

BACTERIA TOTAL MAXIMUM DAILY LOAD

STAKEHOLDER GROUP

GROUND RULES

MISSION

The mission of the Bacteria TMDL Group is to determine the total daily maximum load for bacteria in three segments of Buffalo and White Oak Bayous and to help develop and implement an action plan to restore the beneficial uses of the bayous. The segments to be included in the TMDL are: 1013, 1014, and 1017.

POWERS

The group is an advisory rather than oversight body. The group expects to provide informal advice on a routine basis but may also choose to develop formal recommendations. Formal group recommendations will be identified as such in the meeting and meeting notes. They will be considered by the Texas Commission on Environmental Quality (TCEQ). The group will be told whether or not formal recommendations have been implemented and, if not, why not.

LIFE OF THE STAKEHOLDER GROUP

The group began prior to the submission of the first technical report to TCEQ and will continue until the watershed action plan is put into action.

MEMBERSHIP

Representation Stakeholders include both individuals and representatives of organizations. A variety of stakeholders serve on the group to reflect the diversity of interests within the bayous' watersheds and to incorporate the viewpoints of those who will be affected by the TMDL. The number of stakeholders is limited to 24 in accordance with State and TCEQ rules.

Selection Stakeholders were selected by HGAC with input from TCEQ and others.

Replacements and Additions The stakeholder group members may replace members unable to continue serving or add members to increase the diversity of the stakeholder group within the limit of 24 members.

Substitutes Those unable to attend a meeting may send a substitute. Substitutes may participate in dialogue but not in the approval of any formal recommendations the group might make to TCEQ. This is to prevent a sub from taking an opposite position on an issue than the seated representative was taking. Absentees may also provide input via

another group member or send input via the facilitator. The facilitator will present such information to the group but may not argue in its favor.

Absences Three or more absences in a row of which the facilitator was not informed of beforehand constitute a resignation regardless of whether or not a substitute was sent.

MEETINGS

Observers Meetings are open and observers welcome. As time permits, observers may make comments or ask questions. A 10-minute segment at the end of each discussion topic is set aside for additional comments as needed.

Open Discussion Participants express their views candidly, but without personal attacks. Time is shared because all participants are of equal importance. In order to encourage free discussion, meetings are not taped unless the group agrees. Notes will be taken during the meetings. Meeting summaries will be based on these notes.

Location and Arrangements HGAC is responsible for making meeting arrangements.

Timing Meetings start and end on time. Meetings are scheduled, as needed based on milestones in the TMDL process. Meetings are scheduled to allow time for stakeholder input to be considered for incorporation into plans and reports. Meeting times will be set to permit all to attend.

Agenda The facilitator, in consultation with stakeholders and the support team, develops the agenda. The anticipated topics are determined at the previous meeting. A copy is sent to the group before the meeting. The facilitator reviews the agenda at the start of each meeting and amends it if the group agrees. The group then follows the approved agenda unless they agree to revise it.

Meeting Notes Draft meeting notes are distributed to the group for their review. The group revises if needed and approves the notes at the next meeting.

Distribution of Materials H-GAC prepares and distributes the agenda and other items needed for mailings to members. To encourage equal sharing of information, materials made available to one group member will be made available to all. Those who wish to distribute materials to the group may ask H-GAC to do so on their behalf.

ROLES

Stakeholders Stakeholders identify and present insights, suggestions, and concerns from a community, environmental, or public interest perspective as they carry out the purposes of the group. The stakeholders offer their advice to TCEQ.

Facilitator The group operates without a chair but with a facilitator. The facilitator serves as a third-party neutral to help the group organize its work, run meetings, draft

notes and other materials if requested, and work with the HGAC to send notices and mailings. The facilitator encourages dialogue and candid input, conveys any group recommendations to TCEQ, and follows up to see that a response is provided to the group.

Speaking in the Name of the Group Individuals do not speak for the group as a whole unless authorized by the group to do so. Stakeholders do not speak for TCEQ. TCEQ does not speak for stakeholders. If stakeholder spokespersons are needed, they are selected by the stakeholders. Materials are not released in the name of the group unless the group agrees to the release.

Draft Documents Stakeholders will review draft TMDL documents and respect the fact that they are in draft form. No TMDL documents will be released to the public until final or unless okayed by the group

DECISION-MAKING PROCESS

The group makes decisions by consensus rather than voting. If stakeholders develop formal recommendations, they will do so by consensus. Group members may also submit recommendations as individuals or on behalf of their organization. They are encouraged to share them with other group members. Consensus is defined as being able to live with the decisions made.

Once adopted, formal recommendations may be changed by consensus among group members, as long as more than half the stakeholders and the TCEQ representative are present for the discussion.

DEVELOPMENT AND REVISION OF GROUNDRULES

The groundrules were drafted by the facilitator and approved in January 2001. Once adopted, groundrules may be changed by consensus among panel members, as long as more than half the stakeholders and lead organization as well as the TCEQ representative are present for the discussion.