

# **MID-ATLANTIC PANEL ON AQUATIC INVASIVE SPECIES**

## **Standard Operating Procedures**

### **I. Scope and Purpose**

In November 2003, the Aquatic Nuisance Species Task Force (ANSTF) approved formation of a Regional Panel to address aquatic invasive species issues throughout the Mid-Atlantic region.

The Mid-Atlantic Panel on Aquatic Invasive Species (MAPAIS), hereafter referred to as the "Panel," will provide a collaborative approach to prevention and control of aquatic invasive species as authorized under the Non-Indigenous Aquatic Nuisance Species Prevention and Control Act of 1990 (NANPCA), as amended by the National Invasive Species Act of 1996. The Panel will: (1) identify regional priorities with respect to aquatic invasive species (AIS); (2) make recommendations to the ANSTF regarding programs and activities to promote and implement such priorities within the Mid-Atlantic region; (3) assist the ANSTF in coordinating federal programs; (4) coordinate, as appropriate, AIS program activities within the Mid-Atlantic region that are outside of the scope and purview of the ANSTF; (5) advise public and private individuals and entities concerning methods of preventing and controlling AIS infestations; and (6) submit annual reports to the ANSTF describing these various activities.

### **II. Mission Statement**

The Panel will assist state, regional, and federal agencies and organizations, and other stakeholders in developing and implementing strategic, coordinated, action-oriented approaches to prevention and control of aquatic invasive species in the Mid-Atlantic region, including Washington, D.C., and the states of New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, and North Carolina.

### **III. Officers**

- a) **Panel Chair** - A Chair of the Panel will be elected by simple majority vote. Election of the Chair must occur at a regularly scheduled meeting of the Panel or by electronic vote. The Chair will be responsible for conducting meetings of the Panel, and shall lead or direct planning of Panel meetings, developing meeting agendas, preparing recommendations and information for Panel review and action, preparing ad hoc work plans and budgets, finalizing budget requests, preparation and submittal of annual reports of activities and finances to ANSTF and US Fish and Wildlife Service (USFWS), preparation of Panel recommendations to ANSTF, and attendance at regularly scheduled ANSTF meetings. The Chair will serve a two-year term, after which time an election will be held by the Panel to select a new Chair. The Chair

may serve two consecutive two-year terms, after which time a new Chair must be elected. A person who has served as Chair may be elected to serve additional terms in future years provided there is a two-year break.

- b) Panel Vice-Chair** - The Panel Vice-Chair will be elected in the same manner as the Chair. The Vice-Chair will serve as the Chair in the absence of the Chair and assist the Chair in performance of the Chair's duties. In the event the Chair is unable to continue to serve, the Vice-Chair will assume the Chair's responsibilities until a new Chair is elected at the end of the two-year term. If the Vice-Chair position becomes vacant, the Executive Committee may appoint a new Vice-Chair.
- c) Executive Committee** - An Executive Committee will be established to oversee administrative and executive functions of the Panel. The Executive Committee will consist of the Panel Chair, Vice-Chair, past Chairs who remain members of the Panel, Fiscal Agent, and Panel Coordinator. Specific functions of the Executive Committee include assisting the Chair and Vice-Chair with planning Panel meetings, developing meeting agendas, and approving Panel recommendations and reports for Panel review and action, or for submission to ANSTF and/or USFWS. The Executive Committee is authorized to act on the Panel's behalf if a decision must be made in a timely manner. Executive Committee decisions will be made by simple majority vote.
- d) Nomination Process** - An ad hoc Nominating Committee will be established by the Panel Chair and announced at the meeting prior to expiration of current officer terms. The Nominating Committee will consist of a minimum of three members: the immediate past chair if available, one state member, and one federal member. Other members may be added at the discretion of the Panel Chair. The Nominating Committee will prepare a list of candidates eligible for election to the offices of Panel Chair and Vice-Chair. The Nominating Committee may also, in consultation with the Executive Committee, prepare and present for election a list of candidates (either entities or individuals, as appropriate) for At-Large Membership on the Panel, either as new At-Large Members, or as confirmation of existing At-Large Members. Upon approval by the Executive Committee, the nominations will be announced to the Panel membership at least 30 days prior to the meeting at which the election will be conducted, or at least 30 days prior to electronic voting, as appropriate. Any member can nominate a member for candidacy for the Chair or Vice-Chair, or any individual or entity for At-Large membership, by submitting the nominee's name and prospective position to the Nominating Committee at least 60 days prior to the meeting at which the election will be conducted, or at least 60 days prior to electronic voting, as appropriate. The chair of the nominating committee will lead the election process.

Representation of the Panel is required at biannual meetings of the ANSTF. The Panel Chair is expected to attend all such regularly-scheduled meetings. If the Panel Chair cannot attend, the Vice-Chair is encouraged to attend, but another member of the Executive Committee may attend if necessary to represent the Panel in the Chair's absence.

#### **IV. Staff Support and Fiscal Agent**

As available from member agencies, and at the Executive Committee's discretion, the Panel may be supported by a paid or volunteer Panel Coordinator and staff assistants. Such positions, when utilized, shall be described in timely addenda to these Standard Operating Procedures, for the duration of the position(s). Duties that may be appropriate for assignment to these positions include:

- Organizing Panel meetings and coordinating meeting logistics (including securing a venue, drafting the agenda, arranging for presenters, arranging for equipment and refreshments, and preparing meeting materials), setting up conference calls, and taking meeting minutes;
- Preparing and mailing official Panel correspondence, and maintaining Panel records and files;
- Communicating information from the ANSTF and other regional panels to the Panel, and coordinating Panel responses to information requests;
- Maintaining and revising Panel membership lists;
- Assisting with identification of regional AIS priorities and opportunities to implement programs or projects in collaboration with other agencies, institutions, or organizations;
- Participating as a non-voting member of the Executive Committee;
- Developing and submitting Panel reports and other records to the ANSTF;
- Preparing budgets and financial documents, and development of annual work plans;
- Coordinating review of proposals submitted as applications for the Panel's Small Grants Program;
- Presenting MAPAIS-funded project report updates at biannual Panel meetings;
- Updating and maintaining the MAPAIS website; and
- Facilitating internal and external outreach and communication.

#### **V. Ad Hoc Committees**

The Panel may establish ad hoc committees to address specific issues or tasks as they arise. Ad hoc committees have a charge, sunset clause, and a leader drawn from Panel membership. Once the purpose for which the ad hoc committee was formed has been accomplished, the committee shall be disbanded. Ad hoc committee membership will be established from the Panel membership (Regular, Alternate, and At-Large Members; and Interested Parties) and may include other individuals with specific expertise who are willing and able to serve. Ad hoc committees can be created by a majority vote of the Panel. Potential members to serve on ad hoc committees will be nominated by Panel members and approved by the Panel Chair. As appropriate, invitations to serve will be made in writing by the Panel Chair or the Chair's designee.

## VI. Membership

- a) Panel membership may be reviewed by the ANSTF, at the latter's discretion. Initial recommendations for membership were made by the original host entity (the Chesapeake Bay Program) in 2005. Thereafter, the Panel will annually review the membership to ensure that there is a balanced and broad representation of diverse interests pertaining to aquatic invasive species issues. Any Panel member, however, may at any time recommend additional agencies or organizations for membership. Recommendations should be submitted in writing to the Panel Chair. The Chair will then call for a vote at the next regularly-scheduled Panel meeting to determine whether the membership recommendation is approved by the Panel. If the recommendation is approved by Panel vote, the Panel Chair shall extend a written invitation to the approved entity, and the approved entity shall designate both a Regular and an Alternate Member. Notice of the additional membership shall be forwarded to the ANSTF for their concurrence. Absent rejection of the membership recommendation by ANSTF, the membership shall be considered active beginning with the next biannual meeting.
- b) Membership in the Panel will consist of the following categories: Regular Members, Alternate Members, At-Large Members, and Interested Parties.

Regular Members - Regular Members can vote. Regular Members of the Panel include individuals representing federal and state agencies, regional entities, university and research institutions, private environmental groups, and commercial interests from Washington, D.C. and from the states of Delaware, New Jersey, New York, North Carolina, Maryland, Pennsylvania, Virginia, and West Virginia. Members will be selected by their respective agencies and organizations and will serve until replaced by the agency or organization. Upon resignation of a Regular Member, the respective agency or organization will be asked to provide a replacement. Regular members are encouraged and expected to participate in scheduled Panel meetings, conference calls, webinars, and other events within reasonable expectations.

Alternate Members - Regular Members may appoint an Alternate Member to represent them, if the Regular Member may be unable to participate in a scheduled Panel meeting, conference call, webinar, or other event. Alternate Members may participate in all such events, but may vote only when the Regular member, whom they represent, is absent.

At-Large Members - At-Large Members can vote. At-Large members should have expertise on current and/or emerging issues regarding AIS prevention and control in the region that is not fulfilled by the existing Regular and Alternate memberships. Any Regular Member may nominate a prospective At-Large Member, and any non-member individual or organization may petition the Panel for an At-Large membership. The nomination or petition must then be voted on by the Panel. At-Large Members will serve three-year terms but can be re-elected by Panel vote for subsequent terms.

Interested Parties - Interested Parties shall not vote, but may participate in Panel discussions and activities, and on ad hoc committees as do Panel members. Individuals should contact the Panel Chair or Panel Coordinator to request addition to the Panel as an Interested Party.

- c) Duties of members include active participation in Panel meetings and votes. A member who misses two consecutive meetings (and is not represented by a designated alternate) will be contacted concerning his/her absences. After three consecutive absences, the Panel Chair, if directed by the Executive Committee, shall seek a replacement for the member.

## VII. Meeting Procedures

- a) Meeting Frequency - The Panel will meet at least twice in each calendar year, rotating sites between the Panel member states when practical. Meetings will be scheduled by the Panel Chair, and the ANSTF Executive Secretary will be notified 30 days prior to each meeting.
- b) Ad Hoc Committee Meetings - Ad hoc committee chairs may schedule meetings as needed to address issues or activities. Ad hoc committee meetings may occur via conference call or webinar.
- c) Decision Making - Panel decisions will be made by consensus when achievable. For the Panel's purposes, *consensus* is defined as "reaching a decision that is acceptable to all voting members, even if that decision is not the preferred decision of some voting members." During a Panel discussion, if any voting member expresses objection to a proposed decision, then the Chair will ask the voting member(s): "Can you live with this decision?" If the answer is no, then debate is continued and followed by a formal vote if called for by a motion and a second presented by eligible voting members. Such formal Panel votes shall be determined by simple majority, and require a quorum of the Panel. A *quorum* requires that more than half of the eligible voting members are present, and a *simple majority* is defined as "more than half of the eligible voting members present (Regular/Alternate Members and At-Large Members)." A vote may be conducted by voice vote, by raising of hands, or by roll call vote at the discretion of the Chair or Vice-Chair. Minority or dissenting opinions are important and integral to the decision-making process, and will be documented in the Panel meeting minutes any time a decision is not achieved by consensus.

All main or substantive motions shall be subjected to debate. A motion to close debate is not debatable, but requires a two-thirds majority vote of those voting members present to pass.

The Panel may also make decisions by mail-in vote, which may include E-mail, mail, electronic survey, and fax. An announcement will be made via E-mail or list-serve for any pending ballot issues, to all Panel participants. The procedures for mail-in vote shall be as follows: The Panel Chair will specify a period of at least two weeks, with a closing date, during which ballots will be accepted. The ballots will be returned via E-mail, mail, or fax to the Chair, Coordinator, or support staff of the Panel as directed by the Chair. All information regarding the ballots received, including the total number of ballots received, shall be held confidential until closure of voting. Any ballots received after closure, and any ballots not submitted by eligible voting members, shall be rejected. If a Regular Member and their respective Alternate Member both cast a ballot, then the Alternate Member's ballot shall be rejected. All valid votes will be tallied, with only the names of the voters and the final vote tally being presented to the Chair. The Chair shall then announce the vote result (voters' names, and final tally) to the Panel by email, or at the next Panel meeting, as appropriate. For such votes, a simple majority of eligible voters is required for a motion or decision to pass (as opposed to a simple majority of a meeting quorum in attendance).

- d) Meeting Summaries/Minutes - A summary report of each meeting of the Panel will be distributed to the membership, posted on the Panel website, and distributed to other interested parties upon request. In addition, detailed minutes of each meeting, including recommendations made and all studies and reports received, issued, or approved, will be made available for public inspection and copying by the Executive Secretary of the ANSTF. The detailed meeting minutes also will be posted on the Panel website.
- e) Meeting Agenda Guidance - Each biannual Panel meeting should address at least the following topics:
- Membership roll call to determine a quorum;
  - Introduction of meeting participants;
  - MAPAIS budget update;
  - MAPAIS project updates including ad hoc committee reports;
  - Small Grant Program/Project updates;
  - Old Business: status of actions from prior Panel meeting;
  - ANSTF update;
  - Inter-Panel update, if applicable;
  - Panel Member Updates: updates on AIS activities by Panel Members and designated Interested Parties (if possible, these updates should be submitted electronically in advance of the meeting; otherwise, they should be submitted within two weeks following the meeting);
  - New Business: Solicitation of ideas to be addressed by the Panel; and
  - General Public Comment.

As appropriate, staff will also work to feature a theme for each Panel meeting to address priority and/or emerging AIS issues (e.g., early detection, rapid response

and state management planning). The theme of each meeting will be integrated in the plenary session as well as committee work. To the extent possible, the agenda will be arranged such that those items requiring a Panel decision will be placed on the first day of the meeting to ensure a quorum to make decisions.

### **VIII. Funding**

Consistent with Section 1301(b)(6) of the Act, the USFWS will provide financial support to fund the Regional Panel. Funding for ad hoc committees or other Panel activities will be determined by the Panel as appropriate and available.

### **IX. Annual Reports**

The Chair, assisted by the Vice-Chair, Coordinator, and other support staff, will develop Panel activity and financial report(s) and recommendations as needed, for submission to the ANSTF. The reports will include information regarding the activities, decisions, and recommendations of the Panel that took place during the subject year. The report should also include an action plan for the upcoming year. Such reports and Panel recommendations must be approved by the Executive Committee before submittal to the ANSTF.

### **X. Amendment of Procedures**

Any amendments or changes to these Panel Standard Operating Procedures require a two-thirds majority vote of members present at a regularly scheduled Panel meeting. Any pending procedural amendments must be announced and submitted to the Panel's voting members at least 30 days before said Panel meeting.