

DRAFT

BY-LAWS OF THE

DELAWARE WATER RESOURCES REGIONAL COMMITTEE

Article I: Name

The name of this committee shall be the Delaware Water Resources Regional Committee (Regional Committee), Department of Environmental Protection, Commonwealth of Pennsylvania.

Article II: Authorization

The Water Resources Planning Act (Act 220 of 2002), 27 Pa.C.S. Chapter 31 authorizes the creation of this Regional Committee.

Article III: Purpose

The Regional Committee's purpose is to guide the development of and recommend to the Statewide Committee the Regional Plan component for review and incorporation into the State Water Plan.

Article IV: Members

- A. Members of the Regional Committee shall include 21 members appointed by the Governor. The Committee shall include:
 - 1. Four members with a knowledge, background or understanding of water resources planning and management who are County Conservation District or Planning Commission Directors or, where a County Conservation District does not cover a portion of a region, representatives of the governing body of the county or city of the first class, as appropriate, and shall represent a geographic cross-section of the region. At least two County Conservation District Directors shall be appointed to each Regional Committee. Such members shall be appointed by the Governor from recommendations made separately by the governing bodies of each county or city of the first class, which is in whole or part within the region.
 - 2. Seventeen members appointed by the Governor from recommendations made separately by statewide and regional organizations representing such interests, whose residence or place of business is within the region and who meet the following criteria:
 - a. Two members shall be representative of agriculture, one from production agriculture and one from horticulture.

- b. One member shall be an officer or employee of a public water supply agency providing residential service within the region.
 - c. One member shall be an office or employee of a public wastewater agency providing service within the region.
 - d. Three members shall represent significant industrial and commercial enterprises, energy development and production interests.
 - e. Three members shall represent environmental and conservation interests.
 - f. Four members with education and experience in professions relating to water resources management, including engineering, hydrology, geology, planning, law and economics, one whom shall be a registered professional geologist.
 - g. Three members representing local governments other than counties. The members appointed under this subparagraph shall represent a cross-section of the region, considering the distribution of population within each region.
3. Vacancies shall be filled for the remainder of an unexpired term in the same manner as original appointments. A member, upon expiration of the term, shall continue to hold office until a successor is appointed.
- B. The Secretary shall appoint one member, who is a Department employee. This member shall advise the Regional Committee without voting on any matter before the Regional Committee.
 - C. Where a compact basin commission exists with jurisdiction over all or a portion of the region, a representative of such compact basin commission shall be invited to serve as an ex officio voting member of the Regional Committee.
 - D. Members shall be appointed for a term of three years, but of the members first appointed by the Governor there shall be staggered terms of one, two and three years.
 - E. Members shall serve without compensation for their services, but may be reimbursed for reasonable and necessary travel and other expenses incurred.
 - F. The Department and the Chair of the Regional Committee shall maintain lists of the Regional Committee membership.

Article V: Officers

The Regional Committee shall annually elect a Chair and a Vice-Chair by a majority vote of the full membership. It shall be the duty of the Chair to preside at all meetings of the Regional Committee, call special meetings, prepare the meeting agenda in consultation with the Department, and perform other such duties as pertain to the office. It shall be the duty of the Vice-Chair to perform the

duties of the Chair in his/her absence. The Vice-Chair shall also assist the Chair in the performance of such duties as may be assigned by the Chair.

Article VI: Voting

- A. Members shall be entitled to one (1) vote, in person or via teleconference or videoconference when applicable, on all matters that come before the Regional Committee. The Chair and Vice-Chair shall be allowed to vote on all matters before the Regional Committee.
- B. A majority of the membership of the Regional Committee shall constitute a quorum for the transaction of Regional Committee business. Action may only be taken on a matter before the Regional Committee by a majority vote of the full membership of the Committee.
- C. Members may designate an Alternate with voting privileges for no more than one meeting each calendar year of their membership term. Members shall provide the name of the Alternate to the Chair prior to the start of the meeting. No proxy votes allowed.

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Article VII: Critical Area Advisory Committees (CAAC) and Ad Hoc Work Groups

- A. Critical Area Advisory Committees
 - 1. The Regional Committee shall establish a Critical Area Advisory Committee upon designation of a Critical Water Planning Area in the State Water Plan or by the Statewide Water Resources Committee and the Secretary, upon recommendation of the Regional Committee. The CAAC shall evaluate policy, program and management alternatives and advise the Regional Committee and Department throughout the critical water area planning process.
 - 2. Critical Area Advisory Committees shall be composed of Regional Committee members interested in participating and persons representative of appropriate governmental agencies, agricultural, public water supply, industrial and other water uses in the area, conservation and environmental organizations and other persons who have knowledge of, background in or an understanding of water resources planning and management.
 - 3. A member of the Regional Committee shall chair each CAAC. It shall be the responsibility of the Chair of the CAAC, in consultation with the Department, to maintain lists of members, call meetings, establish agenda, and prepare minutes and submit them to the members of the Regional Committee and the Department for each meeting. All CAAC members shall have one vote within their designated CAAC.
- B. Ad Hoc Work Groups
 - 1. The Chair, with approval of the Regional Committee, may appoint Ad Hoc work groups from the Regional Committee membership, as

deemed necessary. A specific task shall be assigned upon formation of the Ad Hoc work group. The Ad Hoc work group shall report to the Regional Committee. The Chair of the Ad Hoc work group, in consultation with the Department, shall issue reports to the Regional Committee on the progress and findings of the Ad Hoc work group.

Article VIII: Administration

The Department shall designate employees who shall perform administrative secretarial duties for the Regional Committee. It shall be their duty to function as the recording and corresponding secretary, as assigned by the Department. Included among these duties shall be:

- To give public notice of the meetings of the Regional Committee, CAAC and Ad Hoc Work Groups.
- To record Regional Committee minutes and keep a permanent file of the minutes of the meetings of the Regional Committee, as well as the CAAC and Ad Hoc work group minutes. Minutes of the meetings of the Regional Committee, CAAC and of Ad Hoc work groups shall be distributed to the full membership of the Regional Committee. The Chair may review the minutes prior to distribution.
- To conduct both outgoing and incoming correspondence for the Regional Committee and to maintain a permanent file of such correspondence.

Article IX: Meetings

Meetings of the Regional Committee shall be open to the public in accordance with the Sunshine Act, 65 Pa. C.S. Chapter 7, and shall be held a minimum of twice per year. Meetings may be held via electronic media in accordance with the [Sunshine Act](#).

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Article X: Public Participation and Outside Presentations

Open time for public participation will be provided at each meeting of the Regional Committee. The length of open time may vary depending upon the number of agenda items for consideration and will be at the discretion of the Chair. The Chair may choose to invite public input on agenda topics as they ensue and will limit the time for such discussions accordingly. The Chair may allow outside presentations such as speakers, films, etc. Any member may request the Regional Committee as a whole to determine whether a presentation shall be permitted.

Article XI: Amendment of By-Laws

The By-Laws may be amended at any meeting of the Regional Committee by two-thirds vote of the full Regional Committee membership (15 voting members) provided that written notice of such change has been sent via certified mail with a return receipt from each member at least two weeks prior to the meeting.

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Article XII: Regional Committee Representation

The Regional Committee shall act as a body in all matters, and only the Chair or Vice-Chair in his/her absence or their designee shall communicate with the Secretary or with third parties on behalf of the Regional Committee.

Article XIII: Parliamentary Authority

On items not covered by these By-Laws, the New Robert's Rules of Order shall be the final authority.