

1 **York River Stewardship Committee**

2 **Bylaws**

3 **ARTICLE 1 – AUTHORITY**

4 The York River in York County, Maine, was officially designated as a partnership wild and scenic river in
5 the National Wild and Scenic Rivers System upon passage of the Consolidated Appropriations Act (PL
6 113-291), signed into law on December 29, 2022. The York River Stewardship Committee (Stewardship
7 Committee) was formed in accordance with the York River Stewardship Plan, dated August 2018 (Plan),
8 and approved by the governing bodies of the four river communities (York, Eliot, Kittery, and South
9 Berwick) in the fall of 2018.

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11 **ARTICLE 2 – MISSION AND PURPOSE**

12 *Section 1:* The mission of the Stewardship Committee is to preserve, protect, and enhance the
13 outstandingly remarkable resource values of the York River (River) and its tributaries, particularly the
14 biological diversity, ecological functions, recreational, commercial, scenic, historical, and cultural
15 resources, for the benefit and enjoyment of present and future generations. The Stewardship
16 Committee may develop and adopt Policies and Procedures as needed in accordance with the
17 Stewardship Plan to implement Stewardship Committee Bylaws.

18 *Section 2:* The purposes of the Stewardship Committee are as follows:

- 19 1. To implement and periodically update the Stewardship Plan, dated August 2018;
- 20 2. To provide a forum for interested parties to explore, discuss, and resolve river and watershed
21 issues that could impact the York River and/ or its functions and resources;
- 22 3. To identify activities and coordinate with other stakeholders on the implementation of the
23 Stewardship Plan’s goals and actions, such as project prioritization, project funding, and
24 oversight;
- 25 4. To provide advisory guidance on responsible growth and land and water resource protection to
26 the National Park Service (NPS), other federal, state, and local authorities, and other
27 stakeholders; and
- 28 5. To coordinate and provide opportunities to educate the public on the protection and enjoyment
29 of the River and its watershed resources.

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31 **ARTICLE 3 – MEMBERSHIP**

32 *Section 1:* The Stewardship Committee shall consist of eleven voting members: six York residents
33 appointed by the York Select Board; two Eliot residents appointed by the Eliot Select Board; two
34 Kittery residents appointed by the Kittery Town Council; and one South Berwick representative
35 appointed by the South Berwick Town Council. Each community shall also appoint one resident to
36 serve as a non-voting member in an alternate status.

37 The Stewardship Committee will also include non-voting members from the National Park Service
38 (NPS) and the Stewardship Committee’s Fiscal Agent. The Stewardship Committee may also appoint
39 strategic partners, based on the partner’s role or the issue at hand.
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41 *Section 2:* In the event that any member is absent for three (3) or more consecutive meetings, the
42 Chair may request resignation of the absent member. If the seat becomes vacant, the seat shall be
43 filled by the alternate. The Chair will request that the municipality appoint a new representative if the
44 alternate is unavailable so that the position is filled as soon as possible.
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46 *Section 3:* Appointments are made by each of the four communities and shall be for a term of three
47 years. Members may serve additional terms with the approval of the appointing entity. For the first
48 year of the Committee, to assure continuity, half of the York, Eliot, and Kittery members shall be
49 appointed for three-year terms and half for four. The South Berwick member shall be appointed for a
50 three-year term.

51 *Section 4:* All members must complete a conflict-of-interest form and follow conflict of interest
52 guidelines as applicable.

53 *Section 5:* The Committee may also form a non-voting Advisory Committee whose participation is likely
54 to enhance the Committee’s efforts to implement the Stewardship Plan. Advisory Committee members
55 may participate in Committee deliberations without a vote. They might include:
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- 57 • Stewardship Committee alternates selected by town boards/councils
- 58 • Town boards and committees as appropriate
- 59 • Land owners
- 60 • Land trusts: York, Great Works, Kittery
- 61 • Regional conservation groups
- 62 • State agencies: Marine Resources, including Coastal Program; Environmental Protection;
63 Agriculture, Conservation, and Forestry; Inland Fisheries and Wildlife; and other agencies as
64 appropriate
- 65 • Historical societies
- 66 • User groups
- 67 • Businesses/commercial interests
- 68 • Other representatives determined by the Stewardship Committee as demonstrating interest
69 and capacity to achieve the Stewardship Plan goals.
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72 **ARTICLE 4 – OFFICERS**

73 *Section 1:* Officers of the Stewardship Committee shall consist of a Chair, Vice Chair, Treasurer, and
74 Secretary. Non-voting members may not serve as officers.
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76 *Section 2:* The Chair, Vice Chair, Treasurer, Secretary, and Fiscal Agent shall form the Executive
77 Committee. The Executive Committee may act on behalf of the Stewardship Committee to facilitate
78 decision-making between Committee meetings or in urgent and crisis circumstances.
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80 *Section 3:* The term of office shall be one year. Officers shall be elected by a majority of voting
81 members on 1 July of each year. Officers may serve multiple, consecutive terms. Should an officer be
82 unable to serve a full term, an election shall be held at the next meeting of the Committee to select a
83 replacement for the remainder of the term.
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85 *Section 4:* The Chair shall set meeting agendas with the assistance of the Coordinator and shall preside
86 over Committee meetings. In addition, the Chair, or designee, may represent the Stewardship
87 Committee as required before public and/or private local, state, and federal agencies in carrying out
88 Stewardship Committee duties; act as Stewardship Committee spokesperson and point of contact;
89 implement decisions of the Stewardship Committee regarding the expenditure of funds; and fulfill
90 responsibilities and conduct business in accordance with Stewardship Committee Bylaws and Policies
91 and Procedures.
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93 *Section 5:* The Vice Chair shall serve in the absence of the Chair in fulfilling the duties of the Chair. In
94 addition, the Vice Chair shall assist the Chair in duties as agreed upon.

95 *Section 6:* A representative of the Fiscal Agent shall maintain financial records, including expenditures,
96 income, and balances and submit a report to the Treasurer and Stewardship Committee quarterly that
97 reflects the true state of the Stewardship Committee's accounts and annual budget. The Treasurer
98 shall coordinate with the Stewardship Committee's Fiscal Agent, the NPS, and other funders to ensure
99 the accuracy, completeness, and timeliness of all financial information and reports.

100 *Section 7:* The Secretary shall record and disseminate accurate minutes of Stewardship Committee
101 meetings to Committee members in advance of the next meeting. In the event of absence, a
102 Committee member may serve as a stand-in secretary during a Committee meeting.

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ARTICLE 5 – MEETINGS

105 *Section 1:* Regular Stewardship Committee meetings shall be held monthly and shall be open to the
106 public. Special meetings may be held should it be necessary to transact business between regular
107 meetings. The Chair, or the Vice Chair at the request of the Chair, may call meetings. Notice of
108 meetings shall be provided 48 hours prior to the meeting.

109 *Section 2:* Meetings may be held in person, by conference call, by video conferencing, or by any
110 combination thereof, at the discretion of the Chair.

111 *Section 3:* A majority of Stewardship Committee voting members (51%) shall be required to form a
112 quorum for Committee meetings. The Stewardship Committee shall endeavor to act by consensus
113 whenever possible. Formal votes may be taken from time to time at the discretion of the Chair or by

114 request of any voting member. On the occasions when votes are needed, a 2/3 vote of the voting
115 members present is required to pass. Any member may request that a vote be taken to defer for one (1)
116 meeting any motion or recommendation being considered for a vote. Any Committee meeting may be
117 adjourned to a fixed date, time, and place by a majority vote of those members present.

118 *Section 4:* In the event an issue of confidential nature comes before the Stewardship Committee, an
119 Executive Session may be called. Specific purposes of an Executive Session may include but are not
120 limited to issues relating to the following: personnel; confidential financial matters; contracts and
121 agreements; and legal concerns. For an Executive Session to be called, a 2/3 vote of the voting
122 members present at the meeting shall be required. All non-Stewardship Committee attendees shall
123 leave the meeting unless specifically requested to remain by the Stewardship Committee. Voting on
124 any recommendations from the Executive Session may occur when the meeting is re-opened to the
125 public. Except as otherwise provided in this paragraph, all *discussions* in Executive Session shall be
126 confidential.

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128 **ARTICLE 6 – SUBCOMMITTEES**

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130 The Stewardship Committee may form subcommittees at any time and for any purpose that is within
131 the purview of the Committee and implementation of the Stewardship Plan. Whenever possible,
132 subcommittees should be chaired by a voting member or the program coordinator. Appointees to
133 subcommittees are not limited to voting members or Advisory Committee members but may include
134 representatives of interested stakeholder groups, other entities, and individuals. Subcommittee
135 meetings may be open or closed to the public. Meeting minutes shall be taken and provided to the
136 Stewardship Committee. Reports of activities and any recommendations shall be presented at regular
137 Committee meetings for review and, if required, for approval by a vote of the Stewardship Committee.

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139 **ARTICLE 7 – MANAGEMENT**

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141 *Section 1: Funding:* The NPS provides funding through the Partnership Wild and Scenic Rivers Program,
142 subject to congressional appropriations. In addition, the NPS may provide technical planning and
143 conservation assistance to the Committee if requested and sufficient appropriated funds are available.
144 The Stewardship Committee may hire or engage the services of a Coordinator and other contractors.
145 The Coordinator shall report to the Stewardship Committee chair and a representative of the
146 Committee’s Fiscal Agent, who will be responsible for an annual performance evaluation. The
147 Stewardship Committee may pursue financial assistance and/or in-kind contributions from other
148 institutions or individuals.

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150 *Section 2: Fiscal Agent:* The Committee shall appoint a Fiscal Agent to act on behalf of the Stewardship
151 Committee in entering Cooperative Agreements with the NPS and/or contracts with other public
152 entities, private entities, or individuals. Decisions on the allocation of funds shall be made by the
153 Stewardship Committee in compliance with the NPS Cooperative Agreement and other funders’
154 guidelines, and in accordance with best accounting and management practices of the Fiscal Agent.

155 *Section 3: Role of the Coordinator:* The Coordinator will represent the Stewardship Committee before
156 public and/or private local, state, and federal agencies in carrying out Stewardship Committee duties.
157 The Coordinator will act as the Stewardship Committee spokesperson and point of contact and will
158 implement decisions of the Stewardship Committee regarding the expenditure of funds. The
159 Coordinator will review project proposals with subcommittees and make recommendations to
160 Stewardship Committee for funding, oversee the general operations to ensure best operational
161 practices, and work closely with the NPS and Fiscal Agent representatives on funding compliance. A
162 complete job description with major responsibilities is kept on file by the Fiscal Agent and is updated
163 annually.

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165 **ARTICLE 8 – AMENDMENTS**

166 These Bylaws may be altered, amended, or repealed and new Bylaws adopted by a 2/3 vote of voting
167 members present at the next regular or special Stewardship Committee meeting. Notice of the
168 proposed change to the Bylaws must be included in the meeting notice of such regular or special
169 Stewardship Committee.

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171 Adopted on August 22, 2023, by unanimous action of the York River Wild and Scenic Stewardship
172 Committee.

173 Date:

174 _____, Secretary

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