

The Albemarle-Pamlico Estuarine Study
Joint Citizens' Advisory Committee Meeting
Washington Regional Office
May 5, 1992

MINUTES

The meeting was called to order by P-CAC Chairman, Derb Carter at 7:00 p.m. He asked for consideration of the previous meeting's minutes (2/4/92) and a motion to accept the minutes as written was made by Tom Burns and seconded by Brewster Brown. Motion carried.

Chairman Carter then called on Program Director, Randy Waite, to update the group on the development of the CCMP. Mr. Waite stated that the special meetings\workshops of the CACs and the Technical Committee held in April were for the purpose of obtaining reaction and input to the draft action plans before meeting with the Policy Committee. Based on comments from the Policy Committee the schedule for completion of the CCMP has been set back for three months. The additional time, it was felt, would allow for a more complete management plan (for example, the introduction and the implementation plan need to be added) and to better fill in our logical arguments for why we are trying to do things. The Technical Committee is setting up 14 subcommittees to accomplish this. The use of Technical Subcommittees is to get the resources we need from within the Department.

The subcommittees will consist of:

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|----------------------------------|----------------------------|
| 1. Wetlands Strategy | 2. Agricultural Controls |
| 3. Land & Water Use Plans | 4. Forestry Practices |
| 5. Specific Water Qual. Problems | 6. Buffer Strips |
| 7. Runoff Modeling | 8. Water Quality Standards |
| 9. Septics Tanks | 10. Water Mgmt. Districts |

Mr. Waite stated that CAC Vice-Chairs, Ernie Larkin and John Stallings, by virtue of their membership on the Technical Committee, would be assigned to each of the sub-committees. He also added that they would be encouraged to designate other CACs to substitute, replace or come with them as need dictated. A meeting schedule will be sent out to all Management Conference members so that anyone wishing to attend could do so.

He concluded the report on CCMP development stating that CCMP completion will be pushed back to the end of February, 1993 and that the first round of public meetings will occur during September, 1992, with the second public meeting being held in November, 1992. This amended schedule presumes that the Policy Committee approves going forward with the document at their meeting in August.

The next agenda item concerned the 1992 Work Plan. Mr. Waite mentioned the general budget that was put forth back in February. He referenced the line item in that budget for \$200,000 that dealt with CCMP development activities. The purpose of that was to fill in the technical holes and to hold workshops along the lines of the February workshops to continue to develop consensus. The Policy Committee has basically voted on the general idea of what we're trying to accomplish so that we can get a work plan in to EPA. He reported that the CACs would see specifically spelled-out proposals probably at the July meeting. The proposals included holding additional workshops, (\$25K); additional GIS analysis work, (run-off modeling and future predictions modeling, (\$35K); a monitoring plan analysis, (\$15K); land & water use guidelines, (\$25K); septic tanks, (\$25K); effect of BMPs of all types on groundwater, (\$10K); BMPs mapping, (\$15K); economic evaluation, (\$50K). In addition Mr. Waite indicated that we were applying for additional sources of funds outside of the regular program. An example is the Near Coastal Waters Program. We have sent in proposals for Walter Clark's Water Use Plan Development, Pete Peterson's Scallop Reseeding, Pres Howard's Bacterial Tracer Study, and Bill Hogarth's project on Implementing By-Catch Reduction Gear and Developing an Educational Video. Under funding for Action Plan Demonstration Projects that we apply for yearly, we have submitted another project by Bill Hogarth to Develop By-Catch Reduction Gear, a special sorting device for the long-haul seine and pound nets. The Corps of Engineers are in for \$250,000 as a special line item to be applied towards the APES area. If the Corps of Engineers receives the funding their intention is to spend some money on developing a GIS system (hardware for their office), and spending the other \$200,000 on wetlands inventory and mapping. The final area under which we are looking for funds is through a request by John Costlow. He has approached Congressman Walter Jones, Sr. with a request for 1 million dollars as a special line item to demonstrate implementation or land-use planning using the Geographic Information System (GIS). The model is a tri-county

planning effort between Pamlico, Carteret and Craven counties and the Marine Corps Air Station at Cherry Point. This is a terrific opportunity to demonstrate the use of GIS on the local level and it is hoped that there will be funds left over to do other counties and other demonstrations around the area as well. He then called for questions on anything about which he had reported. Being none, Mr. Waite progressed on the Implementation Management Plan memo dated May 4, 1992. He referenced the importance of the topic of Implementation as demonstrated at the April workshop held by the CACs at the Washington Regional Office of EHNR. He explained that the document before them was a starting point upon which to build an Implementation strategy and that it was derived from a meeting of committee members held in Raleigh on April 20th. See Attachment B. Mr. Waite briefly outlined the document stressing that the program needed to stay on a pro-active management scheme, planning for the future instead of cleaning up from the past.

The idea of utilizing a council with representation from each of the four regulatory commissions was considered more effective than the creation of a new council. The council would be charged by the governor with implementing the CCMP. In response to Tom Burns' question as to whether Agriculture was represented, specifically the State Soil and Water Conservation Commission, Mr. Waite replied that the question as to whether that commission was considered a regulatory commission needed to be resolved first before any addition was made.

The discussion turned toward specific weaknesses of the plan. The first, coordination with current federal programs, might be resolved by placing some of the stronger federal agencies as either voting members on the council or as members of a special advisory council. The second, the question of the involvement of the state of Virginia, could be resolved by placing a Virginia representative either on the council or counting on a Bi-State Agreement to implement any portion of Virginia's responsibilities. The third, is the level of public involvement. The consensus of the meeting was to let the implementation council be mandated with coming up with a structure to involve the public-- therefore ensuring ownership of the public involvement plan by the council rather than forcing a structure on them.

In response to Mr. Waite's question as to comments on the draft Brewster Brown asked about the wording of the second sentence "the coordinating function of the A/P Management Conference will have to be maintained by another body". This was discussed at length with Mr. Waite, after stating that the wording would be simple enough to change, explaining that the "had to" referred to "maintained" rather than "by another (meaning different) body". Jennifer Steel

said that the sole and specific charge of the body, by executive order of the governor, would be the implementation of the CCMP-- a later discussion proposed that their unique composition, that of a joint commission, would allow them to take on additional tasks.

Ernie Larkin proposed the invitation of some commission members to join current committees as one way to combine the existing structures with regulatory authority.

As discussion continued John Greene stated that he thought that the lack of continuity and consequent loss of momentum would be devastating. He proposed that a member of the current Technical Committee and some of the other committees be represented in the implementation council.

Discussion shifted to what other Estuarine Areas had done for their implementation procedures. Puget Sound's program, located solely within the state of Washington, was discussed. The Water Quality Authority for the area was in existence five years before Puget Sound was designated in the National Estuarine Program (NEP). Therefore, its structure of having the authority to direct various commissions is not something that came out of NEP. Puget Sound either required compliance by commissions with their directions or a report by those commissions as to why compliance did not occur. The representation of the Authority was made of seven members (one from each of the six congressional districts and one at-large representative). The directors of the Ecology and Public Lands Departments were non-voting members.

As discussion continued, John Greene proposed that local representation would be needed in the implementation process. Mike Orbach summed the discussion as being three options-- first, having the existing structure go out of existence with the Secretary of Natural Resources in charge of implementation of any suggestions; second, leaving the current program as is; and third, keeping the existing structure with modifications that take into account peculiar implementation needs.

David McNaught thought that the three weaknesses that had been previously discussed do not apply to the existing management structure. He suggested the addition of commission members to the Technical Committee. That modification would allow the current structure to function without the stated weaknesses.

Carolyn Hess mentioned the Massachusetts Bay Program with a CCMP done in two years. There's was a mixture of existing and new management conference members.

Ernie Larkin suggested that involvement of the legislature would be instrumental in resolving any future conflicts with commissions.

As discussion continued Mr. Waite stated that this initial draft--

a first cut-- would be mailed for general comments.

Al Howard made a motion, seconded by Tom Burns, that Randy Waite take the information discussed in the April 20th meeting, the information learned from the years of the APES program and the last two CAC meetings and compile three actions for implementation that would discuss the composition, authority and accountability of each plan. Those three alternatives for implementation would be presented for comment to all committee members. Carolyn Hess requested that a specific list be added of how each implementation option will function with agencies and commissions.
The motion was carried

Discussion continued with comments on the level of detail involved in the draft. Randy Waite commented that he didn't want to give too much detail as that would shift focus from the conceptual nature of the implementation. Once the conceptual nature has been determined, the second focus will be the details of making that plan work

During discussion of State and Federal Agency involvement the question of involvement of the Legislators was raised. Mr. Waite mentioned his upcoming briefing of the Environmental Review Commission-- several members are legislators-- as an opportunity to get both reactions and comments of legislators to the proposed implementation.

Discussion began about ideas of focusing the attention of State Legislators on the APES program. Brewster Brown suggested that individuals, as citizens, contact their representatives. The meeting in Virginia Beach discussed the idea of Legislative Liaison-- recognizing that many members have strong legislative contacts.

Tom Burns asked about the Financial Analysis Plan. Jennifer Steel mentioned that the Financial Funding Committee would meet May 14, 1992. The Financial Funding Committee was set up last year to take advantage of some EPA consulting assistance.

Mr. Waite announced that the public hearings will start in September with the final CCMP due to be signed off in February. A reception is planned before the end of this session with the State Legislature. The initial idea of a cocktail reception prior to the summer session was changed to the idea of an APES exhibit. This will allow an opportunity for the Legislators to interact with CAC members and APES staff. The importance of informing the Legislators about the APES program prior to asking them for financial support was stressed. Mr. Waite commented that Staff had specific restrictions placed upon them to prevent anything that might be construed as lobbying.

In response to a question about accounting for monies that have

already been spent, Mr. Waite said that they were in the process of putting together a projected budget and would work very hard to get these types of things in terms of funding initiatives put through.

Chairman Carter thanked all attendees for the productive discussion and then asked if there were any additional comments. Jennifer Steel requested additional comments on the implementation strategy be forwarded to her as she will be working on the three options during the next few days. Joan Giordano announced that Neil Armingeon had completed the report from the Affected Party Meetings. All members will be receiving a copy shortly. Randy Waite thanked all members as well for the information that was received by the APES Staff.

The meeting was adjourned at 9:30 p.m.

ALBEMARLE-PAMLICO CITIZENS' ADVISORY COMMITTEES
Washington Regional Office
Department of Environment, Health & Natural Resources
Washington, N. C.
May 5, 1992
7:00 p.m.

AGENDA

WELCOME Chairmen Brown & Carter

**PUBLIC ATTITUDES ABOUT WATER QUALITY
& MANAGEMENT: Phase II Survey Results** Bill Clifford/Tom Hoban

PROGRAM UPDATE

- CCMP Development
- Work Plan
- Implementation Strategy
- Future Role of CAC in Implementation

Derb Carter

PUBLIC COMMENT/QUESTIONS

ADJOURN



State of North Carolina
Department of Environment, Health, and Natural Resources
ALBEMARLE-PAMLICO ESTUARINE STUDY
225 N. McDowell Street • Raleigh, North Carolina 27603

James G. Martin, Governor
William W. Cobey, Jr., Secretary

Randall G. Waite, Director

May 4, 1992

TO: All Committee Members
FROM: Randall G. Waite *RGWaite*
SUBJECT: Implementation Management Plan

In order to gather some ideas for an implementation structure, I asked seven committee members to meet for a few hours on April 20 to discuss some of the possibilities. Bill Cobey (PC), John Costlow (PC), Ernie Carl (TC), Bill Cole (TC), Larry Saunders (TC), Sybil Basnight (PCAC), and Carolyn Hess (ACAC) met with the APES staff and produced a conceptual structure which appears to meet many of our needs.

A cornerstone to this implementation strategy is that current programs will be utilized to the fullest extent possible, to avoid waste and duplication of effort. The recommended Council, as described in the attached concept paper, would provide for coordination and oversight by Commission members who have the authorities to ensure implementation.

Please review the enclosed material and return your comments regarding the structure to me by Friday, May 29.

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DRAFT IMPLEMENTATION STRATEGY

May 4, 1992

Introduction

Implementation of the Albemarle-Pamlico (A/P) Estuarine Study's Comprehensive Conservation Management Plan (CCMP) will help to ensure the long-term success of the program and sound environmental management. Upon approval of the plan, the coordinating function of the current A/P Management Conference (Policy Committee, Technical Committee, and Citizens' Advisory Committee) will have to be maintained by another body with the responsibility for overseeing implementation of the CCMP.

Goals of Implementation

In order to effectively and efficiently implement the CCMP, the oversight body must:

- (1) continue to focus attention on and garner support for the CCMP and the A/P region,
 - (2) foster proactive management schemes,
 - (3) initiate implementation activities,
 - (4) coordinate current programs, and
 - (5) provide a mechanism for public involvement and education.
- (1) One body, must be given the responsibility for continuing to focus attention and efforts on the A/P region, championing the goals of the CCMP, and overseeing the implementation of its recommendations. Spokesmen are needed to advertise the plan's import and the potential strength of its recommendations.
 - (2) If we are to ensure the long-term health of our natural environment, proactive and flexible planning and management measures are essential. Detailed and comprehensive planning, bold remedial actions, and creative proactive measures must be promoted and incorporated in all aspects of environmental management. Representatives are, therefore, needed to address administrative needs within regulatory agencies and to initiate new administrative and legislative actions.
 - (3) Implementation initiation and oversight responsibility must be centralized to maintain the focus on coordinated and integrated management and to document the results of implementation.
 - (4) As recognition of the number, breadth, and diversity of environmental concerns grows, more and more management and

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regulatory programs have been initiated. Coordination among these many agencies and organizations is essential for efficient and effective utilization of limited human and fiscal resources.

- (5) Public officials and legislators must have access to the most up-to-date, objective, and scientifically defensible information possible, in order to make well-informed decisions and be effective managers.

Public support for and involvement in the planning and implementation of the CCMP will also be critical for success. It is public support that helps to motivate elected officials and public involvement that helps the regulatory process evolve. Like public officials, individual citizens must be well informed about the issues at hand to be truly effective and contributory members of the process. Objective information must be presented to concerned citizens so that objective conclusions can be reached, reasonable judgements passed, and fair actions recommended.

Suggested structure

The following structure was suggested as a means of fulfilling the goals discussed above.

The Council:

The A/P Implementation Coordinating Council (the Council) would be established by executive order of the Governor to coordinate implementation of the CCMP recommendations.

The Council would provide a formal system of interaction among existing commissions to: facilitate inter-commission communication, consistency, and efficiency; transmit Council agreements and recommendations to their respective commissions; initiate, through their respective commissions and divisions, management actions; initiate, individually or as a group, new legislative actions; and establish a mechanism for public involvement.

The Council would be charged with taking actions and making official recommendations designed to achieve all management recommendations presented in the CCMP. Other environmental initiatives that would benefit from an inter-commission forum could also be addressed.

In order to include those individuals with authority, the 14-member Council would consist of two members from each of the state's four largest regulatory commissions (Marine Fisheries Commission, Environmental Management Commission, Wildlife Resources Commission, and Coastal Resource

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Commission) and each of their respective division directors, one appointed vice-chair, and one appointed chair. In this way, coordination among the commissions and coordination among the programs would be greatly enhanced and existing divisions and programs would be most effectively utilized and directed.

The Council would maintain a small staff (2-3 people) to serve the Council, facilitate coordination among the agencies involved in implementation of the CCMP recommendations, and report on the progress in implementation.

Weaknesses:

The structure described above does not explicitly allow for continued coordination and cooperation with federal regulatory agencies.

The structure described above does not explicitly allow for continued coordination and cooperation with the Commonwealth of Virginia.

The structure described above does not explicitly provide for public education and involvement in the planning process.

Possible Solutions:

In order to maintain the cooperation at the federal level, one of two alternatives could be pursued. Federal agency representatives (one member each from the US Fish and Wildlife Service, Environmental Protection Agency, Nation Oceanic and Atmospheric Administration, and US Army Corps of Engineers) could be asked to sit on the Council as full voting members, or a separate Federal Agency Advisory Committee could be formed.

Representatives from the Commonwealth of Virginia could, likewise, be asked to sit on the Council or could be included in an Advisory Committee. Alternatively, some form of bi-state agreement between Virginia and North Carolina could be developed to ensure cooperative and complementary implementation of CCMP recommendations in Virginia.

It was recommended that the Council be directed to establish an appropriate mechanism for public involvement to ensure that public input be regularly and actively solicited and addressed. Citizens could be asked to serve as full Council members (although, are the Commission members themselves representatives of the public?) or a Citizens Advisory Committee or other citizens' involvement scheme could be formed.

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Suggested strategy

To ensure adequate inter-commission communication, the Council would meet at least quarterly, to discuss agenda items, achieve consensus, and take actions necessary to achieve their mandate. Individual Council members would be responsible for transmitting all Council agreements and decisions to their respective commissions, and actively pursuing all recommendations for management actions. Since the Council would be responsible for implementing or facilitating the implementation of the entire CCMP, it would also be responsible for taking actions to implement all viable options for funding the management recommendations.

To maintain scientific and administrative currency of the CCMP, the Council would review the CCMP annually, publish minor revisions in the form of a newsletter and news releases, and would re-publish the entire document every 5 years.

To coordinate agency initiatives and administrative needs, the Council would request the creation of 5-year workplans and annual reports by each of the involved state agencies. Each agency's 5-year workplan would incorporate the pertinent management recommendations contained in the CCMP. Annual reports would document progress in those 5-year workplans and supply revised funding, personnel, and administrative needs.

Attendance - CAC Meeting
5/5/92

<u>NAME</u>	<u>AFFILIATION</u>
Joan Gloumond JENNIFER STEEL	APES Staff A/P STAFF
Margaret Scaully	A.P.E.S. Staff
Cynthia Hen	A/CAC
Dan Winley	P/CAC
Tom Burns	A/CAC
Gates Barber	A/CAC
Alfred W. Howard	ALAC
Paul Miller	P/CAC
Arthur H. Daniels	PCAC
Robbie Blinkoff	CWQMP
JOHN T. SPAGNOLO	PCAC
Dub Carter	PCAC
David O'Neal	PCAC
David McNaught	Friendly Observer
J. Wright	ACAC
Ben Burns	PCAC -
MIKE ORBACH	TL/OAC
Clyde Hughes	ACAC
Brewster W. Brown	ACAC
TODD A. GRISSOM	HRPDC
Alyce Basnight	ACAC
John L. Greene	P/CAC
John Ellis	USFWS
Mr. L. Jackson	PCAC
Eddie Smith	PCAC

Ernie Larkin
Tom Stroud
Randy Waite

PCA
PTRF
APES Staff