Indian River Lagoon
National Estuary Program
Hosted by the IRL Council,
An Independent Special District of the State of Florida

The Indian River Lagoon
Makes Us All Neighbors

“One Lagoon – One Community – One Voice”
IRL Council Policy
IRLNEP Management Conference

IRLNEP Policy and Volunteer Orientation Document

Final Policy Document Adopted on _______________ by IRL Council Board of Directors

Abbreviations Used in this Document

ANEP: Association of National Estuary Programs
CCMP: Comprehensive Conservation and Management Plan
CAC: Citizen Advisory Committee
DSC: Daytona State College
EFSC: Eastern Florida State College
EPA: Environmental Protection Agency
ERAU: Embry-Riddle Aeronautics University
Emeritus: STEM AC members who are retired from their organizations
FAU: Florida Atlantic University
FFWCC: Florida Fish and Wildlife Conservation Commission
FIT: Florida Institute of Technology (Florida Tech)
FOS: Florida Oceanographic Society
HBOI: Harbor Branch Oceanographic Institution
HSWRI: Hubbs-SeaWorld Research Institute
Independent: STEM AC members from industry or independent sector
IRLNEP: Indian River Lagoon National Estuary Program
IRL2: Indian River Lagoon Innovators and Investors Network
IRSC: Indian River State College
MDC: Marine Discovery Center
MRC: Marine Resources Council
NOAA: National Oceanic and Atmospheric Administration
ORCA: Ocean Research and Conservation Association
SFWMD: South Florida Water Management District
SJRWMD: St Johns River Water Management District
STEM AC: Science, Technology, Engineering and Modeling Advisory Committee
SWCD: Soil and Water Conservation District
TNC: The Nature Conservancy
UCF: University of Central Florida
INTRODUCTION
This IRL Council policy document was developed during FY 2015-2016 as a focused and detailed policy document to guide the Indian River Lagoon National Estuary Program (IRLNEP) Management Conference, its volunteers and stakeholders.

The successful restoration and long-term stewardship of the IRL requires that the IRLNEP Management Conference be science-based, consensus driven and outcome-oriented. With 1.6 million residents in 45 cities and 5 counties, the IRLNEP Management Conference must strive to have broad, inclusive and diverse representation from individuals, scientists and stakeholders representing the public, private, and independent sectors.

The Indian River Lagoon National Estuary Program (IRLNEP) Management Conference framework consists of the following structural and advisory components. Functional relationships among these advisory committees will be detailed later in this document
- IRL Council Board of Directors (Governance & Policy)
- Management Board and Financial Sub-Committee of the Management Board (Advisory to the IRL Council)
- Science, Technology, Engineering & Modeling Advisory Committee (STEM AC) (Advisory to the Management Board and IRL Council)
- Citizens Advisory Committee (CAC) (Advisory to the Management Board and IRL Council)

This new IRLNEP Management Conference structure was chosen because it delivers a network governance model that allows for expanded and enhanced communication and collaboration across the diverse IRL community (citizens, scientists, community leaders, resource managers and IRL stakeholders).

In addition to IRL Council-appointed advisory boards and committees, the IRLNEP will work throughout the 5-county IRL region to engage scientists, technology experts, engineers, ecosystem monitors, modelers and mappers, citizens and other stakeholders to work closely with the IRLNEP in fact-finding to support science-based and informed decision making. These fact-finding sectors include local citizens, the at-large scientific and technical community, and interested businesses.

To encourage and provide an open exchange of ideas with representatives from private-sector industries, the IRLNEP created the Indian River Lagoon Innovators and Investors Network (IRLI²) with the following mission statement: Members of the IRLI² Network are dedicated to linking innovation in thought, knowledge, science, and technology to identify and implement solutions to complex problems facing the Indian River Lagoon. This private-sector support is essential to provide opportunities for the IRLNEP to better understand and explore high-risk, high-reward opportunities to revolutionize ecosystem management and stewardship on a local to global scale. With support from individual, corporate and community innovators and investors, the IRLNEP will work to advance a bold vision for Florida as the first clean water state in the nation.
This IRLNEP policy document will serve as a Management Conference policy guide for the program. Secondarily, the document will be presented to all IRLNEP volunteers as a general orientation document. The document will be posted on the IRLNEP website www.irlcouncil.com and made available to all interested citizens and parties. The document will be reviewed by IRLNEP staff annually and may be updated from time-to-time as needed. All document updates will be reviewed by the Management Board, CAC and STEM AC prior to final policy decisions by the IRL Council Board of Directors.

SOME BASIC PROGRAM FACTS
The IRL Council was created as an independent Special District of the State of Florida by Interlocal Agreement. The agreement was dated February 19, 2015 and became effective on February 24, 2015. The original Interlocal Agreement was first amended and restated on 8 September 2015 to add the Indian River County Lagoon Coalition composed of the Cities of Sebastian, Vero Beach and Fellsmere. Leadership from these cities joined the IRL Council to provide representation from Indian River County to the IRLNEP. The first amended Interlocal Agreement provided language for Indian River County to join the IRL Council at a future date. At the time of this policy draft, it is anticipated that Indian River County will replace the IRC Lagoon Coalition on the IRL Council Board of Directors effective June 2017.

During FY 2015-2016, the IRL Council was represented by Volusia County, Brevard County, IRC Lagoon Coalition, St. Lucie County, Martin County, St. Johns River Water Management District, South Florida Water Management District and the Florida Department of Environmental Protection. Each IRL Council member agreed in the Interlocal Agreement to provide annual financial contributions to support the work of the IRL Council and Indian River Lagoon National Estuary Program. The U.S. Environmental Protection Agency served as a financial contributor to the IRLNEP to fulfill IRLNEP annual work plan grant submissions and in a federal advisory role to the IRL Council and IRLNEP.

The IRL Council is governed by written By-Laws, Personnel Policies and Operating Policies. All policy documents are posted on the IRL Council website (www.irlcouncil.com).

The IRL Council operates in compliance with Chapter 189, Florida Statutes — Uniform Special District Accountability Act. Public disclosure of specific information is required by Chapter 189.
For FY 2015-2016. The following information was disclosed on the IRL Council website (http://itsyourlagoon.com) pursuant to Florida Law. This information will be updated by IRLNEP staff no later than 10 days after a program change has occurred. Relevant Florida public records laws will also be posted on the website.

- **Full Legal Name:** IRL Council
- **Public Purpose:** To sponsor and be responsible for the Indian River Lagoon National Estuary Program, whose goals are: 1. To attain and maintain water and sediment of sufficient quality to support a healthy estuarine lagoon ecosystem; 2. To attain and maintain a functioning, healthy ecosystem which supports endangered and threatened species, fisheries, commerce and recreation; 3. To achieve heightened public awareness and coordinated interagency management of the Indian River Lagoon ecosystem; and 4. To identify and develop long-term funding sources for prioritized projects and programs to preserve, protect, restore and enhance the Indian River Lagoon.
- **Boundaries/Service Area:** The geographic territory of the IRL Council is situated within the counties of Volusia, Brevard, Indian River, St. Lucie and Martin.
- **Services Provided:** Sponsor of the Indian River Lagoon National Estuary Program.
- **Charter/Creation document:** Executed Indian River Lagoon Interlocal Agreements. Interlocal Agreements available on the website.
- **Statute or Statutes under which the Independent Special District operates, if different from the Statute or Statutes under which the Independent Special District was Established:** Chapter 189, Florida Statutes — Uniform Special District Accountability Act. The appropriate FL statute link will be available on the website.
- **Date Established:** February 24, 2015.
- **Establishing Entities:** Volusia County, Brevard County, St. Lucie County, Martin County, Florida Department of Environmental Protection, St. Johns River Water Management District and South Florida Water Management District.
- **Modifications:** The Interlocal agreement was first restated and amended in 2015 to include the Indian River County Lagoon Coalition as a IRL Council member with representation on the Board of Directors. The second Amended and Restated Indian River Lagoon National Estuary Program Interlocal Agreement replaced the IRC Lagoon Coalition with Indian River County as a voting member of the IRL Council in 2017.

- **IRLNEP Staff Contact information:**
  - Names: Duane E. De Freese, Ph.D., Executive Director
  - Belhaim "Frank" Sakuma, Jr., Chief Operating Officer
  - Kathy Hill, Ad-Comm Director
  - Address: 1235 Main Street, Sebastian, FL 32958
  - Email: info@irlcouncil.org
- **Website address:** www.irlcouncil.org
• **Registered Agent/Registered Office:** Carolyn S. Ansay, Esq., Northpoint Corporate Center, 701 Northpoint Parkway, Suite 209, West Palm Beach, FL 33407

• **Governing Body Members (2015-2016):**
  
  - **Name:** Councilman Douglas Daniels (Replaced FY 2016-2017 by Councilwoman Deb Denys)
  - **Address:** County of Volusia, 123 W. Indiana Avenue, Room 301, Deland, FL 32720
  - **Email:** ddaniels@volusia.org
  - **Term:** Until removed or replaced
  - **Appointing authority:** Volusia County Council
  - **Alternate:** Councilwoman Deb Denys New alternate Councilwoman

  - **Name:** Commissioner Curtis Smith
  - **Address:** Natural Resources Management Department, Attn: Natural Resources Management Office Director, Viera Government Center, 2725 Judge Fran Jamieson Way, Bldg. A, Viera, FL 32940
  - **Email:** D4.Commissioner@brevardcounty.us
  - **Term:** Until removed or replaced
  - **Appointing authority:** Brevard County Board of County Commissioners
  - **Alternate:** Commissioner Jim Barfield

  - **Name:** Commissioner Chris Dzadovsky
  - **Address:** St. Lucie County, County Administrator, 2300 Virginia Avenue, Fort Pierce, FL 34982
  - **Email:** dzadovskyc@stlucieco.org
  - **Term:** Until removed or replaced
  - **Appointing authority:** St. Lucie County Board of County Commissioners
  - **Alternate:** Name

  - **Name:** Commissioner Ed Fielding
  - **Address:** County Administrator Office, Martin County Administrative Center, 2401 SE Monterey Road, Stuart, FL 34996
  - **Email:** efieldin@martin.fl.us
  - **Term:** Until removed or replaced
  - **Appointing authority:** Martin County Board of County Commissioners
  - **Alternate:** Name

  - **Name:** Deputy Secretary Drew Bartlett
  - **Address:** Agency Clerk, Office of General Counsel, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000
  - **Email:** Drew.Bartlett@dep.state.fl.us
  - **Term:** Until removed or replaced
  - **Appointing authority:** Florida Department of Environmental Protection
  - **Alternate:** Name

  - **Name:** Douglas Bournique
  - **Address:** St. Johns River Water Management District, 4049 Reid St., Palatka, FL 32177
  - **Email:** dbournique@sjrwmd.com
  - **Term:** Until removed or replaced
  - **Appointing authority:** St. Johns River Water Management District
  - **Alternate:** Bill Tredik

  - **Name:** Kevin Powers
  - **Address:** South Florida Water Management District, Attn: Chief of Staff, 3301 Gun Club Road, MSC 3110, West Palm Beach, FL 33406
Email: kpowers@sfwmd.gov
Term: Until removed or replaced
Appointing authority: South Florida Water Management District
Alternate: Kathy LaMartina (SFWMD)

Name: Councilman Richard H. Gillmor (Replaced FY 2016-2017 by Vero Beach
Councilman Dick Winger
Address: City of Sebastian, 1225 Main Street, Sebastian, FL 32958
Email: rgillmor@cityofsebastian.org
Term: Until removed or replaced
Appointing authority: Indian River County Lagoon Coalition
Alternate: Name

• Revenue Information:
  ◦ Taxes, fees, assessments, or charges imposed and collected: None.
  ◦ Rates or amounts for the current fiscal year: None.
  ◦ Statutory authority for the levy of the tax, fee, assessment, or charge: None

Program revenues contributed by IRL Council members are identified through Interlocal Agreements. The Interlocal Agreements are available on the website.

• General Financial Information:
  ◦ Fiscal Year Period: October 1–September 30
  ◦ Tentative Budget: Tentative budget documents available on the website March 1 each year.
  ◦ Final adopted budget: Adopted budget documents available on the website June 1 each year.
  ◦ Budget amendments: Amended budget documents available on the website no later than 10 days after budget amendment adopted by IRL Council.
  ◦ Special District’s Annual Financial Report: Department of Financial Services website where the public can view the Special District’s Annual Financial Report, (per Section 218.32(1)(g), Florida Statutes — Annual financial reports; local governmental entities)
  ◦ If required, the final, complete audit report for the most recent completed fiscal year, and audit reports required by law or authorized by the governing body of the special district will be posted on or before June 30 following Fiscal year end: Complete audit report will be available after completion of the fiscal year. The IRL Council's first fiscal year began on 10/1/2015 and ends on 9/30/2016.

• Ethics
  ◦ Code of Ethics:
  ◦ Florida Special District Handbook Online: Ethics Laws and Disclosures
  ◦ Florida Commission on Ethics. This information and key support documents can be found on-line at www.irlcouncil.org.
BRIEF HISTORY

Congress established the National Estuary Program (NEP) in 1987 as a national center for innovation to protect and restore the water quality and ecological integrity of estuaries of national significance. Currently, 28 estuaries located along the Atlantic, Gulf, and Pacific coasts and in Puerto Rico are designated as estuaries of national significance. Four national estuary programs (e.g. Indian River Lagoon, Charlotte Harbor, Tampa Bay and Sarasota Bay) are located in Florida. Each NEP focuses within a study area that includes the estuary and its surrounding watershed.

The U.S. Environmental Protection Agency (EPA) participates in and administers the 28 NEPs. Each NEP consists of diverse local stakeholders who develop and implement a long-term Comprehensive Conservation and Management Plan (CCMP) based on local priorities to guide their efforts. The 28 NEPs are represented nationally by the Association of National Estuary Programs (ANEP), a non-profit organization dedicated to the preservation and restoration of our nation’s bays and estuaries (http://nationalestuaries.org).

The NEPs use a collaborative and consensus-building approach to ecosystem management by involving community members in the decision-making process. Decisions are made locally. Each NEP is composed of representatives from federal, state and local government agencies, local residents, business leaders, educators and researchers that all work within a program framework called the Management Conference.
What is a NEP?

- EPA’s National Estuary Program is a **non-regulatory program** established by Congress that works to improve the waters, habitats and living resources of 28 estuaries across the country.

- Each NEP consists of **diverse local stakeholders** who develop and implement a long-term plan (called a **CCMP**) based on local priorities to guide their efforts.

- The NEPs use a **collaborative and consensus-building** approach by involving **community** members in the decision-making process.

The IRLNEP was established in 1991, hosted by the St. Johns River Water Management District, and operated with the guidance of the IRL Advisory Board. Over its 25-year history, approximately $27 million of federal funds were provided by the U.S. EPA from §320 Clean Water Act funds, and used for restoration, science and education/outreach projects throughout the 5-county IRL region (e.g. Volusia, Brevard, Indian River, St. Lucie and Martin Counties).

In 2015 the IRL Advisory Board developed an Interlocal agreement for the formation of a new Florida Independent Special District, the “IRL Council”, to sponsor and carry out the goals of the IRLNEP. Recognition of the IRL Council as the new host of the IRLNEP was made by the U.S. EPA on January 8, 2016.

During its first fiscal year of operations (FY 2015-2016: October 1, 2015 – September 30, 2016), the IRL Council has focused on IRLNEP restructuring, responding to citizen and community concerns about declining IRL ecosystem health and positioning the new IRLNEP for success.

VISION: One Lagoon – One Community – One Voice

MISSION: The IRL Council and IRLNEP Goals as stated in the IRL Council By-Laws are to:

- Attain and maintain water and sediment of sufficient quality to support a **healthy estuarine ecosystem**.
- Attain and maintain a functioning, healthy ecosystem which supports **endangered and threatened species, fisheries, commerce and recreation**.
• Achieve **heightened public awareness** and **coordinated interagency management** of the Indian River Lagoon ecosystem; and

• Identify and develop **long-term funding** sources for **prioritized projects** and programs to preserve, protect, restore and enhance the Indian River Lagoon.

To ensure that these goals are achieved, a primary function of the newly reformed IRLNEP is to implement a full revision of the IRLNEP Comprehensive Conservation and Management Plan (CCMP) and to take actions to implement the CCMP.

**ENHANCED LOCAL ENGAGEMENT LEADS TO IRLNEP RE-ORGANIZATION**

The continuous decline of IRL health over the past 2 decades and ecological regime shift to a plankton-driven ecosystem that occurred in 2011, led to the formation of an IRL County Collaborative, composed of representatives from Volusia, Brevard, Indian River, St. Lucie and Martin Counties. The goal of the collaborative was to enhance and expand local engagement in IRL water quality restoration issues (2013). These open public discussions, led to a coalition of federal, state, regional and local agencies dedicated to reassessing our approach to IRL restoration and stewardship with greater participation and leadership at the local community level. Ultimately, a new Independent Special District of the State of Florida was formed that was dedicated exclusively to the Indian River Lagoon (IRL Council). The primary function of the IRL Council was to serve as the new host and funding organization for a reorganized Indian River Lagoon National Estuary Program (IRLNEP).

On February 24, 2015, the new IRL Council became effective. On January 8, 2016, the IRL Council was officially designated by the U.S. Environmental Protection Agency as the new host organization for the IRLNEP. The IRL Council began reorganizing the Management Conference structure of the IRLNEP during its first fiscal year (October 1, 2015-September 30, 2016). The reorganization was completed during that first fiscal year.

Volunteers within the IRLNEP Management Conference are an essential part of the IRLNEP reorganization and new vision. The following provides a list of progress to date:

• IRL Council was created as a new Florida Special District through Interlocal Agreement (February 2015).

• IRL Council Amended Interlocal Agreement (September 2015) to add Indian River County Lagoon Coalition (formed May 2015 by Cities of Sebastian, Fellsmere & Vero Beach).

• IRL Council first fiscal year began October 1, 2015.

• IRLNEP Annual Funding Structure Pursuant to the 2015 Interlocal Agreement (effective date 24 February 2015) and as Amended (8 September 2015).
- **US EPA**: $600,000 annually for FY 2015-2016 and 2016-2017. Future funding pursuant to Section 320 Clean Water Act and Congressional Appropriations. IRLNEP funding secured through annual Work Plan submission to EPA (deadline June 1).
- **SJRWMD**: $500,000 annual contribution pursuant to Interlocal Agreement.
- **SFWMD**: $500,000 annual contribution pursuant to Interlocal Agreement.
- **FL Department Environmental Protection**: $250,000 annual contribution pursuant to Interlocal Agreement.
- **Volusia County**: $50,000 annual contribution pursuant to Interlocal Agreement.
- **Brevard County**: $50,000 annual contribution pursuant to Interlocal Agreement.
- **Indian River County Lagoon Coalition (Cities of Vero Beach, Sebastian & Fellsmere)**: $50,000 annual contribution pursuant to Interlocal Agreement.
- **St. Lucie County**: $50,000 annual contribution pursuant to Interlocal Agreement.
- **Martin County**: $50,000 annual contribution pursuant to Interlocal Agreement.
- The IRLNEP may secure additional program and project funding from grants, contracts, philanthropic donations, and annual revenues from the sale of the Indian River Lagoon specialty license plate. In June 2016, the Canaveral Port Authority dedicated $100,000 to the education and outreach mission of the IRLNEP and became the first member of the Indian River Lagoon Innovators and Investors (IRL²) group.
- **IRLNEP relocates offices to City of Sebastian (December 2015).**
- **US EPA Recognizes IRL Council as new IRLNEP Host (01/08/2016).**
- **IRL-NEP completes transfer of assets and existing contracts from SJRWMD to IRL Council (January 2016).**
- **IRLNEP activities in progress for FY 2015-2016**
  - FY2015-2016 Work Plan Amendment and Implementation
  - FY2016-2017 Work Plan Development (due at EPA June 1, 2016).
  - IRLNEP Management Conference Development.
  - CCMP Revision Initiated.
The IRLNEP reorganization is based on core values that the IRL Council believes are essential to a successful IRLNEP. The key is to deliver high return on investment value.

Pathway to Success – Core Elements:

- Focus on IRL Watersheds and Whole Ecosystem
  - IRL management areas shall be based on watershed and ecosystem boundaries, not political jurisdictions.
  - Community Culture: “One Lagoon – One Community – One Voice”
- Integrate Science into Decision-Making
  - IRLNEP decisions shall be based on best available science and information.
- Foster an Environment for Collaborative and Innovative Problem Solving
  - IRLNEP governance structure shall bring together Diverse Stakeholders throughout the IRL Region to facilitate collaborative decisions.
- Involve and Engage the Public
  - The IRLNEP shall recognize the public as its most valuable asset for support and implementation.
  - The IRLNEP shall strive to include diverse community representation and provide easy public access to events, documents and IRLNEP staff.
IRL COUNCIL RESPONSIBILITIES
(PER INTERLOCAL AGREEMENT AND BYLAWS)

IRL Council roles and responsibilities are detailed in the Interlocal Agreement, By-Laws and Operating Procedures documents. Documents are available on the IRLNEP website (www.itsyourlagoon.org). The following information highlights important information from those documents that will be useful to new IRLNEP Management Board members.

The IRL Council shall:
- Serve as host agency for IRLNEP.
- Serve as the primary Governance & Policy Board.
- Appoint members of the Management Board.
- May create and dissolve additional Committees and Boards through a defined process.
- Must approve members of all Committees and Boards through a defined process.
- Will address proposed changes to the Interlocal Agreement through a defined process with Management Conference participation and citizen input.

IRLNEP MANAGEMENT CONFERENCE: ROLES & RESPONSIBILITIES
The IRL Council will work to provide opportunities for Diverse Community Representation in the IRLNEP Management Conference.

IRL Council appointments to IRLNEP Boards and Committees shall:
- Be guided by five considerations: individual expertise, experience, interest, engagement and willingness to serve.
- Strive to achieve balanced geographic representation, strategic and complementary knowledge, and a diversity that reflects the IRL region and its communities.
- Provide public access pursuant to the provisions of the Americans with Disabilities Act.
- Be flexible and adaptive to citizens, stakeholders and constituencies that seek opportunities to serve in a productive and positive way to enhance the Management Conference goals to protect and restore the IRL.
- Provide an open solicitation process to identify citizens and stakeholder groups interested in participating in the Management Conference.
- IRLNEP Management Conference will (at a minimum) include IRL Council, Management Board and Management Board Financial Advisory Subcommittee (MB), Citizens’ Advisory Committee (CAC), and Science, Technology, Engineering & Modeling Advisory Committee (STEM AC).
- Meeting Attendance: Management Conference volunteers identified and appointed by the IRL Council are expected to be actively involved. Board and advisory committee members who cannot attend scheduled meetings are expected to provide written notice to staff at least 24 hours before the start of the meeting. Written communication of an “emergency” absence at any time constitutes an excused absence. These are considered excused absences. If a Board or
Committee member has three consecutive unexcused absences, the committee may request that the IRL Council terminate the appointment and make a replacement.

IRL COUNCIL MANAGEMENT CONFERENCE
General Process Guidance from EPA: The Clean Water Act (§320; 33 U.S. Code Section 1330) provides direction on those who, at a minimum, must be represented in the NEP Management Conference.

The members of a management conference convened under this section shall include, at a minimum, the Administrator and representatives of:

- Each State and foreign nation located in whole or in part in the estuarine zone of the estuary for which the conference is convened;
- International, interstate, or regional agencies or entities having jurisdiction over all or a significant part of the estuary;
- Each interested Federal agency, as determined appropriate by the Administrator;
- Local governments having jurisdiction over any land or water within the estuarine zone, as determined appropriate by the Administrator; and
- Affected industries, public and private educational institutions, and the general public, as determined appropriate by the Administrator.

QUESTIONS FROM EPA AS THE IRLNEP RESTRUCTURED ITS MANAGEMENT BOARD
Q. How does IRL Council ensure all constituents are represented on the various Boards and Committees?
A. Board and Committee appointments were guided by five considerations: expertise, experience, interest, engagement and willingness to serve. Board and Committee composition shall strive to achieve balanced geographic representation, strategic and complementary knowledge, and a diversity that reflects the IRL region and its communities. The IRL Council will provide public access pursuant to the provisions of the Americans with Disabilities Act.

Q. How do citizens who may not be politically connected find a seat on the CAC? STEM AC?
A. CAC and STEM AC meetings will be open meetings with advanced public notice. All meetings will be open to the public with citizen comment as part of the meeting agenda. CAC meetings will rotate throughout the IRL region to promote public access. STEM AC seats were identified by STEM organizations. CAC members were chosen by a pool of applicants that applied on-line through the www.irlcouncil.com website.
Q. Appointments to each Board and Committee are at the discretion of the IRL Council Board of Directors. This might be perceived as autocratic. How will you address the optics?

A. Members of the IRL Council are elected officials and high-level public servants. Appointment to each Board and Committee will follow a definitive process authorized by the IRL Council that will be discussed in a public meeting with public comment before the process is adopted.

THE NEW IRLNEP MANAGEMENT CONFERENCE

IRLNEP MANAGEMENT CONFERENCE DEFINITIONS

• **Boards**: Comprised of individuals from the public, independent, and industry sectors with responsibility to provide policy guidance to the IRL Council. Board members shall have policy recommendation authority and be governed by the Florida Sunshine Laws.

• **Committees**: Comprised of individuals from the public, independent and industry sectors with responsibility to provide facts, information and strategic guidance to the IRL Council. Members of the STEM AC and CAC work directly with IRL Council staff and will provide policy recommendations, program/project priorities and funding recommendations. Committee members shall have policy recommendation authority and be governed by the Florida Sunshine Laws.

• **Subcommittees**: Subcommittees may be formed at any board or committee level within the Management Board structure. Subcommittee members shall have advisory authority and shall be governed by the Florida Sunshine Laws.

• **At-Large Scientists and Citizens**: At-Large Scientists and Citizens are encouraged to participate at any level within the Management Conference for fact finding and informational gathering purposes. IRLNEP At-Large Scientists will be recognized as “Contributing Scientists & Engineers”. IRLNEP At-Large Citizens will be recognized as “IRL Citizen Ambassadors”. At Large participants in the IRLNEP process function in a non-advisory role to the IRL Council for fact-finding and information gathering purposes only, therefore they are exempt from Florida Sunshine Laws. Access to all Management Conference meetings will be open to the public.

• **Special Task Forces**: From time to time, Task Forces may be established to provide topic-specific and time-specific guidance to the IRL Council regarding specific issues or actions. The IRL Council will seek legal counsel opinion for each Task Force and its specific charge to determine application of Florida Sunshine Law.

• **Florida Sunshine Law**: Florida's Government-in-the-Sunshine Law was enacted in 1967. Today, the Sunshine Law regarding open government can be found in Chapter 286 of the Florida Statutes. These statutes establish a basic right of access
to most meetings of boards, commissions and other governing bodies of state and local governmental agencies or authorities. To assist the public and governmental agencies in understanding the requirements and exemptions to Florida's open government laws, the Florida Attorney General's Office compiles a comprehensive guide known as the Government-in-the-Sunshine manual. A PDF version of the manual can be downloaded at [http://www.myfloridalegal.com/sun.nsf/sunmanual](http://www.myfloridalegal.com/sun.nsf/sunmanual).

- **Florida Public Records Law**: Section 119.011(12), Florida Statutes, defines "public records" to include:

All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business which are used to perpetuate, communicate or formalize knowledge. *Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc.*, 379 So. 2d 633, 640 (Fla. 1980). All such materials, regardless of whether they are in final form, are open for public inspection unless the Legislature has exempted them from disclosure. *Wait v. Florida Power & Light Company*, 372 So. 2d 420 (Fla. 1979). Accordingly, "the form of the record is irrelevant; the material issue is whether the record is made or received by the public agency in connection with the transaction of official business." Op. Att'y Gen. Fla. 04-33 (2004). ([https://www.floridabar.org/](https://www.floridabar.org/)).

**Ensuring Broad Public Participation & Representation within the IRLNEP Management Conference**

- Management Board members will be chosen from a diverse pool of agencies, organizations and stakeholders that have direct involvement with IRL resource management, restoration, policy development or regulation. Board composition will address federal, state, regional and local perspectives and strive to achieve balanced representation. A Subcommittee will be formed within the Management Board to provide financial advice and oversight (Financial Subcommittee).
- Science, Technology, Engineering & Modeling Advisory Committee (STEM AC) and Citizens Advisory Committee (CAC) will be chosen from two pools of potential candidates: 1. Known individuals actively working on IRL programs, projects and issues. 2. Interested individuals who respond to a public solicitation from the IRL Council for interested participants. A short application form will be required.
- The IRL Council and Management Board will evaluate candidate pools and make selections based on the following: 1. Individual expertise, experience, interest, engagement, & willingness to serve; and 2. Balanced geographical representation.
Interested individuals who are not invited to serve within the formal Management Conference structure will be considered members of the “At-Large” communities and will be treated as interested and valued members of the IRL Council/IRLNEP community support base.

IRLNEP Management Conference and Network Governance (Information for this section has been derived and modified from a special issue of the Ecological Society of America peer reviewed scientific journal, Frontiers in Ecology (Issue 3, Volume 14, April 2016) focused on new models of natural resources governance.

The IRLNEP Management Conference shall strive to become an innovative model for network governance by adhering to principles that include, but are not limited to:

- Recognition that the scale & complexities of natural resource management require that individuals and organizations:
  - Work across agencies, jurisdictions, and land ownerships.
  - Exchange ideas, build relationships, identify common interests, explore options.
  - Work together and solve problems of mutual interest.
  - Recognize that we cannot solve a particular problem or issue by working alone.

- Recognition that stewardship of a large and complex ecosystem like the IRL will require three types of leadership
  - Collaborative Leadership: Network members have leadership functions at different points in time.
  - Distributive Leadership: Network processes provide local opportunities for members to act proactively for the benefit of the network.
  - Architectural Leadership: The structure of the network is intentionally designed to allow network processes to occur.

- A commitment to foster an organizational work environment that promotes and encourages collaboration, open communication, cooperation and inclusive participation among public, private and independent sectors throughout the Indian River Lagoon region.

- Leadership that advances the shared interests of the IRLNEP network, in contrast to a gathering of stakeholders with similar objectives.

- Working together as “One Lagoon – One Community – One Voice”.
ROLE AND RESPONSIBILITIES OF IRL COUNCIL BOARD OF DIRECTORS

The IRL Council Board of Directors shall serve as the governance and policy board of the IRL Council and IRLNEP Management Conference. Sections 5.1 and 5.2 of the Interlocal Agreement define the role and responsibilities of the IRL Council as follows:

5.1 IRL Council. The Parties agree to the formation of the IRL Council to carry out the Indian River Lagoon National Estuary Program.

5.2 IRL Council Authority & Powers. The IRL Council will have the following powers:

(a) To employ personnel to carry out the functions of the IRL Council and to determine, adopt and implement a personnel policy for the recruitment, retention, supervision, discipline, evaluation and compensation of employees;

(b) To make purchases and enter into contracts in the name of the IRL Council, which will not constitute obligations of the Parties individually;

(c) To purchase, lease, receive or otherwise acquire, own, hold, sell, convey, dispose,
divert or distribute real or personal property;

(d) To accept gifts, aid, grants, assistance funds or bequests, from any source, public or private with the specific and sole purpose to advance IRL Council and IRLNEP goals as stated in the IRL Council Interlocal Agreement, By-Laws, Comprehensive Conservation and Management Plan or other formal documents developed by the IRLNEP Management Conference and adopted by the IRL Council.

(e) To sue and be sued, complain and defend in its own name in all forums, notwithstanding the immunity protections provided by law;

(t) To adopt policies and procedures pertaining to any of its operations;

(g) To exercise all privileges, immunities and exemptions accorded to Parties individually under law;

(h) To appoint advisory, administrative or operating committees to assist the IRL Council in the exercise and performance of the powers and duties provided for under this Agreement;

(i) To appear on its own behalf before boards, commissions, departments or other agencies of municipal, county, state or federal government. The unified position of the IRL Council shall be communicated and conveyed by the Executive Director as directed by the IRL Council.

(j) To exercise all other powers as may reasonably be implied under this Agreement and/or necessary to carry out the purposes of the IRL Council.

The IRL Council will not have the power to promulgate, issue or make rules or regulations, issue bonds, levy taxes, charge rates, fees or rents, condemn or assume any additional governmental powers by the other Parties except as specifically allowed by the Interlocal Agreement, By-Laws and Written Policies.
ROLE AND RESPONSIBILITIES OF MANAGEMENT BOARD

- The primary function of the Management Board is as advisors to the IRL Council with primary functions to arrive at consensus in implementing plans to reduce IRL stressors, agree to goals and performance metrics, assume responsibility for attaining goals, and support efforts to fund and implement projects to the greatest extent in recognition of the public trust and associated fiduciary responsibilities.

- A minimum of twenty-four (24) members of the Management Board are appointed by the IRL Council based on a strategic and balanced delivery of stakeholder experience, expertise and authority. Each IRL Council Board member makes recommendations for appointments. The Management Board usually includes mid-level agency managers and technical staff, especially those associated with IRL Council/Policy Board agencies. Two (2) Management Board member positions are reserved for the designated chairs of the STEM AC and CAC.

- Defines and ranks the problems of the watershed, develops management strategies, and works with IRL Council staff to oversee development of the Comprehensive Conservation and Management Plan (CCMP) and its components.

- May recommend who should serve as members of the various advisory boards and committees.

- Works with IRL Council staff to develop and oversee annual work plan and budget, provide subject matter expertise used in ranking work plan proposals.
monitor all resource and funding allocations, oversee program implementation and monitor environmental results.

• A Financial Subcommittee of the Management Board (FSC) and a Chair and Co-Chair of the FSC shall be identified by the Management Board to provide advice and oversight to Management Board and IRL Council on any and all IRLNEP financial matters.

• Serve as ad hoc task force members along with other representatives of the Management Conference to evaluate and rank project proposals, assist and serve on special projects and review proposals submitted by potential contractors for professional services.

ROLE AND RESPONSIBILITIES OF THE FINANCIAL SUBCOMMITTEE OF THE MANAGEMENT BOARD (FSC)

– The FSC provides senior level financial management and accounting advice to the IRL Management Conference.

– A secondary broad responsibility is to assist the IRLNEP with major donor identification, cultivation and stewardship.

– The FSC is composed of a minimum of 5 members of the Management Board, all of whom take a special financial interest in the IRL Council and IRLNEP program evolution, growth and responsible use of public and private funds.

– Members are upper- to mid-level financial managers from the public or private sector, and may be associated with IRL Council agencies and organizations.

– FSC appointees may come from the financial management and accounting communities, both public and private, and hold senior positions in accounting or in financial, technology, or executive management.

– The FSC meets quarterly with the Management Board, or as needed by the IRL Council and IRL staff, to offer financial guidance on all aspects of project and program delivery.

– FSC specific responsibilities include, but are not limited to
  o Providing assistance in development of an annual operating budget with staff.
  o Providing financial guidance for the IRL Economic Value Assessment to be conducted every 5 years.
  o Monitoring adherence to the budget and sound fiscal management of public funds
  o Assisting in determining long-range financial goals along with funding strategies to achieve them.
  o Helping develop annual and multi-year operating budgets that integrate strategic plan objectives and initiatives.
  o Providing assistance with major donor development and financial oversight on responsive application of philanthropic gifts.
  o Assisting IRLNEP staff with development of financial goals, budgets and proposals for Management Board consideration and approval prior to presenting advisory position to IRL Council.
o Assisting and serving on selection committees as needed to review proposals for professional services.

ROLE AND RESPONSIBILITIES OF IRLNEP SCIENCE, TECHNOLOGY, ENGINEERING & MODELING (STEM) ADVISORY COMMITTEE

• The STEM AC consists of representatives from the scientific and technical community working at local, regional, state and federal agencies, academic institutions and industry. The goal is to provide broad network representation throughout the scientific and technical communities of the IRL region.
• STEM AC representatives possess documented scientific or technical expertise which provides the best scientific information to evaluate complex environmental issues involving IRL restoration and protection. STEM AC representatives shall serve as an open, effective, efficient and 2-way communication node with the scientific and technical communities at large. Various ad hoc task forces may be created by the STEM AC as needed.
• At all levels, the STEM AC ensures that IRLNEP plans and resulting actions are science-driven, strategic, project-oriented and accountable.
• The STEM AC:
  – Recommends scientific studies, investigations, sampling and monitoring programs, and restoration strategies to the Management Board that are necessary to determine the causes of observed or perceived environmental problems and provide solutions to those problems.
  – Alerts Management Board to emerging problems, issues and trends.
  – Recommends specific scientific actions and activities necessary to meet objectives established by the IRLNEP CCMP. This includes science guidance for the IRL Ecosystem Health Assessment.
  – Conducts and/or commissions peer-reviews of studies, reports, engineering solutions, technologies and methodologies necessary to understand IRL status, conditions and trends as well as models for predicting future conditions.
  – Reviews the development of Requests for Proposals for scientific and technical projects and studies.
• The STEM AC Chair sits on Management Board.
ROLE AND RESPONSIBILITIES OF IRLNEP CITIZENS ADVISORY COMMITTEE

- Includes broad and diverse representation from the public at large with key representatives from local IRL communities, IRL stakeholder groups, non-profit organizations and engaged citizens.
- Citizens interested in participating in the CAC will be identified through a two-pronged IRLNEP process that includes strategic stakeholder identification and appointments coupled with an open public solicitation process to identify general citizens interested in participating in the CAC.
- CAC meetings will be open to all interested citizens, stakeholders and organizations. Essential stakeholder representation on the committee shall include K-12 education, IRL-related tourism, recreational fishing, commercial fishing, and other interested industry/business representatives.
- Annually, a minimum of one “IRL Community Listening Event” will be hosted in each of the five counties of the IRL watershed to promote and enhance local citizen access, participation and engagement opportunities.

- The CAC shall:
  - Work to ensure that the Management Board and program staff include the public in the decision-making process and integrate the public into each program phase.
  - Provide community guidance for the IRL Community Value Assessment.
– Recommend the most effective ways to inform the public and solicit its participation with a primary goal to create a well-informed IRL community throughout the entire IRL region.
– Assist in the development and implementation of public education and outreach events independently or in concert with other educational organizations and programs.
– Identify key people and organizations that can help bring watershed-related issues to the public’s attention and build support for program activities.
– Work in a positive spirit of community cooperation and collaboration within the IRLNEP Management Conference and throughout the Indian River Lagoon region to deliver the “One Lagoon – One Community – One Voice” message.

- The CAC Chair sits on Management Board.

ROLE AND RESPONSIBILITIES OF IRL INNOVATOR AND INVESTOR (IRLI²) NETWORK

- The IRLI² Network is composed of industry and community innovators and investors who have pledged direct and/or in-kind resources to the IRLNEP to help
achieve IRLNEP Mission Goals as stated in the IRL Council Interlocal Agreement to:

- Attain and maintain water and sediment of sufficient quality to support a healthy estuarine ecosystem.
- Attain and maintain a functioning, healthy ecosystem which supports endangered and threatened species, fisheries, commerce and recreation.
- Achieve heightened public awareness and coordinated interagency management of the Indian River Lagoon ecosystem; and
- Identify and develop long-term funding sources for prioritized projects and programs to preserve, protect, restore and enhance the Indian River Lagoon.

• Members of this distinguished IRL community network are dedicated to linking innovation in thought, knowledge, science, technology and community spirit to identify and implement solutions to complex problems facing the Indian River Lagoon. This private-sector support is essential to provide opportunities for the IRLNEP to better understand and explore high-risk, high-reward opportunities to revolutionize ecosystem management and stewardship on a local to global scale. With support from individual, corporate and community innovators and investors, the IRLNEP can work to advance a bold vision for Florida as the first clean water state in the nation.

IRL MANAGEMENT CONFERENCE AND ADVOCACY

The IRL Council and all members of the IRLNEP Management Conference and staff shall not represent the IRL Council and/or the IRLNEP in public testimony without specific direction and authorization from the IRL Council. Specific non-advocacy policies and guidelines are posted online in the IRL Council By-Laws and policy documents.

Key IRLNEP Management Conference considerations include recognition that:

- The foundation for a successful IRLNEP is that it is non-regulatory, science-driven, collaborative, consensus-driven, inclusive and dedicated to providing connected leadership throughout the IRL region among scientists, citizens, stakeholders and policy makers.
- A long-standing cornerstone of National Estuary Programs is the application of a network governance model to seek innovative solutions to complex problems facing our Estuaries of National Significance.
- The Council, its staff, the Management Board and all IRLNEP Committees created by the Council (“IRLNEP Management Conference”) shall maintain scientific integrity, honesty and mutual respect as the cornerstone of the IRLNEP.
- Individual members of the boards and committees that make up the Management Conference shall not represent the IRL Council or IRLNEP unless authorized in writing by the IRL Council Board of Directors. At no time, shall the IRL Council, its staff and IRLNEP Management Conference support or oppose specific projects or regulatory permits for specific projects.
At times, the IRL Council may want to provide recommendations for: 1. New policies or amendments to existing policies at local, state and federal levels; 2. Specific IRL restoration, research and citizen engagement programs and/or projects that are identified in and support the IRLNEP Comprehensive Conservation and Management Plan; and 3. Specific public and private funding initiatives to implement specific programs and/or projects that are identified in and support the IRLNEP Comprehensive Conservation and Management Plan. These IRL Council recommendations shall be reviewed within the IRLNEP Management Conference to determine Management Conference consensus prior to making recommendations or taking actions.

The Indian River Lagoon Makes Us All Neighbors
“One Lagoon – One Community – Once Voice”

1. Build an effective network governance model for the IRLNEP with connected and cooperative leadership dedicated to a unified Mission: “To restore and maintain the environmental, social and economic assets of the IRL today and for future generations”.

2. Implement the IRLNEP with responsible delivery of 4 core IRLNEP Elements
   a. Understanding ecosystem status and trends.
   b. Strategic implementation of ecosystem restoration and protection projects.
   c. Implementation of public outreach, public engagement and responsible financial management.
   d. Transfer/Share knowledge and technical assistance to build community knowledge, awareness and capacity.

3. Expand and diversify funding for long-term ecosystem restoration, monitoring and responsible stewardship.

Ultimately, the long-term success of the IRLNEP and restoration of IRL ecosystem health will be driven by 4 P’s:
People
Purpose
Passion
Partnerships