

FLORIDA KEYS NATIONAL MARINE SANCTUARY
WATER QUALITY PROTECTION
PROGRAM STEERING COMMITTEE

AMENDED BYLAWS

BACKGROUND

On November 16, 1990, President Bush signed into law HR 5909 (Public Law 101-605, Florida Keys National Marine Sanctuary and Protection Act) which designated over 2,800 square nautical miles of coastal waters as the Florida Keys National Marine Sanctuary. The 1990 Act directed the Administrator of the U.S. Environmental Protection Agency and the Governor of the State of Florida, in consultation with the Secretary of Commerce, to develop a comprehensive Water Quality Protection Program for the Sanctuary.

The purpose of the Water Quality Protection Program is to "recommend priority corrective actions and compliance schedules addressing point and nonpoint sources of pollution to restore and maintain the chemical, physical, and biological integrity of the Sanctuary including restoration and maintenance of a balanced, indigenous population of corals, shellfish, fish, and wildlife, and recreational activities in and on the water". The Act stipulates a number of measures to achieve the purposes of the Program. In addition to corrective actions including the adoption or revision of water quality standards and pollution control measures, the Act requires development of a water quality monitoring program to determine sources of pollution and evaluate the effectiveness of efforts to reduce those sources of pollution and achieve water quality standards. The Act also calls for the provision of opportunities for public participation in all aspects of developing and implementing the Program as well as the identification of funding to implement the Program.

On November 4, 1992, President Bush signed into law HR 5617 (National Marine Sanctuaries Program Amendments Act of 1992). Section 2209 of the 1992 Act amends Section 8 of the Florida Keys National Marine Sanctuary and Protection Act of 1990. Specifically, the 1992 Act directs that the U.S. Environmental Protection Agency and the State of Florida implement the Water Quality Protection Program in cooperation with the National Oceanic and Atmospheric Administration. In addition, the 1992 Act requires that the U.S. Environmental Protection Agency and the State of Florida establish a Steering Committee for the Water Quality Protection Program.

The 1992 Act also required the creation of a Technical Advisory Committee (TAC) to advise the Steering Committee on scientific matters and assist in the design and prioritization of monitoring programs and special studies. A Management Committee was subsequently established to coordinate and facilitate the activities of the Steering Committee and the TAC.

PURPOSE

The purpose of the Steering Committee for the Water Quality Protection Program is to set guidance and policy for the development and implementation of the Program. The Committee will work together to insure that the components (corrective actions, monitoring, research/special studies, and public education/outreach) of the program are implemented and to seek adequate funding.

MEMBERSHIP

The Water Quality Protection Program Steering Committee membership shall include representatives of the Environmental Protection Agency, National Park Service, United States Fish and Wildlife Service, U.S. Army Corps of Engineers, National Oceanic and Atmospheric Administration, Florida Department of Economic Opportunity, Florida Department of Environmental Protection, South Florida Water Management District, Florida Keys Aqueduct Authority, Florida Department of Health, Florida Fish and Wildlife Conservation Commission, Florida Keys Mosquito Control District, the Key Largo Wastewater Treatment District, all local governments in the Florida Keys, and a minimum of three citizens knowledgeable about the Program.

The representatives from the U.S. Environmental Protection Agency and the Florida Department of Environmental Protection shall serve as Co-Chairpersons of the Steering Committee and will alternate chairing the Committee meetings. Changes in representation at a specific meeting can be made at any time by the respective Committee member upon written notification to one of the Co-Chairpersons. The designated representative will have full authority to vote on behalf of the absent member.

Additional representatives may be added to the Steering Committee by a two-thirds affirmative vote of the members of the Committee or their designated representatives. Changes in representatives within existing agency and local government seats do not require a Steering Committee vote. Knowledgeable citizens may be added to the Steering Committee at the discretion of the Committee or as needed to replace members who have resigned. Open knowledgeable citizen seats shall be noticed to the community and filled via an application process. The Management Committee may be called upon to review the applicants and provide recommendations to the Steering Committee.

Steering Committee members shall review these Bylaws and confirm their participation at a minimum every three years to ensure their continued commitment to the development and implementation of the Water Quality Protection Program.

No travel expenses will be paid to Committee members for any expenses incurred in attending Committee meetings.

REQUIRED WORK PRODUCT

The Steering Committee shall, on a biennial basis, issue a report to Congress that:

1. Summarizes the progress of the Program.
2. Summarizes any modifications to the Program and its recommended actions and plans.
3. Incorporates specific recommendations concerning the implementation of the Program.

MEETINGS

The Steering Committee will hold meetings as necessary to carry out its responsibilities. A minimum of two meetings shall be held annually. Meetings will be called by the Committee Co-Chairpersons. All meetings will be held in the general Florida Keys area with remote participation allowed as necessary to facilitate Steering Committee member attendance. Meetings will be conducted in accordance with procedures set out in Robert's Rules of Order.

Special meetings may be called by request of a majority of the Steering Committee members, in which case the Co-Chairpersons will schedule a meeting as soon as possible or as otherwise directed by the Steering Committee.

All meetings of the Steering Committee will be noticed to the appropriate government agencies and the public-at-large in the Florida Keys area. All meetings will conform with applicable Federal, State, and local public access requirements.

QUORUM

Members of the Steering Committee are expected to attend all regular meetings or designate a representative in writing with full authority to act or vote on behalf of the absent member on any issue at the meeting.

A quorum of the Steering Committee shall be at least two-thirds of the Steering Committee or their designated representatives for the meeting. The quorum is determined by the number of filled seats; vacant seats and non-voting members do not apply in determining quorum.

A member of the Steering Committee or designated representative who is unable to attend two or more consecutive meetings may be asked to resign. In such case, that member's agency will be asked to designate another agency representative to serve on the Steering Committee. Agency seats will remain vacant and not applicable for quorum until a new representative is assigned.

VOTING

It is the goal of the Steering Committee to operate by consensus. Items that cannot be resolved by consensus shall be determined by simple majority vote, except as otherwise provided by these Bylaws. The Committee may establish simple majority voting requirements for any pending or future item. Individual votes and abstentions shall be recorded in the minutes if requested by a Steering Committee member. A quorum shall be present when a vote is taken or a discussion to reach consensus is conducted.

STAFF PARTICIPATION

Each member of the Steering Committee may bring staff to meetings who may participate in meeting discussions at the request of a Committee member but shall not vote.

PUBLIC PARTICIPATION AT MEETINGS

All meetings of the of the Steering Committee will be open to the public. A portion of time will be allocated at each meeting for public comment.

AGENDA

The Co-Chairpersons will be responsible for the meeting agenda. The agenda will be distributed to each Committee member at least one (1) week prior to the scheduled meeting date. Additional agenda items may be added by any Steering Committee member at the beginning of a meeting, if approved by a majority of the Steering Committee.

CONFLICT OF INTEREST

Steering Committee members must clearly state any potential conflicts of interest prior to any discussion and/or Committee action relating to such conflicts. No member of the Steering Committee or their staff representatives shall participate in any discussion, decision or vote which would constitute a conflict of interest or the appearance of a conflict of interest.

SUBCOMMITTEES

The Steering Committee may establish ad hoc subcommittees, as necessary, to expedite and carry out the purpose and responsibilities of the Committee. Subcommittees may be composed of members of the Committee and outside persons, and shall function as advisory bodies under the purview of the Steering Committee. Subcommittees are not subject to the public notification and meeting number provisions of the full Committee, although subcommittees may seek public input as requested by the Co-Chairpersons or Steering Committee.

The Management Committee and Technical Advisory Committee (TAC) are integral to the development and implementation of the Water Quality Protection Program and will be maintained as standing subcommittees to coordinate the activities of the Program and provide

scientific expertise. At a minimum, the Management Committee shall be composed of staff representatives from the U.S. Environmental Protection Agency, Florida Department of Environmental Protection, National Oceanic and Atmospheric Administration, Florida Fish and Wildlife Conservation Association, and a local government and knowledgeable citizen representative. The Technical Advisory Committee shall be composed of scientists from federal agencies, state agencies, academic institutions, private non-profit organizations and knowledgeable citizens.

Unless otherwise directed by the Steering Committee, the subcommittee members, including members of the TAC and the Management Committee, shall be selected using the same procedure for selecting and replacing the Steering Committee members, as outlined in the "Membership" section of these bylaws.

ADOPTION/AMENDMENT OF BYLAWS

The Bylaws are adopted upon an affirmative vote of at least two-thirds of the Steering Committee. Amendments shall be proposed in writing and circulated to the Steering Committee members at least 14 days in advance of any regular Steering Committee meeting or special meeting called for that purpose. The amendments must be approved with two-thirds affirmative vote provided the proposed change is included on the agenda and distributed in written form with the agenda materials.

Approved this ___ day of _____, 202_

[Signature lines for all WQPP Steering Committee Members to be added]