

APES

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Proceedings of
Albemarle-Pamlico Estuarine Study
Technical Committee Meeting

Raleigh, North Carolina
February 25, 1987

Submitted to:

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120

TABLE OF CONTENTS

	Page
I. Opening Remarks	1
II. Program Activities Report	1
III. Worplan Review and Approval	4
IV. Request for Proposals	7
V. Data Management	7
VI. Public Participation	7
VII. Other Business	8
VIII. Next Meeting	8

Proceedings of Albemarle-Pamlico Estuarine Study (APES)
Technical Committee Meeting
February 25, 1987

I. Opening Remarks

The meeting began at 10:00 a.m. chaired by Dr. Ernest Carl, N.C. Department of Natural Resources and Community Development (NRCD). Dr. Carl announced that Mr. William Austin, Director, Division of Soil and Water Conservation, NRCD has resigned from his position, and thus, from his position on the Technical Committee (TC). Dr. Carl stated that Mr. Lynn Muchmore will represent the Division of Soil and Water Conservation on the committee, but is not officially appointed. The agenda was tabled for consideration; time adjustments were made; consideration of the Citizens Committees was added; and approved. The minutes from the January 20 and 21, 1987 meeting were tabled for review. It was noted that Mr. William Hogarth was present at that meeting, but his name was omitted from the list of attendees. With this one change to the minutes, they were unanimously approved.

II. Program Activities Report

A. Workplan Comment and Schedule

Douglas Rader, Program Coordinator, reported the urgency for the TC to review and approve the APES workplan at today's meeting. He stressed that EPA will allocate program money in June. Hence, time is needed for public comment and for the Policy Committee's (PC) review and approval. Rader summarized the motions made by the PC at their February 13, 1987 meeting. The PC requested that an ad hoc group composed of three TC members and three PC members meet to review and decide upon resource priorities in Chapter VI of the workplan. Rader stated that the results of the ad hoc group's meeting is outlined in the draft workplan with priorities, indicated by asterisks. Two asterisks indicate high priority or a consensus of the committee and one asterisk reflects the next highest priority. Rader explained that Table 5 "Budget and Scheduling" and Table 6 "were adopted by the PC as guidance for the TC's consideration. The time schedule and approval process for the workplan is as follows:

February 25	TC approves workplan
March 02	Workplan sent out for public review
March 17	PC approval of workplan
April 01	Public's comments incorporated

Mike Orbach, NC Marine Science Council, was concerned if the March 17th deadline for PC review allows adequate time for PC review of public comment. Muchmore explained that the workplan is a funding

mechanism and is not a public participation program. Frankenberg explained that the workplan can be expanded upon, up until the time of its submission. Carl stated that public participation should not be confused with public comment. Due to the public meeting in Washington, N.C., many people have an understanding of the program. Carl said that the program must continue with its effort to inform the public in order to have comments throughout the program. Dave Owens, Director, NRCD, stated that public participation is needed and that the TC can both get the workplan out and leave it open for comment. Carl asked if there was consensus or disagreement among the ad hoc committee's review. Frankenberg said there was agreement. He noted he was the only PC member able to attend.

B. Public Participation

Carl commented on the Public Participation Conference on February 14th. He felt that participation was excellent, but the issue was limited to a "save the bay" forum. He suggested that the next public forum have a balance of both "save the bay" and resource identification issues.

Carl stated that Secretary Rhodes, NRCD, expressed very strong concern at the PC meeting over who the public is and who should represent the public. Carl said to put it simply, "isn't a citizen someone who lives in an area, rather than for example, a timber representative by profession." In keeping with Secretary Rhodes' motion at the PC meeting to reconsider the proposed citizens committees, Carl made a motion.

Motion 1: Dr. Carl motioned to reconsider the structure of the appointments of the Public Participation Program and add 15 additional members to each committee; that we open up nominations again; that we reconsider previous nominations and that we consider any other outside nominations; and that we appoint a subcommittee of four to five members to analyze that list.

Paul Wilms, Director, Division of Environmental Management, NRCD, seconded the motion.

Discussion ensued as follows. Orbach pointed out from the December minutes of the TC, that the TC has already approved the list of nominees. The January minutes reflect that the TC made a motion for the list to be sent to the PC by mail for vote. Orbach stated that four favorable responses were received. Orbach said that Rhodes was concerned about the citizen category. Specifically, the concern was with Todd Miller, employed by an environmental organization but nominated in the citizen composite. Dr. B. J. Copeland, NCU, Sea Grant College, stated

that it will be very difficult to find responsible people without some type of narrow view, that is, people who are not working and who are not representing their position. Wilms said he wants to see the committee expanded, and not to exclude those already selected. Ms. Sally Turner, EPA Region IV, recommended expanding the committee, appointing the committee approved in December, and then letting the appointed committee recommend 15 more people. Mr. Jim Stewart, Associate Director, Water Resources Institute, NCSU. Stewart stated that APES wants responsible, educated citizens and that the TC should develop an active committee. Stewart stressed that the committee should appoint people whom we know will participate. Orbach explained that the original intent of the TC was to select a diverse group that could reach out to diverse people. Aside from public hearings, Orbach believes that the Citizens Committee will be the most productive public vehicle. He asked the TC whether expansion of the committee was proper route and whether an expanded committee will be productive. Owens stated the program needs to get people involved and that we must assume that if people commit to serve on the committee that they will participate. He felt that broadening the committee might be helpful; but, that the Citizens Committee should not be considered as a broad representation of the public. Mike Gantt, Field Office Supervisor, US Fish & Wildlife Service, and Policy Committee member said that she and Dan Ashe motioned in August that we get the Citizens Committee established. Gantt said that from other programs' experiences, people leave their positions and that the citizen representation changes. Hogarth agreed that the Citizens Committee needs to get started, and suggested approving the present list and adding others later. Muchmore stated that he did not see a need to rush through the process and deny others an opportunity. Muchmore explained that Rhodes believes that the present committee is a category of special interests.

Vote on motion 1: Orbach requested that a question be called on the motion. Carl called a show of hands. Five voted in favor of the motion and four opposed.

Dr. Carl then made another motion.

Motion 2: Carl motioned that the TC move forward with the citizen committee nominees voted on at the December meeting, with the exception of the public (citizen) category.

Orbach asked if the intent of this motion is that these members be appointed and that they receive a workplan to review. Carl answered yes.

Vote on motion 2: The committee voted in favor of Carl's motion.

128

III. Workplan Review and Approval

Chapter V

Copeland made the following motion:

Motion. Copeland moved that the TC accept Tables 5 & 6 in Chapter V of the workplan. Hogarth seconded the motion. The committee unanimously approved.

Dr. Carl asked if the thrust of Chapter V is alright. Copeland stated there is nothing more to do at the moment than Tables 5 & 6; however, he said more detail will need to be added to the chapter.

Chapter IV

Section I.E.2 Copeland asked how I.E.2 received a lower priority than other items (e.g. one asterisk). Rader explained that since there was lack of concensus, it received one asterisk.

Motion. Copeland recommended giving it two asterisks. The committee agreed.

Motion. Copeland recommended accepting Chapter IV, Section I, as is, with the one change of a double asterisk to I.E.2. Hogarth seconded the motion. The motion carried by unanimous approval of the committee.

Section II. Copeland stated that there needs to be additional modeling. There is a need to know where the water originates and where it is exchanged, i.e. a hydrographic model. He believes we need an estuarine and watershed model together. Sally Turner pointed out that Section II.E.1. appears to address Copeland's concerns. Copeland said that II.E.1 is a benchmark type of model for managers. Rader explained that II.E.1 will evaluate different models available. Sally Turner stated that we need to ask the management questions of what we hope to gain from funding a model. Rader said that we need to see the likely return for funding a model. He pointed out that the Corps of Engineers and EPA are funding a \$15 million modeling project for the Chesapeake and that this might be applicable for other estuaries. Saunders stated that there appears to be a need to know how the estuarine system works. Copeland emphasized that until we unravel how the system works, we cannot evaluate the management strategies. Owens stated that we first need to evaluate what our needs are and then decide how we will address them. Jim Turner said that there is a need to understand the system before

we can make decisions regarding the biological response to the physical response. Carl said that perhaps we need to state what we expect the model to accomplish and what model will accomplish it. Sally Turner recommended that a separate RFP be written for investigating models. Frankenberg and Copeland suggested rewriting Section II.E.1.

Owens stated that managers need basic information on what amount of money will buy what level of information. As a first step, he said we need to explain the hows and whys of models. Sally Turner stressed that non-point source models have historically not helped managers in decision making. Carl then motioned rewriting section E.1 and adding a new section E.1.B, as follows:

E.1.A. Investigate and demonstrate the management relevance of estuarine hydrodynamic and water-quality and transport models. Elicit from managers their needs and the utility and applicability of these tools.

E.1.B. Evaluate water flow characteristics in the Albemarle-Pamlico by documenting inputs to, major influences on circulation within, and outputs from the system. Use this evaluation to define approaches to, and management relevance of, hydrodynamic and water quality models.

Copland seconded the motion. No one opposed the motion. Approved unanimously.

Saunders discussed the Corps land use map projects in terms of Section II. C.1. He said that there is about \$400k in this project and an arrangement might be made for this project. Rader was instructed to leave C.1 as is and to adjust it later if necessary.

Carl then moved that Section II be accepted as changed. Hogarth seconded. Unanimously approved by committee.

Section III. Fisheries.

It was recommended that E.1 be revised to add "and habitat":

"Evaluate the effects of fishing practices on water quality and habitat. (after C.1)."

Sharon Shutler requested clarification of C.1. She recommended that APES coordinate with the CBP stock assessment

committee and determine how C.1 can be incorporated with their efforts. Carl stated that the fisheries landings information appears the weakest area of knowledge at the present.

Motion. Hogarth moved to accept Section III with habitat change. Copeland seconded. Unanimously approved by committee.

Section IV. The Human Environment

Hogarth motioned to accept Section IV. as is. Copeland seconded. Sharon Shutler expressed concern about the need to incorporate management plans into section IV. Sally Turner said that section IV is not the place for this and that its place is in Chapter I. Sally Turner said she wants to look at Chapter I in terms of the Clean Water Act and its emphasis in the development of management plans. Without objection, Section IV was approved and accepted.

Chapter I. Sally Turner stated that a purpose statement needs to be added to the document. She said that the Policy Committee adopted a statement on 8/15/86. She requested that this be included. She also wants to incorporate language and requirements outlined in the Clean Water Act. The language in Chapter I needs to be in keeping with EPA policy. Turner felt that Chapter I might be the only chapter that many people read. Therefore she said that it should stand by itself; that it should be succinct, and in keeping with policy.

Motion. Copeland moved that Sally Turner and Doug Rader work on Chapter I to conform to the needs Sally outlined (above). And, with these changes Chapter I is alright. And, further it does not need to go back to the Technical Committee for approval. Hogarth seconded the motion. Without objection, the motion was approved.

Chapter II.

Motion. Hogarth motioned that this chapter be approved with the stipulation that it be edited for readability. Copeland seconded the motion. Without objection, the motion was approved.

Chapter III.

Motion. Hogarth motioned that this chapter be approved with the stipulation that it be edited for readability. Copeland seconded the motion. Without objection, the motion was approved.

IV. Request for Proposals (RFPs)

Jim Stewart asked for Doug's opinion on the best approach for soliciting RFPs from the workplan. Copeland suggested sending out the entire workplan as an RFP. Copeland volunteered to work on a proposed outline of the RFP process with Rader. Owens said to send it out with a cover letter explaining the asterisks. Wilms said that the letter should state that the Program will consider any activity in the workplan and not only those with asterisks. Hogarth suggested that when we review the RFP that we form small subgroups of the Technical Committee.

Motion. Copeland motioned that the Technical Committee inform the Policy Committee that the workplan is approved; that this workplan will be used as an RFP; and that we will solicit RFPs and provide a letter with guidelines. Wilms seconded the motion. The motion carried.

V. Data Management

Carl asked the committee to consider an item which was tabled at last month's meeting. Specifically, the committee is to consider a data management system, outlined in Attachment A of the January minutes.

Motion. Hogarth motioned that the committee accept LRIS as the data system and that they work within the proportional funds specified in the workplan. Copeland seconded the motion. The committee unanimously approved.

VI. Public Participation

Sally Turner noted a need to develop an RFP for the public participation program to support the committee. Carl appointed a committee to prepare the public participation RFP. Mike Orbach is to chair the committee.

Technical Committee Meeting
February 25, 1987
page 8

VII. Other Business

Sharon Shutler recommended that an ad hoc or standing committee be formed after each Technical Committee meeting to get things in order for the next meeting. She stated that today's workplan review moved smoothly as a result of such an ad hoc review.

It was noted that the Policy Committee will need to put together a peer review committee at their March 17 meeting. Carl said that the four co-chairs (Technical Committee and Policy Committee) should appoint a sub-group to review the public comments received on the workplan.

VIII. Next Meeting

The meeting adjourned at 4:30 p.m. The next meeting is scheduled for April 14th at 10:00a.m. The location is to be announced.

TABLE 1
PROPOSED FUNDING BREAKDOWN

a. Percentages

	Oct. 1986-87	Oct. 1987-88	Oct. 1988-89	Oct. 1989-90	Oct. 1990-91
Program Admin.	15%	15%	15%	15%	15%
Information Management	15%	15%	10%	10%	10%
Public Participation	10%	10%	10%	10%	10%
Information Acquisition	60%	60%	65%	65%	65%
Total	100%	100%	100%	100%	100%

b. Dollars

Funds

Program Admin.	\$150,000	\$131,000	\$131,000	\$131,000	\$131,000
Information Management	\$150,000	\$131,000	\$100,000	\$100,000	\$100,000
Public Participation	\$100,000	\$ 88,000	\$ 88,000	\$ 88,000	\$ 88,000
Information Acquisition	\$600,000	\$569,000	\$569,000	\$569,000	\$569,000
Total	\$1,000,000	\$875,000	\$875,000	\$875,000	\$875,000

TABLE 3

PROPOSED FUNDING OF INFORMATION ACQUISITION

I. Resource Critical Areas

25% of IA

II. Water Quality and Estuarine Relationships

40% of IA

III. Fisheries Dynamics

20% of IA

IV. Human Environment

15% of IA

Appendix C

RESOLUTIONS
PASSED AT THE FEBRUARY 13, 1987
MEETING OF THE POLICY COMMITTEE

RESOLUTION: Let it be resolved that a major objective of the Albemarle Pamlico Estuarine Study will be to make a special effort to keep the State Legislature, press, media, and public informed about the study and related activities. These efforts should be coordinated by a dedicated Public Relations specialist co-located in the Program Coordinator's Office.

RESOLUTION: Let it be resolved that two Citizens Advisory Committees (CAC) shall be established for development and maintenance of communication and public participation programs for Albemarle and Pamlico Sounds.

There shall be one committee representing the Albemarle Sound region and one committee representing the Pamlico Sound region. Each committee shall be composed of representatives as follows:

1. Public Official (2)
2. Educator
3. Tourism
4. Developer
5. Hunting and Fishing
6. Commerical Fishing Industry
7. Agriculture
8. Industry
9. Environmental Group
10. Coastal Engineer/Surveyor
11. Private Citizen (4)

The purpose of the Citizens Advisory Committees is to provide a means for structure citizen input to the Program and to assist in the dissemination of program information. However, other means for public input to the program, such as public hearings, shall be used as necessary or appropriate to complement the structured input of the Citizens Advisory Committees.

The general charge to the Citizens Advisory Committees shall be:

1. To provide a mechanism for structured citizens' input, including providing recommendations, into the Albemarle-Pamlico Estuarine Study process from their respective regions; and
2. To assist in the dissemination of information relevant to or developed by the project in their respective regions.

More specifically, the Citizens Advisory Committees shall:

1. Elect a Chairperson for their respective committee. The two Chairpersons shall be members of the Technical Committee (TC).
2. Report at each meeting of the TC, through their respective Chairperson.
3. Review all documents and materials produced by the Albemarle Pamlico Estuarine Study. They shall include the results of such review in the Chair's reports to the TC.
4. Take such initiatives as are necessary and appropriate, in conjunction with the other activities of Albemarle Pamlico Estuarine Study, to ensure adequate citizen input from affected and interested constituencies in their regions.
5. Meet at their own discretion, but at least twice yearly, in locations convenient to the citizenry of their regions.

The functions of the Citizens Advisory Committee may include but are not limited to, the following:

1. Organize and sponsor public meetings at the direction of the Technical Committee.
2. Develop a public information program to educate the public regarding the Albemarle Pamlico Estuarine Study.
3. Organize and sponsor workshops at the direction of the Technical Committee.
4. Coordinate local press releases regarding study results.
5. Prepare news for eventual publication of study newsletter.

**ADMINISTRATIVE PROCEDURES APPROVED
AT THE FEBRUARY 13, 1987
POLICY COMMITTEE MEETING**

BE IT RESOLVED THAT:

The following set of administrative procedures are adopted for the Albemarle-Pamlico Estuarine Project:

1. MEETING PROCEDURES:

Meetings of the Policy Committee will be held at least twice a year, or as necessary to effectively carry out responsibilities and will be held at various locations, including those in the Albemarle-Pamlico Sound Area. The general procedure for scheduling meetings will be to set a date for the next meeting before adjourning any meeting; in addition, a majority of the Committee may ask the Co-Chairmen to call a meeting in which case the Co-Chairmen will hold such a meeting within 21 calendar days. Meetings of both the Policy Committee and the Technical Committee will be called by the respective Co-Chairmen. The EPA Region IV Administrator and the Secretary of the North Carolina Department of Natural Resources and Community Development (DNRCD) shall co-chair the Policy Committee meetings and the Director of EPA's Region IV Water Division and the Deputy Secretary of DNRCD shall co-chair the Technical Committee. The Co-Chairmen of both committees shall appoint designees to serve in their absence. The Co-Chairmen will alternate chairing the committee meetings. The person chairing the meeting will be responsible for approving the agenda, developed by the Project Coordinator, for that meeting. Parliamentary Procedures shall be used for all meetings of the Policy Committee, Technical Committee and Citizens Advisory Committee.

2. VOTING:

Each member of the Policy Committee, Technical Committee and Citizens Advisory Committee shall have one vote; majority vote shall rule; individual votes and absention on roll call votes shall be noted in meeting minutes; and, members may not appoint a proxy to vote in their absence.

3. COMMUNICATION:

To encourage open communication channels among the Committees during the course of the project, it is strongly encouraged that: the Co-Chairmen of the Technical Committee and the Chairmen of the Citizens Advisory Committees attend Policy Committee meetings; at least one member of the Policy Committee attend Technical Committee meetings; and, the Chairmen of

the Citizens Advisory Committees shall also be members of the Technical Advisory Committee.

4. DOCUMENT/RESOLUTION/AGENDA ITEMS AND DISTRIBUTION:

All documents or resolutions developed by Policy, Technical, or Citizens Committee members or their staffs should be distributed to all Policy, Technical or Citizens Committee members, respectively, preferably a week in advance of proposed action in order that members may have adequate time for review and comment, unless the document or resolution is developed at the meeting. Proposed agenda items should be forwarded to the Project Coordinator.

5. AVOIDANCE OF CONFLICT OF INTEREST:

No member of the Policy Committee, Technical Committee or Citizens Advisory Committee may serve as a Principle Investigator on any proposal. If an investigator from a Policy, Technical or Citizens Advisory Committee's institution, agency or company submits a proposal, that Committee member shall not formally comment, endorse or vote on that proposal.

6. PEER REVIEW OF TECHNICAL PROPOSALS:

A Peer Review Committee shall be formed consisting of two members of the Policy Committee and three members of the Technical Committee to be selected by the Co-Chairmen of the Committees. The Review Committee would be responsible for coordinating external and internal reviews and ranking the proposals in priority order based upon scientific quality and research needs identified in the five-year workplan. Scientific quality would be based upon at least three external reviews by respected scientists not residing in the State of North Carolina. Programmatic ranking would be done by the Review Committee. The Committee's final ranking would then be submitted to the Technical Committee for their endorsement and then submitted to the Policy Coammittee for their approval.

7. PRESS RELATIONSHIPS:

A goal of the Albemarle-Pamlico Estuarine Project will be to maintain open communication channels with the press. The official contact person for all Albemarle-Pamlico Estuarine Project press questions shall be the Project Coordinator.

8. TRAVEL REIMBURSEMENT POLICIES:

No travel expenses will be paid for any Ploicy, Technical or Citizens Advisory Committee members with the following exceptions:

- (A) Out-of-State (North Carolina) travel for project-

related meetings upon approval by the Policy
Committee Co-Chairmen.

(B) Travel expenses for invited experts who are neither
Federal employees nor North Carolina residents.

(C) Travel expenses for "special" needs upon recommendation
by the Program Coordinator with approval by the Policy
Committee Co-Chairmen.

Federal regulations prohibit the reimbursement of travel expenses for
Federal employees with grant funds.