and H-GAC does not speak for BIG members. If BIG spokespersons are needed, they will be selected by the Group.

Additionally, Workgroups and individual Workgroup members are not authorized to speak for the BIG.

DEVELOPMENT AND REVISION OF GROUNDRULES

These ground rules were drafted by the H-GAC and presented to the BIG for their review, possible revision, and adoption. Once adopted, ground rules may be changed by consensus provided a quorum is present.

We, the undersigned, as members of the BIG, agree to these Ground Rules of the Bacteria Implementation Group.

Michael Bloom

John Blount

Marilyn Christian

Joe Clark

Robert Collins

Carol Ellinger

Catherine Elliot

Mike Garver

Frank Green

Teague Harris

Bruce Heiberg

Shannon Hicks

Jason Iken

Tom Ivy

Ron Kelling

Helen Lane

Craig T. Maske

Cathy McCoy

Michael Mooney

Jack Murphy

Rebecca Olive

Mitchell G. Page

Raymond Pavlovich

Linda Pechacek

Ceil Price

Kathy Richolson

Jim Robertson

Linda Shead

Brian Shmaefsky

Bob Stokes

Michael Turco