

# **NCDENR Science Advisory Panel on Aquatic Resource Restoration Group Charter**

Approved with edits on August 23, 2011

## ***Background***

The N.C. Department of Environment and Natural Resources (NCDENR) has identified the need to have identified experts in the field of aquatic resource restoration and management work together to maximize the quality and effectiveness of the practice of restoration in the state. The intent to establish the NCDENR Science Advisory Panel on Aquatic Resource Restoration was coordinated through the Governor's Office and announced in the fall of 2010. Details on the plans were vetted within NCDENR leadership and with other interested parties (including regulatory agencies with oversight authority for compensatory mitigation) in early 2011.

## ***Purpose of the Panel***

The panel is intended to provide a bridge between the science and practice of aquatic resource restoration. Toward that end, the panel will:

- ▶ Ensure that pertinent results of recent scientific studies are considered in the selection and implementation of restoration projects.
- ▶ Support the development and execution of research projects that further best practices for conservation and restoration projects.
- ▶ Provide technical expertise and input on issues related to the restoration and management of aquatic resources (i.e., watershed planning and project selection; project implementation; and data management and analysis).

## ***Authority and Composition of the Panel***

The Science Advisory Panel is charged with advising the N.C. Department of Environment and Natural Resources (NCDENR) on restoration and conservation practices implemented in the state of North Carolina through NCDENR. An important focus of this responsibility will be restoration delivered for the purposes of compensatory mitigation, which is a significant mechanism for natural resource management in the state. The Panel is not intended to establish policy as it relates to the development of compensatory mitigation projects for Department of the Army permits.

The Panel shall include representatives from the academic community, state and federal resource agencies and/or the private sector with expertise in the following subject matters:

1. Fluvial geomorphology.
2. Watershed analysis and planning.
3. Wetland assessment and restoration.
4. Engineering.
5. Soil science.
6. Aquatic ecology.
7. Restoration practitioner.

8. Wildlife conservation and habitat protection.
9. Plant Ecology.

### ***Panel Participants***

Participants to represent the identified expertise categories are appointed by the Secretary of NCDENR. Advisory Panel members may be represented by alternates of the member's choosing, in the event that a member cannot attend a meeting of the Panel. If a member chooses to have an alternate participate in a meeting on their behalf, it is the responsibility of the member to ensure that the alternate representative is fully briefed on the topics to be discussed in advance of the meeting. If both the panel member and alternate attend the same meeting, either the panel member or the alternate, not both, may participate in decisions of the Advisory Panel.

### ***Chair and Vice-chair***

Panel members will work together to select a chair and vice-chair to preside over meetings and promote the orderly conduct of group business. The chair and vice-chair will also be responsible for setting agendas for meetings of the Panel and coordinating the establishment of sub-groups as needed to accomplish SAP goals and objectives.

Withdrawal and New Appointments. If a member withdraws from the Advisory Panel, the Secretary of NCDENR will appoint a new member for the vacated seat with input from the Advisory Panel.

### ***Responsibilities of Advisory Panel Members***

Attendance. Each member of the Advisory Panel or the designated alternate is expected to attend and fully participate in all meetings and commit to the process. In the event that a member and alternate are not able to attend, that member forfeits his/her input on decisions made by the committee during his/her absence.

Preparation for Meetings. Advisory Committee members shall read appropriate materials and arrive prepared to work. If a member is to be represented by an alternate, the member will ensure that the alternate representative is prepared for the meeting.

### ***Responsibilities of NC DENR staff***

NCDENR staff will serve as the primary technical consultants to the committee. NCDENR staff will have representation at all Advisory Panel meetings and will have input into Advisory Panel discussions but will not participate in decision-making.

### ***Decision Process***

Use of Consensus. The Advisory Panel will operate by consensus. Advisory Panel decisions will be made only with concurrence of all members represented at the meeting. No member can be out-voted.

The Panel will reach consensus when it finally agrees upon a single alternative and each participant can honestly say:

- I believe that other participants understand my point of view
- I believe I understand other participants' points of view
- Whether or not I prefer this decision, I support it because it was arrived at openly and fairly, and it is the best solution for us at this time.

### Quorum

At least five panel members must be present for a consensus decision to be made by the Panel.

If Consensus Cannot be Reached. If Advisory Panel members cannot reach consensus on any substantive Panel decision a means of communicating the outcome of the dialogue on the issue to NCDENR leadership will be developed. If appropriate, NCDENR leadership may work with the Panel to develop a resolution to the issue. Otherwise, the Panel will move on to an alternate work subject. Meeting summaries will record the level of disagreement in qualitative terms with phrases like “substantial disagreement” or “minor disagreement”, and so on.

### ***Meeting Organization***

Agendas. The Advisory Panel will develop draft meeting agendas prior to each meeting. Advisory Panel members will receive meeting agendas at least one week before each meeting.

Meeting Summaries. Notes of each meeting will be recorded by EEP staff and summaries distributed to the members of the Panel via email. Summaries will include an attendance record, a summary of actions taken at the meeting, and other information pertaining to the discussions. Draft summaries will be distributed to all Advisory Panel members prior to the next regular meeting for review. Panel members should raise questions about or request changes to the summaries via email before the next regular meeting, or at the beginning of the next regular meeting.

Schedule. The Advisory Panel will meet as needed but at least three times per year at times and locations determined by the Panel.

### Communication between NCDENR staff and Panel members

Meeting summaries will be distributed to Panel members and interested parties by email. All meeting summaries, presentations, related documents, and meeting notices will be posted online on NC Ecosystem Enhancement Program’s web site ([www.nceep.net](http://www.nceep.net)).

### ***Operating Principles for Interaction***

Members of the Advisory Panel shall seek to participate constructively in meetings. Operating principles for constructive interaction include:

- One speaker at a time (minimize side-bar discussions during meetings)
- Make space for others to contribute (be concise)
- Keep to task and topic (adhere to the agenda)
- Listen to others
- Work the problem, not the person
- Speak for yourself
- Be open to new information

These operating principles may be amended at any meeting.

In Event of Disagreement. When an Advisory Panel member disagrees with statements made by another member, then all members are urged to follow the procedure below:

- Ask for clarification
- Search for interests
- Brainstorm on how to take concerns into account by aligning interests
- Move forward

Enforcement of operating principles. Ground rules shall be monitored and enforced by members of the Advisory Panel.

### ***Input From and Information to the Public***

Meetings of the Advisory Panel will be open to anyone interested in observing Panel deliberations. Documents related to Advisory Panel activities will be available for review by interested parties on NCEEP's web site.

Members of the press are welcome to observe Advisory Panel meetings. If ever approached by news media, members will share general descriptions of the purposes of the group and agreements already made. Panel members are free to express their own positions, but will not attribute specific positions to other group members. Members will not characterize other group members in the media regarding the deliberations of the Panel. As appropriate, press releases describing the activities of the Advisory Panel will be issued after the major points are reviewed and approved by all group members.

### ***Changes to the Group Operating Principles***

Changes to the charter can be made at any meeting of the Advisory Panel through a consensual procedure.