



Albemarle-Pamlico National Estuary Partnership

Policy Board Meeting

Via Conference Call

9:00 am – 10:00 am

December 16, 2015

DRAFT MEETING NOTES

Policy Board members present: Dr. Tom Allen, Dr. Wilson Laney, Dr. Kirk Havens, Mr. Mac Gibbs, Mr. Tom Reeder, Dr. Carl Hershner, Dr. Susan White, Mr. Jud Kenworthy, Ms. Joanne Benante, and Ms. Holly White.

APNEP Staff present: Dr. Bill Crowell, Dr. Dean Carpenter, Jimmy Johnson

Guests present: Rhonda Evans (EPA)

Call to Order and Roll Call: Dr. Tom Allen, Chair

Dr. Tom Allen called the meeting to order at 9:00 a.m.

Tom noted that this was the first Policy Board meeting held since July 2015. He stated that the notes are not yet posted. Wilson said he would send the draft to Dean soon.

Tom stated that the focus of the call will be on the status of APNEP and turned the meeting over to Dr. Crowell.

APNEP Program Updates: Dr. Bill Crowell

Program staffing

Bill noted that staff had a couple of meetings with the Policy Board and Science and Technical Advisory Committee (STAC) leadership via conference call. He stated that APNEP had completed all of the fieldwork, and the information would be included in the National Coastal Condition Assessment (NCCA) that will be posted soon.

Bill explained the new state budget resulted in reorganization-the former North Carolina Department of Natural Resources (NCDENR) split into the Department of Environmental Quality (NCDEQ) and the Department of Natural and Cultural Resources (NCDCCR). For a short period of time APNEP was reporting directly to John Evans, DEQ Deputy Secretary. APNEP was ultimately placed in the NCDEQ Division of Water Resources (DWR), where it was located from 1994-2002. An Environmental Protection Agency (EPA) program review in 2002 had resulted in the program being moved to the Office of the Secretary for more autonomy and visibility, a decision bolstered by the Executive Order. Staff will be physically moving to the 6th floor of the Archdale Building January 15.

Additionally, Bill will no longer have dual responsibilities over the Clean Water Management Trust Fund (CWMTF) and APNEP, he will just be over APNEP. Jimmy Johnson, the APNEP staff member responsible for coordinating the Coastal Habitat Protection Plan (CHPP), also no longer has CWMTF duties as of November. Bill noted that both moves were positive changes and reviewed the chain of command: he will report to Tom Fransen, head of the Water Planning Section, who reports to Jay Zimmerman, DWR Director, who reports to Tom Reeder. Bill stated he is in the process of filling two current vacancies, and has been permitted to create two other positions working through DWR.

The state budget also required that APNEP is to be studied by the new NCDNCR in consultation with the NC Wildlife Resources Commission (WRC) and NCDEQ. NCDEQ is compiling information from all of the affected divisions with a report is due to the Legislature by April 1. Currently, the intent is to keep all of the

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studied divisions within NCDEQ. The study could have an impact on APNEP, though it does not appear to affect APNEP via line item changes.

University Host Investigation

The NCDEQ Deputy Secretary, John Evans has encouraged APNEP to find a university home. Given current changes in the Department, now seems a good time to begin moving the program. Wilson expressed concern about the location of APNEP in DWR due to its partnerships with both state and non-state entities, and asked whether or not there would be concerns in the short term and whether or not the move is consistent with the current Executive Order (EO). Bill said the EO states that APNEP is to be located in the offices of the Secretary, and noted it expires November 2016. Tom Reeder stated that the location is a temporary one, until the new location is decided.

Bill noted that DWR is one of APNEP's clients, and there is a potential conflict of interest regarding the nutrient workgroup (action team) that APNEP is currently assisting DWR with, and housing APNEP within DWR and NCDEQ.

Tom Allen asked for clarification about Jimmy Johnson's position. Bill explained Jimmy coordinates the CHPP and reports to Bill, he will also move to DWR. All staff are currently DWR employees, and all in Raleigh will physically move the middle of January. Tom asked whether or not the new positions would be accommodated by the move. Bill explained that there is space for both current staff and future positions in Archdale. Susan White asked for clarification regarding the new positions. Bill explained that two new positions had finally been created, an Ecosystem Analyst, and Education and Outreach Coordinator. Additionally, two existing positions are currently vacant, formerly held by Lindsay Smart (Project Manager) who left August 2014, and Jim Hawhee (Policy & Engagement Manager) who left September 2015.

Wilson asked whether or not the NC Division of Marine Fisheries (DMF) was part of DEQ. Bill said yes, and noted that while the CHPP is a multi-division effort, DMF is primarily responsible for implementing the CHPP.

Tom asked Bill to further discuss the potential move to a university. Bill stated that he has talked to many of our partners, as well as PB, STAC members in order to receive feedback on APNEP's potential host. There are multiple options with different levels of autonomy within the university structure including Institutes, Centers, Programs, and Units. Bill explained these terms:

1. **Institutes** are generally large and often include corporate partners.
 - a. Some are inter-institutional (e.g. NC-Sea Grant, and the Water Resources Research Institute) while others are single university based (examples include the University of North Carolina Institute of Marine Sciences (UNC-IMS), Institute for Coastal Science and Policy (ICSP) at East Carolina University (ECU), and the University of North Carolina Chapel Hill's Institute for the Environment (UNC-IE). Regardless, they each have a single university as their primary location.
2. **Centers** are generally housed within single universities and have various sizes and capacities.
 - a. Single university examples include the Center for Marine Sciences and Technology (CMAST) at North Carolina State University (NCSU).
 - b. Other centers are housed in colleges within a university and report to the college dean. Examples include the Center for Environmental and Resource Economic Policy (CEnREP) in the NCSU College of Life Sciences: Director Laura Taylor.
3. Programs are generally housed within single universities with in a particular college.
4. Units are usually housed within a university department, such as the NC Cooperative Fish and Wildlife Research Unit within the NCSU Department of Applied Ecology.

Bill's preferred long-term recommendation that APNEP be an inter-institutional Institute with its headquarters at NCSU, working alongside NC Sea Grant and WRRI. However, given present circumstances within state

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government and the public universities, the best next step may be to move into an existing center at either NCSU or UNC-CH.

Bill noted that there are several examples with other National Estuary Programs around the country being hosted by academic institutions.

Bill reiterated that APNEP's first priority should be to fill current vacancies; then establish a primary non-federal match, determine indirect costs, determine overhead, and develop an MOA or MOU with the potential host, all of which would be required even if APNEP remains within NCDEQ.

Tom Reeder departed the call at 9:30a.m.

Tom Allen noted all the previous issues remain, including the pressures of visibility, autonomy, the logistical overhead of moving over short term: indirect cost, space, ability to function as smoothly as possible during the transition. Geography is an issue as well, not to mention Jimmy's involvement in state government given his position. He suggested the policy board convene a smaller group or task force to tackle the details.

Carl Herschner asked a few background questions, including where the advocates for the program would be, are there any clear interests? He asked about EPA's position and whether or not they would be able to lobby for the program. Rhonda Evans addressed EPA's perspective, she can share MOAs from other NEPs. Generally, EPA is supportive of this type of move, but they can only advocate via the extent of their authority outlined in Section 320 of the Clean Water Act. It is actually the Policy Board's role to advocate on behalf of APNEP. Rhonda noted they have just assisted the Indian River Lagoon NEP to move from a state agency (water management district) to an entity. Rhonda mentioned that since NCDEQ supports the move, the process should be easier for APNEP.

Carl noted that for Ecosystem Based Management in North Carolina (NC), the promise was to have an integrated cooperative amongst agencies. Now it seems the NC government wants to push the program out of state government, and it seems no university is clamoring for it. He thinks we need a university that would advocate and have some capacity for supporting the program. Looking down the road, it is not clear how the move would promote or facilitate the program's objectives.

Bill said the individuals he has talked to are very supportive and the some of the centers' leadership is willing to accept APNEP. There are receptive hosts, however, it is not a good time to set the program up as an independent center, based on the studies of centers and institutes and coastal programs last year. As we move through the process we will learn more.

APNEP has had exceptional relationships with federal agencies and very good relationships with Non-Governmental Institutions (NGOs) and academic institutions. The most difficult relationships have been with other state divisions within the current agency. Bill speculated that the relationship with NCDEQ might improve if APNEP moves out of DEQ. Carl said he was pleased Bill is optimistic and stated it is incumbent on the staff and board to be advocates for the program.

Carl suggested the CCMP be revisited once any move takes place, and noted that EPA needs to be a willing partner. Rhonda explained that the most successful NEPs are those that have independence and autonomy, as they can better address goals. She discussed two factors 1) independence of program and 2) active board members. She explained that the EPA evaluates the program every five years—APNEP is due in 2018; EPA will work with APNEP on revisiting the CCMP during this process.

Bill stated that he had expected APNEP staff to evaluate progress on CCMP implementation during 2016, but the vacancies and program changes are impacting the expectations. The current CCMP was approved in 2012 just prior to the election of new legislators and shifts in state policy. This directly affected CCMP

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implementation as DENR policies and focus areas changed dramatically in early 2013. They have also had to deal with many other issues—headway has been made, but not nearly as much as we would have liked. Bill noted the program will likely move somewhere, if not to a university, then possibly to NCDNCR, if the Legislature dictates. The program will go through a restructuring with a new host, regardless. Bill noted there are some important match commitments and other things will be needed down the road. APNEP needs to expand and grow, with potential match coming from a number of partners. Bill spoke with one institute director who mentioned they have grant-writers who could assist. Also, Tom Reeder said it could be 1-2 years, so there is a concern that DWR may develop an affinity for APNEP and they may become stuck within the agency.

Wilson said he liked Tom's idea of convening a smaller group to tackle the issue and volunteered to serve. Tom suggested it would also be good for Carl, Kirk, or Mac to participate. Mac said it appeared as though DEQ would like to bury APNEP and he thinks the University would be a better location. Mac noted that consideration should be given to the down side of university placement, including taking money off of the APNEP grant, inter-institution jealousy, etc. He stated that the boards must be restructured and noted he has 25 years in the university system and would be willing to serve on the sub-committee. Mac stated he presumed NCSU would be Bill's top choice. Bill noted that the committee would need to hear all the information and conditions before moving forward. Carl noted he was willing to serve in any way and that he was personally invested in APNEP's EBM approach. Rhonda said she was willing to participate as well.

Tom stated that the sub-committee would consist of Wilson, Mac, Tom, Carol, and with advice from Rhonda and noted that a plan from the group was needed, he and Bill will pull together materials. Bill will send out a Doodle poll to the ad-hoc group and noted that he will also need to schedule a board meeting or conference in February.

Wilson stated that the U.S. Fish and Wildlife Service had offered \$5K for the Shad in the Classroom project.

Tom thanked Susan White for meeting with APNEP staff to discuss the move. He noted concerns regarding Tom Reeder's statement that the move to NCDEQ/DWR could be a 1-2 year "temporary" location, and expressed the hope that we could move rapidly to resolve this issue. Wilson agreed and urged the ad-hoc team to move as quickly as possible. Bill noted that the state is prepping for another election and changes in leadership would require re-educating new players once again. Kirk agreed and suggested the issue of a new APNEP host be resolved prior to November 2016.

Public Comments

The floor/ telephone line was opened to public comments. There were no public comments.

Adjourn

Tom thanked the group for participating and adjourned the call at 10:00am.