

# CHARTER

## ARTICLE I – NAME

This organization shall be known as the **Virginia Stormwater Best Management Practices (BMP) Clearinghouse Committee**, hereinafter referred to as the “Committee.”

## ARTICLE II – DEFINITIONS

For the purposes of this charter, the following words shall have the meanings respectively ascribed to them:

“*Best Management Practice*” or “*BMP*” means a structural or non-structural practice or combination of practices, a schedule of activities, a prohibition of a practice or practices, a maintenance procedure, or other management practice that is determined and recognized to be the most effective, practicable means of preventing or reducing the amount of physical, chemical and biological degradation of state waters to a level compatible with state water management goals and requirements. A BMP may also be a treatment requirement, an operating procedure, or a practice to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

“*Meeting*” means a gathering of the Committee, either together in a designated physical location or through electronic/telecommunication means or both, for the purpose of discussing Committee business.

“*Stormwater Best Management Practice*” or “*Stormwater BMP*” means a BMP that is intended to prevent or reduce the physical, chemical and biological degradation of state waters generated by runoff pollution from land disturbing activities or developed land.

## ARTICLE III – PURPOSE

The purpose of this Committee shall be to provide direction for the Virginia Stormwater BMP Clearinghouse, a state-of-the-art, statewide-accessible information clearinghouse for application of stormwater BMPs available through a website managed and maintained by the Virginia Water Resources Research Center (VWRRC).

The Committee shall:

- Provide direction for the clearinghouse website design;
- Provide direction for development and management of the website and support database;
- Evaluate research and monitoring (and associated recommendations) pertaining to manufactured BMPs;
- Establish BMP pollutant removal efficiencies and effectiveness ratings for Virginia; and
- Provide assistance to BMP manufacturers in arranging for third-party research pertaining to their products, and identify other stormwater issues that need research.

## **ARTICLE IV – LEADERSHIP**

The Virginia Department of Conservation and Recreation (DCR) will chair the Committee. The VWRRC will provide staff support for the Committee.

## **ARTICLE V – MEMBERSHIP**

### **Section 1 – Membership selection**

The Committee shall be comprised of up to twenty-five key stakeholders. Invitations to serve on the Committee will be issued by the VWRRC on behalf of the DCR.

### **Section 2 – Representation of stakeholder groups**

The DCR and VWRRC will strive to ensure a balanced representation and participation from the following stakeholder groups:

- Federal agencies;
- State agencies;
- Local governments of various sizes and complexities;
- Soil and water conservation districts;
- BMP manufacturers;
- Consulting engineers and industry representatives;
- University and other researchers; and
- Environmental and conservation organizations.

### **Section 3 – Geographic representation**

The DCR and VWRRC will strive to ensure representation and participation from all major Virginia watersheds.

### **Section 4 – Rights of membership**

Decisions will be based on collective professional judgment of the Committee. All Committee members will have the right to make motions and the right to vote.

### **Section 5 – Terms**

The initial Committee will include members with a reasonably equal distribution of one, two, or three-year terms, effective as of April 1, 2007. This will establish staggered terms, assuring an appropriate level of collective experience and continuity among the members. Appointments thereafter shall be made for three-year terms. Upon invitation, members are eligible to serve up to three consecutive three-year terms. The DCR will have a permanent representative on the Committee who will serve as the chairperson.

### **Section 6 – Resignation, Termination, and Absences**

A Committee member may resign by providing written notice to the Committee Chairperson and sending a copy of the notice to the VWRRC staff. A Committee member may be dismissed if he or she has three absences from the regularly scheduled, quarterly Committee meetings within a 12-month period. A member who must be absent may send a substitute to the meeting. The substitute, however, will function as an observer, rather than a participant, and will not exercise the absent member's voting privileges.

### **Section 7 – Vacancies**

Vacancies on the Committee, either as a result of term limits or by a member's inability to fulfill a term, will be filled in the same manner as the initial membership selection. Members chosen to complete another's term may represent the same stakeholder category (e.g., an environmental organization) or a different stakeholder category.

## **ARTICLE VI – MEETINGS**

### **Section 1 – Regular and Special Meetings**

Regular meetings of the Committee will be held quarterly. The Chairperson may call special meetings upon providing a notice of at least five (5) working days. Business may be conducted through electronic mail, conference calls, and video conferencing as well.

Quarterly meetings shall be scheduled no later than the final regular quarterly meeting of the calendar year for the following year. The VWRRC staff will communicate meeting reminders and reference materials to the committee members at least two (2) weeks prior to each quarterly meeting, and as quickly as is feasible for special called meetings.

### **Section 2 – Quorum**

A quorum of at least sixty percent of the Committee members, not including any vacancies, must be present before motions can be introduced or passed.

## **ARTICLE VII – SUB-COMMITTEES**

The Committee may create sub-committees of at least three members as needed. Each sub-committee will have a sub-committee chairperson appointed by the Committee Chairperson. Subcommittees must have a simple majority of their members present before decisions may be made and shall operate by consensus to arrive at reports or recommendations to be brought to the full Committee.

## **ARTICLE VIII – RECOMMENDATIONS AND FINAL DECISIONS**

Decisions of the Committee shall be based on a majority vote of a quorum of committee members.

## **ARTICLE IX – THIRD-PARTY SCIENTIFIC EVALUATIONS**

The Committee and the VWRRC have no direct responsibility to conduct scientific studies and evaluations of BMPs. However, the VWRRC may provide a service by helping to arrange for such research to be done. Costs to carry out research of BMP effectiveness and efficiency are to be paid by the manufacturer or by special grants or other methods and will not be a direct expense of the DCR or the VWRRC.

## **ARTICLE X – FINANCES**

### **Section 1 – Committee Finances**

The Committee members will receive no monetary compensation. The Committee members or the organizations they represent will cover the costs associated with travel and meals to attend all Committee meetings and related functions.

## **ARTICLE XI – ADMINISTRATION**

### **Section 1 -- Role of the Virginia Department of Conservation and Recreation**

- The DCR will provide guidance and collaborate with the VWRRC staff regarding Committee membership and development of the BMP Clearinghouse project.
- The DCR will chair the Committee.

### **Section 2 -- Role of the Virginia Water Resources Research Center**

- The VWRRC will facilitate meetings of the Committee and provide support staff to the Committee, including recording meeting minutes. The VWRRC will facilitate a listserv for Committee activities.
- When requested, the VWRRC will consider facilitating third-party research and evaluation services by coordinating with stormwater BMP designers, regulators, researchers, and manufacturers regarding the scientific review of existing BMP test data or new monitoring and testing. Through the BMP clearinghouse, the VWRRC will make available third-party research recommendations concerning practice effectiveness and efficiency.
- The VWRRC will develop and maintain the clearinghouse website based on the directions of the Committee in corroboration with the DCR.
- The VWRRC will provide the DCR with quarterly progress reports.