



South Texas Waterways Advisory Committee (STWAC)

Charter

1. Purpose/Mission

This Committee is a public forum to facilitate discussion and exchange of ideas, and achieve collaborative resolution of issues that pertain to port and waterway safety, security, and efficiency.

2. Scope

The South Texas Waterways Advisory Committee (STWAC) is a "Harbor Safety Committee" (HSC) as discussed in the U. S. Department of Transportation's September 1999 Report to Congress, "An Assessment of the U. S. Marine Transportation System" and in subsequent Coast Guard guidance on the establishment and development of harbor safety committees. The Coast Guard desires harbor safety committees where government agencies support, but do not control, the organization. Since there are no local or state entities which regulate waterway use similar to the Coast Guard, a cooperative harbor safety committee with broad membership is desirable for coordination. Other, somewhat similar cooperative organizations are focused on specific issues. Many members of those organizations are also members of the South Texas Waterways Advisory Committee.

3. Organizational Structure

The South Texas Waterways Advisory Committee is comprised of a membership of port users from varying industries operating within the port and surrounding waterways. The committee is led by a chairperson, vice-chairperson and a group of elected term members

that vote on issues relevant to their respective industries. Listed below are the port user industry groups represented by the term membership.

Operating Industry Groups

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| Port of Corpus Christi* |
| Aransas-Corpus Christi Pilots* |
| Barge Operating Company Representative |
| West Gulf Maritime Association* |
| Harbor Tug Representative |
| Refinery Representative |
| Bulk Terminals Representative |
| Rig Production Representative |
| Oil Terminals Representative |
| Chemical Facilities Representative |
| Vessel Operators Representative |
| Ship Agents Representative |
| LNG Operations Representative |
| Offshore Towing Representative |
| LPG Operations Representative |

(*) Denotes a designated representative selected within the organization or entity.

In addition to the voting representatives listed above, there are non-voting members representing government agencies. Those agencies are as follows:

Government Agency Members (Non-Voting):

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| U.S. Coast Guard (COTP) |
| Nueces County Representative |
| National Oceanic and Atmospheric Administration |
| Texas General Land Office |
| Texas Parks and Wildlife |
| U.S. Army Corps of Engineers |
| U.S. Army 842 nd Transportation Battalion |
| U.S. Maritime Administration |
| San Patricio County Representative |
| Texas Department of Transportation |

4. Membership

- a. *General Membership:* A cooperative harbor safety committee with broad membership is desirable for coordination of Marine Transportation Issues. Any person with an interest in participation in the South Texas Waterways Advisory Committee may apply for general membership by submitting an application to the Executive Secretary. Pending applications will be submitted for consideration and

approval by the Term Members at the next scheduled meeting. General Members can be removed by recommendation of the Chairperson and a two-thirds majority vote of the Term Membership.

- b. *Term Membership:* Term Members and their alternates are elected from within their Organizational Industry Group by majority vote prior to each October quarterly meeting based on term limits as described in section 5-d below. Term members or their designated alternates are voting members who are associated with the Organizational Industry Group they represent. Alternate members may not be a currently serving Term Member. Alternate members shall have the same voting authority when representing the Term Member. Term members and alternate members cannot represent more than one Organizational Industry Group.

5. Leadership

- a. *Officers:* A chairperson and a vice chairperson for the South Texas Waterway Advisory Committee shall be elected by a majority vote of the Term Members.
- b. *Executive Secretary:* An Executive Secretary, usually an unelected, non-voting member of the U. S. Coast Guard Command or other government agency, will provide administrative support to STWAC at no charge. Duties include; maintaining the membership listing, recording and emailing meeting minutes, distributing announcements and agendas for meetings, distributing other materials, and acting as general records custodian for STWAC.
- c. *Steering Group:* The Steering Group is a group comprised of up to six members including the chairperson, vice chairperson, the non-voting executive secretary and up to three elected Term Members. The group oversees the South Texas Waterways Advisory Committee and coordinates the agenda. The Term Members representing the Port of Corpus Christi and the Aransas-Corpus Christi Pilots shall serve as two Steering Group members.
- d. *Terms of Service:* The Chairperson and the Vice-Chairperson serve an initial two year term and are eligible to serve one additional two year term if nominated and re-elected by the Term Members. Other Term Members of the Steering Group serve annual terms and are eligible to serve up to four consecutive annual terms if nominated and re-elected by the Term Members. Term Members and their alternates are expected to attend and participate in regularly scheduled meetings. Members of the Steering Group/Term Members can be replaced prior to the expiration of their terms by the recommendation of the Chairperson and the majority vote of the Term Membership, if necessary, because of resignation, incapacitation, or lack of participation in the South Texas Waterways Advisory Committee. If the Term Members vote to replace a Term Member by majority vote, the affected Organizational Industry Group is to elect an Interim Term Member by the next regularly scheduled quarterly meeting to fulfill the remainder of the term. The Interim Term Member would be eligible for election for an initial two year

term at the term expiration and an additional two year term if nominated and re-elected.

6. Meetings

STWAC meetings will be planned by the Steering Group and are open to the public. Meetings will be held on a quarterly basis (3rd Thursday of the months January, April, July and October each calendar year) and more frequently if needed. STWAC meetings scheduled outside of the regular quarterly meetings require an agenda and meeting announcement be sent to the full membership two weeks in advance so that all concerned parties may be in attendance. Meetings of standing and ad-hoc committees will be held on an as-needed basis as determined by the committee chairperson, and may be open to the public if so decided by the committee members.

The chairperson shall conduct STWAC meetings in general accordance with *Robert's Rules of Order*; however, the Chair may deviate from such rules when necessary or desirable to more efficiently or effectively conduct the meeting. In those instances, where there is a deviation from *Robert's Rules of Order* and the respective business involves a vote, a 2/3rds majority shall be required for passage. Otherwise, the passage of any such business of the STWAC shall be by a simple majority so long as a quorum is on hand. A quorum is defined as a minimum of 80% of the Term Membership.

The Chairperson may be an elected representative of an Organizational Industry Group and one of the Term Members. In this instance, contrary to standard *Robert's Rules of Order*, the Chairperson will participate in votes of the Term Membership.

7. Principles

Broad membership and involvement in a non-exclusionary way is critical to organizational success. Standing and Ad-Hoc committee work shall be consensus driven. Once consensus in a standing or ad-hoc committee is reached on a working issue, findings and recommendations will be presented to the membership. Term members may challenge and question recommendations, but only the standing or ad-hoc committee that generated the recommendation or finding may change the content.

8. Committees

a. *Standing Committees:* These committees address *operating and safety* issues and concerns of the Port of Corpus Christi. Members shall have a direct connection to the committee through their personal expertise and/or responsibilities. Each committee will have a Chairperson approved by the Term Members. The standing committees are as follows:

(1) Vessel Movement Committee (Chairperson is the CC Director of Port Operations) - The committee is dedicated to maximizing safety, security and efficiency, while balancing the competing needs and uses of the waterways in the area of interest. Its efforts shall focus on supporting relevant regulations and recommendations associated with the safety of seafarers, vessels and the environment.

(2) Waterway Optimization/Dredging Committee (Chairperson is a representative of the Army Corps of Engineers) - The committee provides a forum to discuss, communicate, and as necessary make recommendations regarding dredging issues as related to safety and commerce within the area waterways.

(3) Waterways Suitability Assessment (Chairperson is the Presiding Officer of the A-CC Pilots)

(4) Marine Firefighting Committee – The committee identifies the need for marine firefighting capabilities, catalogs existing firefighting resources, identifies mechanisms for sharing of the existing firefighting resources, identifies future resources needed, and collaborates with the South Texas Coastal Zone Area committee (STCZAC) to provide recommendations to update the Area Contingency Plan’s firefighting annex.

b. *Ad-hoc Committees:* These committees are established and terminated on an as-needed basis to address specific issues. The chairperson of the Ad-hoc committee will be selected by the STWAC Chairperson and approved by the Term Members. Members should be linked to the committee's interests through their personal expertise or responsibilities.

9. Ad-Hoc Committee Process

a. Upon establishing an Ad-hoc committee the Executive Secretary shall give notice to all General Members via e-mail so that members may sign up for membership on the committee by giving notice of their intention to participate before the expiration of 14 days not including the day notice is given. Such notice of participation shall be provided to the Executive Secretary by return e-mail.

- b. Members who have not given Notice of Participation before the expiration of 14 days after notice has been given by the Executive Secretary may participate in the deliberation of the committee but may not vote.
- c. The Executive Secretary shall prepare and submit to the Ad-hoc Committee Chairperson, the Term Members, and the Ad-hoc Committee Members a list of all members who have given notice of participation within the time established to become a voting member.
- d. The Chairperson of an Ad-hoc Committee may not issue a call for a meeting of the committee before the expiration of the 14 day notice period.
- e. The Chairperson of the Ad-hoc Committee shall give proper advance notice of all meetings to members of the committee and to the Executive Secretary.
- f. The Executive Secretary shall give timely, written notice of all meetings called by the Ad-hoc Committee Chairperson to all Term Members.
- g. At the first meeting of the Ad-hoc Committee each voting member of the committee shall declare to the committee and Chairperson which operating group they represent. The Chairperson will make such declaration a permanent part of the records of the committee.
- h. Each represented operating group shall designate a voting member and an alternate. Such designation shall be entered into the permanent records of the committee by the Chairperson.
- i. Recommendations of the committee shall whenever possible be established by a consensus. As noted in Section 7 above a simple majority vote is a default after there is agreement that no additional progress can be made toward a consensus. Minority opinions shall be noted in the records and reported out to the organization and to any regulatory body that had requested an Ad-hoc Committee effort.
- j. On motion of any voting member of the Ad-hoc Committee to re-open a matter already voted upon, the decision to re-open such matter shall be made at a properly noticed meeting and will require a vote of a two-thirds majority of voting members of the Ad-hoc Committee.
- k. When non-STWAC members request participation on a committee, the Chairperson shall decide whether such member will be allowed to present an issue to the Ad-hoc committee. At the discretion of the Chairperson, such special interest entities may be allowed to make a presentation, however the entire membership of the Ad-hoc committee will determine to what extent such an entity is allowed to participate in discussion and/or deliberations.

10. Charter Revisions/Amendments

The South Texas Waterways Advisory Committee at its discretion may determine that a revision of this charter is necessary and, by recommendation by the Chairperson and the majority vote of the Term Membership, establish an Ad-hoc Committee to revise the charter. Amendments to the charter will require notice prior to a regular quarterly meeting. The Amendments will be reviewed with the membership at the regular quarterly meeting. A two-thirds majority vote of the Term Members is required for approval – such votes to be taken after the review of the proposed changes at the initial meeting and one quarterly or specially scheduled successive meeting.