

NEUSE RIVER BASIN REGIONAL COUNCIL MEETING
Wayne Center
Goldsboro, North Carolina
May 3, 1996

MINUTES

The meeting was called to order at 9:15 am, at the Wayne Center, Goldsboro. George Wolfe, Wayne Co. Board of County Commissioners, presided. Of the 49 NRBRC members, 21 voting members were present.

The first item for discussion, brought by Bill Ritchie of Craven Co., was the question of how decisions were to be made by the Council and what constituted a voting majority. After some discussion the following criteria were adopted by a show of hands:

Approval of issues shall require a majority vote of members. A quorum shall consist of 2/3 of total membership. Issues may be voted on only after a prior 10-day written notice of the meeting, at which a vote shall occur, has been made including specific notice of the issue on the agenda. If a quorum is not present, then a 2/3 majority of those present will constitute a quorum and they will vote only on those issues about which prior notice was given.

A majority of those present voted to continue George Wolfe as the permanent Chair of the Council. *NOTE: Considering the Council decisions made prior to this vote, it is unclear if this was an action in keeping with Council guidelines.*

Discussion turned to the issue of by-laws. In the draft by-laws, February is the month that the election of officers is to take place. Since the election of officers did not occur at the January meeting of the Council, this timeframe was amended to May. *NOTE: Because of the 10-day prior notice requirement it is unclear if the election of officers can occur at our May 17th meeting.*

Agreement was reached after some discussion, that we should attempt to meet once per month next year, but at least one meeting per quarter should be a requirement. *NOTE: The question of what to do about members who do not attend meetings needs to be addressed.*

Donna Wright was elected Secretary and Dr. John Costlow was elected Vice-Chair. *NOTE: As with the election for our Chair, this action needs to be revisited by the Council.*

The Council proceeded to define what came to be called the Standing Committees and to appoint Chairs to some of them. They are:

Research and Information Committee - Dr. John Costlow, Carteret Co. representative
for environmental science
Public Relations -
Legislative Liaison - Margaret Holton, Orange Co. representative for municipalities
Finance - Dr. John Costlow

This is an ad hoc committee and was charged with studying and reporting back on what kinds of funds and other resources we might need to conduct the legitimate activities of the Council. The discussion included reimbursements to members for out-of-pocket expenses such as postage, phone calls, printing, etc. as well as costs associated with production of information packets, meeting notices, agendas, and other documents needed by the Council. Dr. Costlow will discuss these issues with various state staff persons. *NOTE: Later on we will no doubt need to establish a separate committee to oversee our financial records.*

Other members were not appointed to these committees, but there was considerable discussion about the criteria for forming the committees in a manner that reflects the geographic and stakeholder diversity of the Council. It was decided that having one county, one municipal and one at-large member on each committee should be a requirement, and that a recommendation would be to have members from different regions of the river as well.

Executive Committee - to consist of all the elected officers, all Chairs of Standing Committees, and 1-3 at-large members as necessary to achieve balanced regional and stakeholder representation.

Dr. Greg Thorpe of the Division of Environmental Management (DEM) Water Quality Section, then presented information on the Rule-Making Process required to have the Draft Management Strategy for the Neuse River Nutrient Sensitive Waters (NSW) document approved by the Environmental Management Commission (EMC). He emphasized that we are at the beginning of the process and that after the first round of public workshops, to held May 6 & 8, 1996, that the Council's recommendations and comments on the NSW document could become part of the process. The first public comment period ends on June 14, 1996 and then DEM will prepare the document to go to the EMC in July for its decision on which elements will be brought forward to a second period of public comment, which would end on October 1, 1996. At the November meeting of the EMC (held on the second Thursday of the month) the EMC will make its final rules for NSW. Donna Wright asked Greg to summarize the rule-making process so that it could be sent out to all committee members, especially for the benefit of those who could not attend. Dr. Thorpe agreed. *NOTE: See Attachment A.*
The rule-making process has been slightly modified since Dr. Thorpe's presentation. Those changes are that the second public notice will be published on Aug. 15, 1996 and the comment period following will close on Oct. 14, 1996. These modifications appear in Attachment A.

Dr. Thorpe then proceeded to go through the interim plan summary, highlighting the important portions of the document. He elaborated on the various categories of nutrient sources and the targets and measures outlined in dealing with them. There were numerous questions and comments from the members. One commonly repeated comment/question was an expressed desire for plain language "translation" of the technical terms in the document. Dr. Thorpe addressed each question explaining the terminology in layman's terms.

There followed some general discussion on the research needs of the Council, some of these were:

- * What are the issues dominating the nutrient source problem in the upper vs. middle vs. lower reaches of the Neuse?

- * What is the contribution of lawn/golf course fertilizer in various parts of the basin? George Wolfe reported for the member from Person Co. who had determined that Person and Wake Counties were approximately equal in terms of agricultural acreage, but that Wake Co. had a 10 times higher rate of sales of 10-10-10 fertilizer. He felt that this pointed to a significant amount of nitrogen deposition due to urban runoff as opposed to agricultural non-point sources.

- * We need to compare BMPs for agriculture, forestry and urban management.

- * We need to get data from Urban Horticulture (NCSU?) on fertilizer and erosion control BMPs.

- * Someone needs to investigate the details of the Basnight/Hunt buffer bank proposal. Donna Wright agreed to consult with various conservancy groups on pluses and minuses of this plan.

- * We need to have some small group draft a well-worded mission statement. What exactly are we supposed to be doing as a group, other than reacting to other groups such as the GA, BRC, EMC?

Finally there was discussion of the urgent need for us to get organized and have another meeting as soon as possible. It was agreed to have one on Friday, May 17, 1996, if it could be organized in time. The Secretary was asked to draft a letter to be sent out to the membership requesting that all members write a one-page synopsis of their current interest, concerns, questions, suggestions, etc. on how we should proceed on specific issues, and to emphasize the need to have regular, well attended meetings, if we are to be an effective force in the Neuse River basin.

*Donna Wright,
Acting Secretary*

Attachment A

PROPOSED REVISED SCHEDULE for NEUSE NSW RULE MAKING

Feb. 8, 1996	Permission received from EMC to submit "subject notice" for "concept document." WQC approved this request at their February 7 meeting.
Mar. 14, 1996	EMC reviewed rule language reflecting original "concept document" proposal and proposed alternatives. EMC approved alternatives for inclusion in concept document and for review at public meetings.
Mar. 22, 1996	Filed Notice of Rule-Making Proceeding (subject notice) with Dept. rule-making coordinator (RMC). Will be published in Apr. 15, 1996 NC Register. Comment period to extend through June 14, 1996.
May 6,8, 1996	Public meetings to be held in New Bern and Smithfield. New Bern Armory and Smithfield Moose Lodge, 10am-12:30pm; 2pm-4:30pm; and 6pm-8:30pm.
June 14, 1996	Comment period ends for subject notice.
July 11, 1996	Request permission for EMC to proceed to rule-making and to hold public hearings on proposed rules.
Aug. 15, 1996	Text of rules published in NC Register.
Aug. 30, 1996	Earliest date for public hearing.
Sept., 1996	Hold hearings for proposed rules.
Oct. 14, 1996	End of comment period for proposed rules with substantial economic impact. Statute requires 60 days from published notice date.
Nov. 14, 1996	Request the EMC adopt rules at special meeting. November is the final date for adoption to stay on schedule for Rules Review Commission (RRC) review and submittal to the General Assembly.
Dec. 19, 1996	RRC considers and approves rule (3rd Thursday of month).
Jan. 30, 1997	RRC files rule with General Assembly
Apr. 1, 1997	Earliest date rules become effective (31st legislative day where a legislative day=Monday through Thursday). This estimate has a couple of extra days.