



FLRACEP PROGRAM MANAGEMENT TEAM (PMT) BYLAWS – (Revised and Approved 12/08/2020)

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Creation and Administrative Assignment of FLRACEP

The Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act, P.L. 112-141), establishes a Gulf Coast Restoration Trust Fund in the Treasury of the United States. Eighty percent of the civil penalties paid after July 6, 2012, under the Federal Water Pollution Control Act (33 U.S.C. 1321) in connection with the 2010 *Deepwater Horizon* oil spill will be deposited into this Trust Fund. RESTORE Act programs include five components, including the *Centers of Excellence Research Grant Program* (CERGP) (RESTORE Act regulations, sub-part H, section §34.700), mandated to receive 2.5% of Trust Fund principal plus 25% of the interest accrued, divided equally among the five Gulf coast state entities (0.5% to Florida). The Florida Institute of Oceanography (FIO) will host Florida’s CERGP, titled the Florida RESTORE Act Centers of Excellence Program (FLRACEP).

FIO is an Academic Infrastructure Support Organization (AISO) of the State of Florida, as approved by the Council of Academic Vice Presidents of the State University System and the Florida Board of Governors, and ratified by the presidents and chairs of the boards of trustees of the member organizations. Under a Memorandum of Understanding (MOU) ratified by the member organizations and approved by the Board of Governors, the University of South Florida (USF) assumes the role of host university, with the support of participating universities, for the operation of FIO. FIO administrative offices are housed on the campus of the College of Marine Science in Saint Petersburg, Florida, and fiscal accounting functions are administered by USF and overseen by the USF Board of Trustees.



FLRACEP Mission

Based on public input and per the approved Rules and Policies, FLRACEP focuses on three of the five eligible disciplines as defined in the RESTORE Act including:

- Coastal fisheries and wildlife ecosystem research and monitoring in the Gulf Coast Region;
- Comprehensive observation, monitoring, and mapping of the Gulf of Mexico; and
- Coastal sustainability, restoration and protection, including solutions and technology that allow citizens to live in a safe and sustainable manner in a coastal delta in the Gulf Coast Region.

Each Request for Proposals (RFP) may address one or more of the priority disciplines, including more specific priorities within these disciplines, based on funding available, public input, and the PMT's assessment of current regional needs and gaps.

After indirect charges (10% of total funding), remaining funds will be invested in: program administration costs, such as program staff, information management, and peer-review science panel and PMT meeting costs; and the remainder will be competitively awarded for Center of Excellence grants to non-governmental entities in the Gulf Coast Region, including public and private institutions of higher education.

FLRACEP Organization

The FLRACEP will include the following organizational elements:

PROGRAM OFFICE: FIO will support the program office and host a Program Director and part-time Coordinator (as needed) responsible for tasks that the Gulf coast state entities must perform including: duties as defined in Treasury's [RESTORE Act Centers of Excellence Research Grants Program Guidelines and Application to Receive Federal Financial Assistance](#), section 7.0 (e.g., annual reports to Gulf Coast Ecosystem Restoration Council); coordination of competitive selection process for FL Center of Excellence grants; and coordination with other Gulf restoration programs as mandated by the guidelines and RESTORE Act [section 1604(f)].

PROGRAM MANAGEMENT TEAM: An independent body that provides the FLRACEP guidance and engages in the development of program strategic plan, funding strategies, solicitation reviews and funding approval.

SCIENCE REVIEW PANEL: The SRP is an ad hoc team responsible for technical review of grant proposals. The SRP is an ad hoc team responsible for technical review of grant proposals. The SRP is nominated by the FIO Director and approved by the PMT members; the Panel will consist of science and technology experts not involved in any proposals, from in and outside Florida. In the event of a conflict regarding the FIO Director, then the PMT shall select the SRP members.

PARTNERS: Program partners to be engaged both informally and under formal agreements include, but are not limited to: other Gulf coast state entities and their CERGs; other RESTORE Act components (sections 1603 and 1604); National Fish and Wildlife Foundation Gulf Environmental Benefit Fund; National Academies of Science Gulf Research Program; Natural Resources Damage Assessment and Restoration Program; Gulf of Mexico Research Initiative; North American Wetlands Conservation Act, Gulf Program Fund; Florida Department of Environmental Protection; Florida Fish



and Wildlife Conservation Commission; Florida Gulf Coast Counties; and other programs that may be funded by future litigation or settlements.

Program Management Team (PMT) Governance

Tasks

The PMT members are paid an annual consulting fee for their professional services in support of several on-going program tasks including:

- **Strategy:** Provide guidance on the program strategic plan, including review, feedback and approval of the annually updated plan.
- **Implementation:** This role includes participation in competitive grants selection process; and includes final decisions about Letter of Intent responses, proposals selected for funding, and development of future Requests for Proposal topic.
- **Progress Evaluation:** Attend the all-hands meetings and intermediate progress reporting calls/webinars; and review submitted progress reports including the annual report to the Gulf Coast Ecosystem Restoration Council and semi-annual reports for the Treasury's Office of Gulf of Mexico Restoration.

PMT Role and Responsibilities

The PMT will consist of 7-8 experts which may include the FIO Director. PMT members will have:

- Experience in business, program management, science and technology related to the program's mission.
- Knowledge of the Gulf Coast Region.

In order to avoid perceived Conflicts of Interest, PMT members are required to meet the following criteria:

- Not compete for program grant funds and must complete the COI disclosure
- Elect a designated Chair annually, who will work with the FLRACEP staff to facilitate all PMT meeting(s).
- Complete the tasks as described in the Tasks section.

If the FIO Director holds a faculty position at USF, (host for FIO), to ensure that FIO averts a Conflict of Interest and remain compliant with the RESTORE Act Standard Terms and Conditions, the following will apply to the FIO Director:

- Shall not participate in the selection of any PMT vacancies;
- May identify and recommend experts to participate in the Science Review panels. The PMT will review and vote to approve the recommendations;
- May not serve as the Chair of the PMT;
- Shall be recused from the proposal review and selection of FLRACEP subawards to USF.

Filling PMT Vacancies

In the event of a vacancy, PMT members may submit a list of nominations for review, consideration and approval by a simple majority vote. Nominees will be required to agree to the above stated role



and responsibilities.

Term limits

PMT members shall serve until the end of the grant that covers their annual fees or when a member of the PMT notifies the FLRACEP staff of their intent to resign from the board.

Meetings

Timing: PMT will meet: at least once in person each year during the FLRACEP all-hands meeting; optionally for intermediate progress updates; ad hoc and face-to-face as needed; by telephone conference as needed to support PMT tasks (e.g., peer review meetings, strategic plan approval) to support PMT tasks. Meeting agenda for the meetings are set by the FLRACEP Director in consultation with the PMT.

Voting. A quorum must be present for the PMT to take actions requiring approval. A quorum shall consist of no less than half of members plus one. Each member of the PMT has one vote. Actions that require voting will be decided by a simple majority of members present in person, by phone, or by e-mail unless otherwise specified in these by-laws. Meetings are open to the public. A member may invite an individual to attend the meetings as an observer and to comment and provide advice on agenda items, but the observer will not have voting privileges.

Notes. Notes shall be kept by the FLRACEP Director for all regular meetings of the PMT and shall be made available by email to the membership within two weeks of each regularly scheduled meeting. The notes are not official minutes that attempt to capture dialog and speakers; emphasis is on recording actionable items. Following a period of one week for comment and amendment, the notes shall be approved by email vote of the members and posted in a PMT shared folder accessible via Internet.

Staffing. In addition to the FLRACEP Director, other members of the FIO staff will provide support for PMT meetings and tasks as needed, e.g., organizing meeting logistics, taking notes and handling communications with the members.

By-Law Revisions

These by-laws and any proposed revisions shall be reviewed yearly. FLRACEP Staff shall submit proposed revisions to the FLRACEP PMT upon request. The FLRACEP PMT shall review the proposed revisions prior to a full vote to accept. Major amendments that materially affect how the PMT governance functions require a two-thirds vote of the PMT.