

# 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 execute the Implementation Plan for Seventy-Two Total Maximum Daily Loads in the Houston-Galveston Region (I-Plan).

The signatories to these Ground Rules agree as follows:

## **GOALS**

The goal of the BIG is assisting to reduce bacteria levels in the region's impaired waterways, making them meet water quality standards and become suitable for their current, designated uses. The BIG will accomplish this goal by coordinating, implementing, assessing, and revising the *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 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**

Full implementation of the I-Plan may take decades after its initial approval by TCEQ in January 2013. The BIG may continue to function throughout this period as a recommendation of the I-Plan.

## **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 it will have the ability to add members. New members will be asked to sign-on to the I-Plan to demonstrate the commitment to actively implement the I-Plan.

## **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 established in the I-Plan;
- 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;
- Participate in revisions to the I-Plan if revisions are warranted; and
- Encourage other watershed stakeholders to implement activities of the I-Plan.

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 as funding is available. 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. 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 annual meetings in a row of which the facilitator was not informed of beforehand or 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 any revision to 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 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.

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Michael Bloom

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John Blount

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Marilyn Christian

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Joe Clark

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Robert Collins

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Carol Ellinger

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Catherine Elliot

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Mike Garver

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Frank Green

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Teague Harris

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Bruce Heiberg

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Shannon Hicks

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Jason Iken

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Tom Ivy

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Ron Kelling

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Helen Lane

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Craig T. Maske

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Cathy McCoy

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Michael Mooney

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Jack Murphy

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Rebecca Olive

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Mitchell G. Page

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Raymond Pavlovich

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Linda Pechacek

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Ceil Price

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Kathy Richolson

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Jim Robertson

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Linda Shead

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Brian Shmaefsky

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Scott Jones

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Michael Lee