

Albemarle-Pamlico Sounds National Estuary Program

Coordinating Council for the Albemarle-Pamlico Sounds Region "Kick-off" Meeting

March 31, 1998
Raleigh, NC

SUMMARY

Chairman: Wayne McDevitt, Secretary
NC Department of Environment & Natural Resources

Attendees: see attachment

Welcome and Charge to the Coordinating Council

Secretary McDevitt welcomed the Coordinating Council members to the historic kick-off event. He stressed the importance of the Coordinating Council for protecting and restoring the Albemarle-Pamlico Sounds watershed. Secretary McDevitt's participation on the Coordinating Council demonstrates the commitment the State has to the Albemarle-Pamlico Sounds National Estuary Program Coordinating Council and Regional Councils. He charged the Coordinating Council with the duties identified in the Governor's Executive Order No. 75:

1. To evaluate and support the implementation process to ensure the highest level of cooperation and coordination among agencies, local governments, and public and private interest groups.
2. To consult the Regional Councils for guidance on coordinating implementation strategies at a local level.
3. To set annual priorities for implementing sections of the CCMP and make recommendations based on progress and success, and identify and prioritize information needs as described in the CCMP.
4. To pursue a MOU between North Carolina and Virginia to ensure continued cooperation and coordination in implementing the CCMP.
5. To develop/submit annual reports evaluating the progress made in implementing CCMP recommendations and the success of implementation strategies.

A key purpose of today's meeting is for the Coordinating Council to discuss how they can accomplish these duties and the types of support they need from the Albemarle-Pamlico Sounds National Estuary Program staff.

Mike McGhee, Director of EPA's Water Management Division in Atlanta, GA, also welcomed the Coordinating Council members. Mr. McGhee emphasized that through the Albemarle-Pamlico Sounds and the other 27 National Estuary Programs, EPA has learned that the watershed approach, also known as Community-based Environmental Protection, is an effective and critical method for protecting and restoring the nation's precious natural resources. The success of the watershed approach depends on the commitment to and involvement of all stakeholders, citizens, government agencies, and businesses, in the environmental decision-making process.

EPA's commitment to the Albemarle-Pamlico Sound National Estuary Program Coordinating Council and Regional Councils is demonstrated through EPA's membership and EPA's commitment to help implement CCMP action plans through such programs as Non-point sources (CWA Sec. 319), Total Maximum Daily Loads (TMDL), restoration and protection demonstration projects (CWA Sec. 104(b)(3)), wetlands, "Know Your Watershed," and *Pfiesteria*. Coordinating Council members are encouraged to become familiar with the Administration's Clean Water Action Plan which should provide new funds for addressing polluted runoff and provide opportunities for State and local leadership in developing watershed based water quality standards and national strategies for addressing pollution from animal feeding operations.

Albemarle-Pamlico Sounds National Estuary Program: History and Background

Joan Giordano, Public Outreach Coordinator for the Albemarle-Pamlico Sounds NEP, provided an historical perspective of the Albemarle-Pamlico Estuarine Study and the Comprehensive Conservation and Management Plan (CCMP). Development of the CCMP was a partnership of all the stakeholders in the watershed, many of whom are now participating on the Coordinating Council or one of the Regional Councils. Today's meeting is the kick-off for renewing the partnership and involving all the stakeholders in the process of implementing the CCMP to protect and restore the A-P Sounds watershed.

Guy Stefanski, Coordinator for the Albemarle-Pamlico Sounds NEP, provided an overview of the CCMP and a status report on implementation of the CCMP. While there has been a great deal of progress in implementing many of the CCMP action plans, there are still some areas of the CCMP which need more attention. A responsibility of the Coordinating Council will be to set priorities for implementing CCMP action plans and ensure that those responsible for implementing various action plans are involved in the process and committed to carrying out the actions.

Award Ceremony. Dr. John Costlow received the state's highest, most prestigious citizen's award, "The Order of the Long Leaf Pine" for his outstanding service and commitment to the environmental community and the state.

Regional Council Reports. The Chairmen from each of the five Regional Councils gave a brief update on their progress

Bill Ritchie, Neuse River Basin:

- ▶ Formed in November 1995. Meetings are generally bimonthly.
- ▶ 51 members representing 17 counties.
- ▶ Key Issues: nutrient management, wastewater treatment technology, ground water monitoring, fish kills response and potential depletion of subsurface aquifers
- ▶ The "Neuse River Basin Council 1996 Annual Report Summary and Annual Report for 1997" and "Findings and Recommendations of the Craven County Intensive Livestock Operations Moratorium Study Committee Final Report" were distributed.

Earl Bell, Tar-Pamlico River Basin:

- ▶ Formed in September 1997
- ▶ 48 members representing 16 counties
- ▶ Held three meetings since Sept. 1997 inauguration; bylaws established in January 1998
- ▶ Issues/concerns to be prioritized during next meeting on April 3, 1998. Concerns include citizen monitoring, municipal wastewater and stormwater.

Joe Stutts, Chowan River Basin:

- ▶ Bylaws have been established
- ▶ Council has had three meetings since September 1997 inauguration
- ▶ Priorities include NPS pollution estimates of 70% of impacts come from Virginia.
- ▶ Estimates that 70% of impacts to Chowan River come from Virginia sources.

Guy Stefanski on behalf of Mary Lilley, Roanoke River Basin:

- ▶ Council has had three meetings since September 1997 inauguration. Future meetings are scheduled for April 24, 1998 and May 27, 1998.
- ▶ Problems/concerns include flooding/flow regulation [aseasonal flows, Army Corps participation, withdrawal rates], water quality [dissolved oxygen, nutrients, toxics, sediments], and stewardship [land use, tourism, economic development, property rights/responsibilities of owners, education, incentives].

Erie Haste, Jr., Pasquotank River Basin:

- ▶ Council has had two meetings since September 1997 inauguration.
- ▶ Currently have 23 members representing 10 counties, would like to increase to 27-28 members -- 1/3 is considered a quorum
- ▶ Need Virginia involvement -- based on previous experience during CCMP development, expects VA will participate without any difficulty
- ▶ Pasquotank River basin covers about 1/2 of the entire A-P Sounds watershed

- ▶ concerns include salinity changes/affects on Currituck Sound, the Oregon Inlet project and its impacts on fishery habitat, lack of data and lack of adequate staff support.
- ▶ Currituck Volunteer Monitoring program is a good program but needs more support

Open Discussion

- ▶ we need to ensure stakeholder involvement in the decision making process, especially where there is potential for adverse economic impacts
- ▶ we need to avoid duplication of effort and unnecessary added bureaucracy
- ▶ Regional Council Chairs need ability to directly communicate with DENR management regarding resource needs
 - Secretary McDevitt and Assistant Secretary Holman encouraged all Council members to call them as necessary.
 - Regular Coordinating Council meetings may also serve this purpose.
- ▶ All the Regional Councils and the Coordinating Council need additional staff support. Guy and Joan are doing an excellent job, but additional help is needed to support regular meetings, preparing and distributing agendas and meeting notes, contributing to a regular newsletter, conducting public outreach and education activities, organizing media events and preparing press releases, etc.
- ▶ A-P Sound NEP staff need to facilitate communication with local elected officials. We need a 1-2 page summary of today's meetings to share with local officials since they may first hear of this meeting by reading about it in the paper.
 - DENR offered to initiate/prepare a quarterly newsletter which would report on Council activities as well as CCMP implementation activities carried out by various stakeholders
 - It was noted that Joan used to prepare an APES newsletter which should serve as the model for the Albemarle-Pamlico Sounds NEP newsletter
- ▶ Technical reports (e.g., basinwide management plans) are typically too detailed and lengthy for general use. It would be better if DENR could provide a summary which highlights priorities for Regional Councils to assist in implementation.
 - DENR indicated that plans are underway for the Office of Environmental Education to prepare condensed/abbreviated versions of the basinwide plans for use in schools
- ▶ Communication with the public requires use of attention-getting language:
 - recreation, health, economy
 - simple (key) questions to address: Is it safe to swim in the river and eat the fish? Are environmental conditions improving or worsening?

- measurable living resources: healthy fish populations, sea grasses, water clarity,...
- ▶ A possible approach for communication:
 - what are the problems (see key questions above)?
 - what are the sources of the problems, quantify if possible?
 - what are the solutions to the problems?
 - communicate progress (use a flag with the A-P Sound NEP logo, newspaper articles, public events)

Action Items/Next Steps

1. Sec. McDevitt asked each Council member to send Guy a list of 3 to 4 things they think the Coordinating Council should be about or needs to be effective.
2. Guy asked each Council member to review relevant sections of the CCMP and the Implementation Summary Report to update progress that has been made in implementing the CCMP. Guy will use this information to prepare a 1-2 page summary chart which clearly communicates the level of progress being made in implementing each of the CCMP action plans. Such a summary is necessary for the EPA biennial review process and will be useful for communicating to the general public the progress being made by the program. Council members should also review these materials to identify priorities for implementation during the short term.
3. Guy and Joan will schedule the next Coordinating Council meeting to follow up on these action items.

Closing

Sec. McDevitt thanked all the members for their participation in this historic event and reiterated the goals for the Council members to practice cooperation, coordination, communication, perseverance and patience.

Prepared by: Betsy Salter, EPA Headquarters
Guy Stefanski, DWQ, NEP staff

COORDINATING COUNCIL
for the Albemarle-Pamlico Sounds Region

“Kick-off Meeting”
MARCH 31, 1998

ATTENDEE LIST

	<u>NAME</u>	<u>AFFILIATION</u>
1.	Mary Lilley	Roanoke River Basin Regional Council
2.	Betsy Salter	EPA Headquarters -- Wash., DC
3.	T. Erie Haste, Jr.	Pasquotank River Basin Regional Council
4.	Fred McManus	EPA Region 4 -- Atlanta, GA.
5.	Mike McGhee	EPA Region 4 -- Atlanta, GA.
6.	Coleman Long	US Army Corps of Engineers
7.	Peggy Griffin	NC Coastal Resources Commission
8.	Alan Clark	NC Division of Water Quality
9.	Clarence Skinner	Pasquotank River Basin Regional Council
10.	Joan Giordano	NC Division of Water Quality -- NEP staff
11.	Guy Stefanski	NC Division of Water Quality -- NEP staff
12.	Tom Ellis	NC Department of Agriculture
13.	Caroline Parker	Neuse River Basin Regional Council
14.	Greg Thorpe	NC Division of Water Quality
15.	Preston Howard	NC Division of Water Quality
16.	Terry Rolan	Neuse River Basin Regional Council
17.	Vince Bellis	Tar-Pamlico River Basin Regional Council
18.	Bill Holman	NC Dept. of Environment and Natural Resources
19.	Dr. John Costlow	Neuse River Basin Regional Council
20.	E. Leo Green	NC Environmental Management Commission
21.	Boyce Cheek	Tar-Pamlico River Basin Regional Council
22.	Wayne McDevitt	NC Dept. of Environment and Natural Resources
23.	Yates Barber	Pasquotank River Basin Regional Council
24.	Bill Ritchie	Neuse River Basin Regional Council
25.	Mike Wicker	US Fish & Wildlife Service
26.	Lee Wynns	Chowan River Basin Regional Council
27.	Joe Stutts	Chowan River Basin Regional Council
28.	John Bratton	NC Sedimentation Commission
29.	Stan Adams	NC Division of Forest Resources
30.	Earl Bell	Tar-Pamlico River Basin Regional Council
31.	Richard Hamilton	NC Wildlife Resources Commission
32.	Michael Shore	NC Dept. of Environment and Natural Resources
33.	Ruth Swanek	NC Division of Water Quality
34.	Ernie Seneca	NC Division of Water Quality
35.	Suzanne Hoover	NC Division of Water Quality
36.	Coleen Sullins	NC Division of Water Quality
37.	Boyd DeVane	NC Division of Water Quality

NEUSE RIVER BASIN REGIONAL COUNCIL

RESOLUTIONS

Since November 1995, the NRBRC has identified issues which members feel have been overlooked or deserve greater attention. In pursuit of discharging its duties as an advisory body, the NRBRC drafted resolutions addressing specific (or potential) problem areas. The following resolutions were passed during regular meetings of the NRBRC.

**RESOLUTION CONCERNING THE NEUSE RIVER BASIN
REGIONAL COUNCIL'S ROLE IN PROTECTING AND IMPROVING
WATER QUALITY IN THE NEUSE RIVER BASIN**

WHEREAS, on March 30, 1995, Governor Hunt signed Executive Order #75 which established Five Regional Councils of citizens, one for each river basin in the Albemarle-Pamlico watershed to advise agencies responsible for environmental management on concerns and issues relative to that basin, and

WHEREAS, the Neuse Basin (including areas of the White Oak River basin that drain to Core and Bogue Sounds) is represented by the Neuse River Basin Regional Council; and

WHEREAS, Executive Order #75 states the Regional Council shall advise and consult with local, state and federal governments, as well as the general public and different interest groups within the basin on the implementation of environmental management programs in the river basin; and

WHEREAS, Executive Order #75 further states that the Neuse River Basin Regional Council shall work to prioritize the problems to be addressed in the Neuse River Basin and to design and build consensus support for the most cost-effective strategies for dealing with those problems; and

WHEREAS, the Council has no authority other than as an advisory body; and

WHEREAS, the first meeting of the Neuse River Basin Regional Council was held on November 27, 1995 in New Bern, North Carolina and has had a total of four meetings to date; and

WHEREAS, the Department of Environment, Health and Natural Resources has established NSW goals in the Neuse Basin of 30% reduction in nitrogen and 50% reduction in phosphorus and has proposed revisions to the NSW strategy for the Neuse River Basin; and

WHEREAS, some identified contributors to these problems include point source discharges, non-point source runoff from both urban and agriculture, and habitat destruction; and

WHEREAS, the Neuse River Basin Regional Council supports North Carolina's basinwide approach to water quality management which is intended to improve the efficiency, effectiveness and consistency of the state's surface Water Quality Program; and

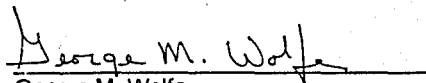
WHEREAS, on May 17, 1996, members of the Neuse River Basin Regional Council discussed their role in implementing the above programs.

NOW, THEREFORE, BE IT RESOLVED that the Neuse River Basin Regional Council having carefully considered their role in protecting the Neuse River recommends:

1. Funding of an "ongoing" program to address the Neuse River Basin water quality problems to include but not limited to:
 - (a) the formation of a Citizen Water Quality Monitoring Program to provide for incorporation of data collected by volunteers, state, and local government into a data management system that provides for public access to all data collected.
 - (b) Funding to address point and non-point sources of pollution.
2. That the Neuse River Basin Regional Council review on a basinwide basis, requests for the use of said funds for nitrogen control and recommend to the Secretary of Environment, Health and Natural Resources or other funding agencies, how funds should be allocated within the basin in order to get the "maximum reduction in nitrogen per expenditure of dollars."

Adopted by the Neuse River Basin Regional Council this 17th day of May, 1996 meeting in Goldsboro, North Carolina.

Attested to by the Chairman of the Council.


George M. Wolfe
Chairman

**RESOLUTION OF THE NEUSE RIVER BASIN REGIONAL COUNCIL IN SUPPORT
OF IMPROVEMENTS IN THE FUNDING PROCESS FOR STUDIES AND
SUPPORTING SERVICES FOR WATER QUALITY IMPROVEMENTS IN THE
NEUSE RIVER BASIN**

WHEREAS, many uncertainties exist regarding water quality in the Neuse River basin; and

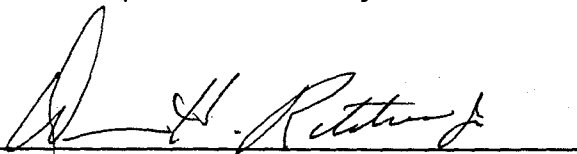
WHEREAS, scientific study of these uncertainties and related phenomena are necessary if effective use is to be made of the state's financial resources in cleaning up the waters of the Neuse River basin; and


WHEREAS, recent irregularities in scientific grants have raised questions concerning the process; and

WHEREAS, this Advisory Council is concerned and does approve of a third party investigation of this matter; and

NOW THEREFORE, BE IT RESOLVED by the Neuse River Basin Regional Council that it stands firmly in favor of the current investigation and recommends that it be extended to an investigation of the process to determine what, if any, additional checks and balances or changes are required to assure the integrity of the process and that a full public disclosure be presented to include findings and recommendations.

Adopted this 28th day of FEBRUARY, 1997


Chair, NRBRC


Vice Chair, NRBRC

**RESOLUTION REGARDING RESPONSIBILITIES of the NEUSE RIVER BASIN
REGIONAL COUNCIL**

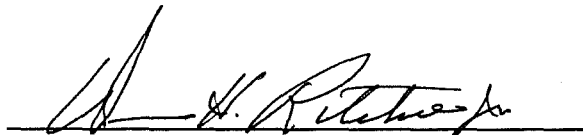
WHEREAS, the Neuse River Basin Regional Council (NRBRC) has been in being for over one year; and

WHEREAS, to date, effective use has not been made of the wide diversity of geographical representation and of interest groups representing the entire spectrum of pollution sources and environmentalism; and

WHEREAS, this advisory body is the only group whose diversity presents a true sounding board for determining the potential impact of proposed actions; and

NOW THEREFORE, BE IT RESOLVED by the NRBRC that these concerns be presented to Governor Hunt and Secretary of the Department of Environment , Health and Natural Resources (DEHNR), Jonathan Howes, and that regular presentations by the Division of Water Quality (DWQ) and the DEHNR be presented for constructive critical review where the issues are alternatives and priorities and where broad consensus is being sought.

Adopted this ^{29th} day of ^{FEBRUARY}, 1997.


Chair, NRBRC


Vice Chair, NRBRC

RESOLUTION: RATE OF WITHDRAWAL OF AQUIFER WATERS IN N.C.

WHEREAS, development throughout North Carolina over the past two decades has resulted in significant increases in population, industry, agriculture, and tourism; and

WHEREAS, virtually all of these expanded developments have increase the demand for and use of potable water from both surface and subsurface waters (aquifers); and

WHEREAS, significant and documented contamination of surface waters throughout North Carolina have necessitated increased dependence and utilization of potable water taken from the relatively uncontaminated subsurface (aquifers); and

WHEREAS, the increased utilization of subsurface potable waters has resulted in a withdrawal rate which is estimated to exceed the rate by which the waters within the subsurface aquifers are being replaced; and

WHEREAS, it has been demonstrated that a reduction in volume (pressure) within the subsurface (aquifer) waters within coastal areas can result in the intrusion of salt water into the aquifer; and

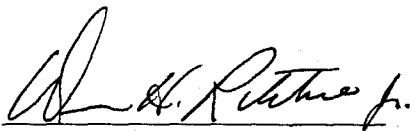
WHEREAS, any significant reduction of volume and or intrusion of salt water into subsurface waters (aquifers) would result in its unsuitability for virtually all societal uses;

NOW THEREFORE, IT IS:

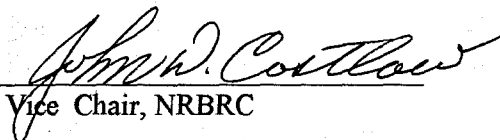
RESOLVED, that the Neuse River Basin Regional Council requests the Office of , or any other qualified body in North Carolina, the Governor charge the N.C. Board of Science and Technology to conduct a study of the rate at which the potable waters of the subsurface aquifers within North Carolina are being depleted and, with special reference to the Castle Haynes Aquifer, Pee Dee, Black Creek, and Upper Cape Fear determine the degree to which this reduction in level/pressure poses the threat of salt water intrusion in the coastal areas.

FURTHER RESOLVED, that if the findings of the proposed study indicate that the continuing and expanded dependence upon the aquifers are sources of potable water throughout North Carolina will result in reducing the future availability of these waters , regulatory measures be instituted to prevent further reduction, especially in coastal areas in which it can be demonstrated that such reduction will result in salt water intrusion into these aquifers.

Adopted this 31 day of October , 1997



Chair, NRBRC



Vice Chair, NRBRC

**A RESOLUTION BY THE NEUSE RIVER BASIN ADVISORY COUNCIL
REQUESTING ACTION TO PROPERLY DISPOSE OF LARGE FISH
KILLS**

Whereas; the Neuse River has been plagued and continues to be plagued by problems of nutrient pollution, algal blooms, fish kills and pfiesteria out breaks, and

Whereas; considerable action has been taken towards reducing the amounts of nitrogen and phosphorous being poured into our rivers and streams, the pollution generated by large fish kills has received no such attention, and

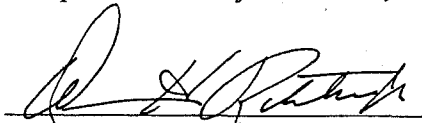
Whereas: each year thousands and thousands of fish are killed due to a lack of oxygen in the water and by attacks of the organism pfiesteria; and


Whereas; these small fish, which were once caught for fertilizer, decay and deposit tons of nitrogen pollution in the river where they die , and

Whereas; the State Department of Transportation cleans up and disposes of tons of road kill each year, no counterpart exists for the state's public waterways, be it therefore

Resolved by The Neuse River Basin Advisory Council that it request that the State of North Carolina address its responsibility for the clean up of its navigable waterways by contracting with fisherman to pick up these fish kills for disposal in a safe and environmentally sound manner. Such action would send a clear message that the state is truly concerned about the condition of its waterways and the health of its citizens.

Adopted this ^{31st} day of October, 1997


Chair, NRBRC


Vice Chair, NRBRC



CLEAN WATER MANAGEMENT TRUST FUND (CWMTF) GRANTS GRANT EVALUATION GUIDELINES

The following evaluation system will be used by the CWMTF in its review of applications submitted during the third cycle (December 2, 1997 - June 1, 1998).

A. Eligible applicants for CWMTF grants.

- (a) Any of the following are eligible to receive a grant from CWMTF for the purpose of protecting or enhancing water quality:
1. A State agency
 2. A local government or other political subdivision of the state or a combination of such entities.
 3. A nonprofit corporation whose primary purpose is the conservation, preservation and restoration of our State's environmental and natural resources.
- (b) No match is required; however, Trustees may choose to fund projects at less than 100% of the application request.

B. CWMTF purposes:

- (a) Grant monies from CWMTF may be used for any of the following purposes:

Acquire land for riparian buffers for environmental protection for surface waters or urban drinking water supplies, or for establishing a network of greenways for environmental, educational or recreational uses.

Acquire easements in order to protect surface waters or urban drinking water supplies.

Coordinate with other public programs involved with lands adjoining water bodies to gain the most public benefit while protecting and improving water quality.

Restore degraded lands for their ability to protect water quality.

Repair failing waste treatment systems: if (i) an application to the Clean water Revolving Loan and Grant Fund has been submitted and denied in the latest review cycle; (ii) repair is for a reasonable remedy to an existing waste treatment problem; and (iii) the repair is not for the purpose of expanding the system to accommodate future anticipated growth of a community. Priority shall be given to economically distressed units of local government.

Repair/eliminate failing septic tank systems, to eliminate illegal drainage connections, and to expand waste treatment systems if the system is being expanded as a remedy to eliminate failing septic tank systems or illegal drainage connections. Priority shall be given to economically distressed units of local government.

Improve stormwater controls and management

Facilitate planning that targets reductions in surface water pollution.

C. CWMTF Objectives and grant application evaluation and prioritization.

- (a) Grant applications will be quantitatively evaluated upon their contribution toward achieving the principal objectives of the fund: (1) restoration of degraded waters, (2) protection of unpolluted waters, and (3) establishment of riparian buffers. A numeric scoring system will guide the Board and the applicants in prioritizing prospects for funding. The following evaluation and scoring system will be applied to all applications:

1 -- Principal Objectives	Point Range
a -- Restoration of degraded waters	0-45

(Explanation: Restoration projects will target specific waters that have been identified by NC-DWQ as impaired; preferred projects will (1) reduce the pollutant identified as the cause of water quality impairment, (2) restore wetland functions, (3) improve aquatic habitat, and /or (4) restore flood plain functions adjacent to impaired waters).

OR

- b -- Protection of unpolluted waters

(Explanation: Protection projects will target specific waters that have not been identified by NC-DWQ as impaired; preferred projects will (1) restore or maintain the natural hydrologic flow patterns or other water quality enhancing functions of adjacent lands (e.g. nutrient reduction processes), (2) maintain streambank stabilization reducing potential for sediment erosion, and/or (3) avoid, reduce or eliminate discharge of pollutants).

AND/OR

- c -- Establishment of riparian buffers 0-10

- 2-- Additional priorities Point Range

- a-- Consistency with NC-DWQ Basinwide Management Plan 0-20

(Explanation: In the event that the plan for the subject basin has not been formally adopted, the project should be articulated with reference to the current DWQ draft plan for that basin). Preferred proposals will identify the waters that will be enhanced, restored, or protected by said project. Specific attention should be paid to (1) restoration of waters not meeting use standards as noted on the 303 (d) list, or (2) protection of significant resource waters (e.g. ORWs, Trout Waters, HQWs, PNAs, Critical Habitats for endangered aquatic species, Water Supply watershed). Proposals should demonstrate integration with other water quality programs or strategies in the sub-basin).

- b-- Provide measurable/enduring outcomes 0-20
c-- Provide other resources 0-20

d-- Applicant's qualifications 0-10

(Explanation: Preferred applicants will demonstrate: (1) their ability to ensure any long time management required by the project, (2) fiduciary responsibility, (3) likelihood of success for project), and (4) commitment to the project. If the applicant has received previous CWMTF grants, their performance on those projects will be considered.

e-- Develop riparian buffer greenways serving environmental, educational or recreational uses. 0-10

f-- Target environmentally sensitive waters, including (1) high quality waters (e.g. water supply, ORWs, HQWs etc.), or (2) severely degraded waters (e.g. waters noted on DWQ's 303 (d) list) 0-10

g-- Contribute toward integrated ecological network. 0-5

h-- Employ innovative procedures or techno. 0-5

i-- Provide public education uses 0-5

j-- Preserve waters having special economic or recreational uses. 0-5

(b) The Board will also be guided by the following non-quantitative criteria in making final funding decisions:

1-- Applications for projects which are mandated by legislation or regulation may be funded but are not preferred. The CWMTF is not available for compensatory mitigation projects.

2-- Projects eligible for funds from other state or federal grant programs will be considered, but will not be preferred unless significant matching resources are provided.

3-- To the extent practicable, grant awards will be distributed geographically across the state. At least 20% of annual allocations will be targeted to each of three geographic regions of the state: mountain, piedmont and coastal.

4-- The scope and benefits of the project will be evaluated relative to the amount of the requested grant.

5-- The Board may award grants on a limited basis for (1) projects which facilitate planning that targets reduction in surface water pollution or protection of unpolluted waters; or (2) coordination with other public programs to gain the most public benefit while protecting and improving water quality, even though such applications may not score well on our measures of quantitative criteria above.

6-- The Board may award grants to applicants for projects which the Board finds are uniquely different than the quantitative criteria anticipate and are exceptional opportunities for restoration or preservation.

CLEAN WATER MANAGEMENT TRUST FUND

2313-B Executive Park Circle
Greenville, North Carolina 27834
(919) 830-3222

APPLICATION FORM

Application Closing: June 1, 1998

Proposals postmarked on or before June 1, 1998 will be considered during this funding cycle. Proposals postmarked after June 1, 1998 will be considered during the subsequent cycle scheduled to close on December 1, 1998. CWMTF is not able to accept applications by facsimile. **CWMTF REQUESTS THAT APPLICATIONS BE COMPLETE AND MAILED TO THE ABOVE ADDRESS.**

FOR OFFICE USE: APPLICANT NUMBER: _____
(Detailed instructions on page 2)

Project:

Objective: _____

Primary use: _____

Secondary use: _____

Funding sought from CWMTF: _____

Total Cost of Project: _____

Duration: _____

Location:

Region of NC: (circle one) Western Central Eastern

County: _____

River Basin: _____

Stream Segment: _____

Latitude/Longitude: _____

Project Street Address (if applicable): _____

Applicant:

Organization Name: _____

Eligible Applicant Type: _____

Contact:

Name: _____

Street/PO: _____

City: _____ Zip code: _____

Phone: _____ Fax: _____

E-mail: _____

COMPLETE APPLICATIONS WILL INCLUDE THE FOLLOWING ITEMS.

1. **APPLICATION FORM** fully completed. Photocopied forms are acceptable.
2. **NARRATIVE PROPOSAL** describing the proposed project. The narrative should be on the petitioning organization's letterhead and should be signed by an authorized official of the petitioning organization. The narrative should be no longer than six pages, double spaced, have a left hand margin of no less than one inch, and on paper that will photocopy. The first paragraph of the narrative should state clearly the amount being requested and the purpose of the request. The narrative should also include:
 - A concise description of the project
 - Water quality objectives and how they will be achieved
 - Total funds required for the project
 - Other possible funding sources for the project (by grant, taxing authority, or bonds)
 - Need for the project
 - Method of evaluation of measurable outcomes
3. **A ONE-PAGE**, line item budget for the project, including both anticipated incomes and expenditures. Applicant should provide the basis for each budget item. (e.g. appraisal, options, PER, experience, etc).
4. **MAP** (for site specific projects): USGS 7.5 Topo-Quad; and 8½"x11" segment which highlights project area.
5. **GOVERNING BOARD**: A list of petitioning organization's governing board, with a brief explanation of how they are appointed or elected.
6. **TAX EXEMPT STATUS**: Copy of petitioning organization's federal tax-exempt certification, including determination of the organization's status as a publicly-supported organization. This item is not required for governmental units.
7. A copy of any environmental assessment or impact statement for the project that has been prepared to comply with either the State Environmental Policy Act or the National Environmental Policy Act. (If no such document has been prepared, CWMTF will determine whether it is required).
8. A list of all other grant applications for this project; including a one paragraph description of the grant request, dates of request and actions taken or pending.
9. Documentation regarding the status of any state or federal permits required for the project
10. Submission of supplemental materials is discouraged; supplemental materials may not be considered.

Instructions for completing this form: Page 1.

Objective: Your project should be categorized as ONE (ONLY ONE) of the following; (1) restoration of degraded waters, OR (2) protection of relatively unpolluted waters. Please also note if your project will serve the additional objective of establishing buffers or greenways.

Primary use: Please identify ONE (ONLY ONE) of the following eight options as the primary use for which CWMTF funds will be used: (1) Acquire land for riparian buffers; (2) Acquire easements in order to protect surface waters or urban drinking water supplies; (3) Coordinate with other public programs to improve or protect water quality; (4) Restore degraded lands for their ability to protect water quality; (5) Repair failing waste treatment systems; (6) Repair/eliminate failing septic tank systems; (7) Improve stormwater controls and management; OR (8) Facilitate planning that targets reductions in surface water pollution. A Secondary use may be indicated where relevant.

Total cost refers to the specific project to which CWMTF funds will be applied

Duration refers to time in months to complete project

Stream segment refers to the immediate, site specific, sub-basin waters affected by the project.

Latitude and Longitude should specify: degrees/minutes/seconds.

Applicant type: Your organization must be either (1) a state agency, (2) a conservation non-profit, or (3) a local government (or political subdivision or combination of such entities).

Most of this application will be evaluated according to CWMTF quantitative criteria, and will yield a "score" from 0-165 points; however, Trustees will also consider non-quantitative criteria that are identified in CWMTF published guidelines. Answers should be direct, thorough and concise. Please limit responses to space available on the form.

Project: (Up to 135 points)**

0-45 points: (1) To what extent will the proposed project either (a) restore degraded waters, or (b) protect relatively unpolluted waters.

0-25 points: Describe any special significance of waters (in terms of NC-DWQ water quality classification, e.g. High Quality or Impaired) to be enhanced, restored or protected by the project. Note also any special recreational, educational or economic values of specific waters:

0-20 points: What does the NC-Division of Water Quality Basinwide Management Plan say about the specific waters, which will be restored or protected by your project? (Make page specific references to the plan, and explain how your project will solve documented problems and ensure protection or restoration).

0-20 points: What will be the measurable and enduring outcomes of the project?

0-5 points: Does the project employ innovative procedures or technology? If so, what are the implications for water quality?

0-20 points: Does the project establish functional riparian buffers or greenways? If so, provide details of buffer design and estimates of pollution reduction.

Applicant: (Up to 30 points)**

0-20 points: Describe other resources committed towards this project:

0-10 points: Briefly describe organization's qualifications to accomplish the proposed project:

Is there a long-term management plan to which this proposed project is strategically related? (Explain)

Is there a local land use plan for the county or municipality in which the project will occur?
What assurance can you provide regarding long term management of the project?

Is this project eligible for funding under other state or federal grant programs? If so, elaborate.

Is the property wherein the project will be located subject to any environmental laws, rules or regulations (existing or pending) which impose obligations or restrict the use or marketability of the property? (If yes, please explain)

<http://www.chesapeakebay.net/bayprogram/pubs/92agree.htm>

1983 Chesapeake Bay Agreement

We recognize that the findings of the Chesapeake Bay Program have shown an historical decline in the living resources of the Chesapeake Bay and that a cooperative approach is needed among the Environmental Protection Agency (EPA), the State of Maryland, the Commonwealths of Pennsylvania and Virginia, and the District of Columbia (the States) to fully address the extent, complexity, and sources of pollutants entering the Bay. We further recognize that EPA and the States share the responsibility for management decisions and resources regarding the high priority issues of the Chesapeake Bay.

Accordingly, the States and EPA agree to the following actions:

1. A Chesapeake Executive Council will be established which will meet at least twice yearly to assess and oversee the implementation of coordinated plans to improve and protect the water quality and living resources of the Chesapeake Bay estuarine systems. The Council will consist of the appropriate Cabinet designees of the Governors and the Mayor of the District of Columbia and the Regional Administrator of EPA. The Council will be initially chaired by EPA and will report annually to signatories of this Agreement
2. The Chesapeake Executive Council will establish an implementation committee of agency representatives who will meet as needed to coordinate technical matters and to coordinate the development and evaluation of management plans. The Council may appoint such ex officio nonvoting members as deemed appropriate.
3. A liaison office for Chesapeake Bay activities will be established at EPA's Central Regional Laboratory in Annapolis, Maryland, to advise and support the Council and committee.

DATE: December 9, 1983

SIGNERS:

For the Commonwealth of Virginia--Charles S. Robb, Governor
For the State of Maryland--Harry Hughes, Governor
For the Commonwealth of Pennsylvania--Mark Single, Lieutenant Governor
For the District of Columbia, Marion Barry, Mayor
For the United States of America--William Ruckleshaus, Administrator, U.S. Environmental Protection Agency
For the Chesapeake Bay Commission--Joseph V. Gartlan, Jr., Chairman

For more information, contact the Chesapeake Bay Program Office, 410 Severn Avenue, Suite 110, Annapolis, MD 21403, Tel: (800) YOUR-BAY, Fax: (410) 267-5777.

Last modified 4 March 1996

1987 Chesapeake Bay Agreement

THE CHESAPEAKE BAY IS A NATIONAL TREASURE and a resource of worldwide significance. Its ecological, economic, and cultural importance are felt far beyond its waters and the communities that line its shores. Man's use and abuse of its bounty, however, together with the continued growth and development of population in its watershed, have taken a toll on the Bay system. In recent decades, the Bay has suffered serious declines in quality and productivity.

REPRESENTING the Federal government and the States which surround the Chesapeake Bay, we acknowledge our stake in the resources of the Bay and accept our share of responsibility for its current condition. We are determined that this decline will be reversed. In response, all of our jurisdictions have embarked on ambitious programs to protect our shared resource and restore it to a more productive state.

IN 1980, the legislatures of Virginia and Maryland established the Chesapeake Bay Commission to coordinate interstate planning and programs from a legislative perspective. In 1985, Pennsylvania joined the Commission. And, in 1983, Virginia, Maryland, Pennsylvania, the District of Columbia, the U.S. Environmental Protection Agency and the Chesapeake Bay Commission formally agreed to a cooperative approach to this undertaking and established specific mechanisms for its coordination. Since 1983, our joint commitment has carried us to new' levels of governmental cooperation and scientific understanding. It has formed a firm base for the future success of this long-term program. The extent and complexity of our task now call for an expanded and refined agreement to guide our efforts toward the twenty-first century.

RECOGNIZING that the Chesapeake Bay's importance transcends regional boundaries, we commit to managing the Chesapeake Bay as an integrated ecosystem and pledge our best efforts to achieve the goals in this Agreement. We propose a series of objectives that will establish a policy and institutional framework for continued cooperative efforts to restore and protect Chesapeake Bay. We further commit to specific actions to achieve those objectives. The implementation of these commitments will be reviewed annually and additional commitments developed as needed.

Goals and Priority Commitments

THIS NEW AGREEMENT CONTAINS Coals and Priority Commitments for Living Resources; Water Quality; Population Growth and Development; Public Information, Education and Participation; Public Access; and Governance.

The parties to this 1987 Agreement are the U.S. Environmental Protection Agency representing the Federal government, the District of Columbia, the State of Maryland and the Commonwealths of Pennsylvania and Virginia (hereinafter the "States") and the Chesapeake Bay Commission. This Agreement may be amended and attachments added in the future by unanimous action of the Chesapeake Executive Council.

Living Resources

GOAL: PROVIDE FOR THE RESTORATION AND PROTECTION OF THE LIVING RESOURCES. THEIR HABITATS AND ECOLOGICAL RELATIONSHIPS. The productivity, diversity and abundance of living resources are the best ultimate measures of the Chesapeake Bay's condition. These living resources are the main focus of the restoration and protection effort. Some species of shellfish and finfish are of immense commercial and recreational value to than. Others are valuable because they are part of the vast array of plant and animal life that make up the Chesapeake Bay ecosystem on which all species depend. We recognize that the entire natural system must be healthy and productive. We will determine the essential elements of habitat and environmental quality necessary. to support living resources and will see that these conditions are attained and maintained. We will also manage the harvest of and monitor populations of commercially, recreationally and ecologically valuable species to ensure sustained, viable stocks. We recognize that to be successful, these actions must be carried out in an integrated and coordinated manner across the whole Bay system.

OBJECTIVES:

- Restore, enhance, protect and manage submerged aquatic vegetation.
- Protect, enhance and restore wetlands, coastal sand dunes, forest buffers and other shoreline and riverline systems important to water quality and habitat.
- Conserve soil resources and reduce erosion and sedimentation to protect Bay habitat..
- Maintain freshwater flow regimes necessary to sustain estuarine habitats, including. where appropriate. establishing minimum in-stream flows.
- Develop compatible Bay-wide stock assessment programs
- Develop Bay-wide fisheries management strategies and develop complementary state programs and plans to protect and restore the finfish and shellfish stocks of the Bay. especially the freshwater and estuarine spawners.
- Provide for the restoration of shellfish stocks in the Bay especially' the abundance of commercially important species.
- Restore. enhance and protect waterfowl and wildlife.

COMMITMENT:

TO ACHIEVE THIS GOAL WE AGREE:

- by January 1988 to develop and adopt guidelines for the protection of water quality and habitat conditions necessary to support the living resources found in the Chesapeake Bay system and to use these guidelines in the implementation of water quality and habitat protection programs.
- by July 1988 to develop, adopt and begin to implement a Bay-wide plan for the assessment of commercially. recreationally and selected ecologically valuable species.
- by July 1988, to adopt a schedule for the development of Bay-wide resource management strategies for commercially, recreationally and selected ecologically valuable species.
- by July 1989, to develop, adopt and begin to implement Bay-wide management plans for oysters, blue crabs and American Shad. Plans for other major commercially, recreationally

and ecologically valuable species should be initiated by 1900.
by December 1988, to develop a Bay-wide policy for the protection of tidal and non-tidal wetlands.

Provide for fish passage at dams, and remove stream blockages wherever necessary, to restore natural passage for migratory fish

Water Quality

GOAL: REDUCE AND CONTROL POINT AND NON-POINT SOURCES OF POLLUTION TO ATTAIN THE WATER QUALITY CONDITION NECESSARY TO SUPPORT THE LIVING RESOURCES OF THE BAY. The improvement and maintenance of water quality are the single most critical elements in the overall restoration and protection of the Chesapeake Bay. Water is the medium in which all living resources of the bay live, and their ability to survive and flourish is directly dependent on it.

To ensure the productivity of the living resources of the Bay, we must clearly establish the water quality conditions they require and must then attain and maintain those conditions. Foremost, we must improve or maintain dissolved oxygen concentrations in the Bay and its tributaries through a continued and expanded commitment to the reduction of nutrients from both point and nonpoint sources. We must do the same for toxics and conventional pollutants. To be effective, we will develop basin-wide implementation plans for the control and reduction of pollutants which are based on our best understanding (including that derived from modeling) of the Bay and its tributaries as an integrated system.

OBJECTIVES:

Provide timely construction and maintenance of public and private sewerage facilities to assure control of pollutant discharges.

Reduce the discharge of untreated or inadequately treated sewage into Bay waters from such sources as combined sewer overflows, leaking sewage systems, and failing septic systems.

Evaluate and institute, where appropriate, alternative technologies for point source pollution control, such as biological nutrient re-moral and land application of effluent to reduce pollution loads in a cost-effective manner.

Establish and enforce pollutant limitations to ensure compliance with water quality laws.

Reduce the levels of nonpoint sources of pollution.

Reduce sedimentation by strengthening enforcement of existing control regulations.

Eliminate pollutant discharges from recreational boats.

Identify and control toxic discharges to the Bay system, including metals and toxic organics to protect water quality, aquatic resources and human health through implementation and enforcement of the states' National Pollutant Discharge Elimination System permit programs and other programs.

Reduce chlorine discharges in critical finfish and shellfish areas. Minimize water pollution incidents and provide adequate response to pollutant spills.

Manage sewage sludge, dredged spoil and hazardous wastes to protect the Bay system.
Manage groundwater to protect the water quality of the Bay.
Quantify the impacts and identify the sources of atmospheric inputs on the Bay system.

COMMITMENT:

TO ACHIEVE THIS GOAL WE AGREE:

by July 1988, to develop, adopt and begin implementation of a basin-wide strategy to equitably achieve by the year 2000 at least a 40 percent reduction of nitrogen and phosphorus entering the main stem' of the Chesapeake Bay. The strategy should be based on agreed upon 1985 point source loads and on nonpoint loads in an average by December 1991, to re-evaluate the 40 percent reduction target based on the results of modeling, research, monitoring and other information available at that time.

by December 1988, to develop, adopt and begin implementation of a basin-wide strategy to achieve a reduction of toxics consistent with the Water Quality Act of 1987 which will ensure protection of human health and living resources. The strategy will cover both point and nonpoint sources, monitoring protocols, enforcement of pretreatment regulations and methods for dealing with in-place toxic sediments where necessary.

by July 1988, to develop and adopt, as required by the Water Quality Act of 1987, a basin-wide implementation strategy for the management and control of conventional pollutants entering the Chesapeake Bay system from point and nonpoint sources.

by July 1988, the Environmental Protection Agency, acting for the federal government, will develop, adopt and begin implementation of a strategy for the control and reduction of point and nonpoint sources of nutrient, toxic and conventional pollution from all federal facilities.

Population Growth and Development

GOAL: PLAN FOR AND MANAGE THE ADVERSE ENVIRONMENTAL EFFECTS OF HUMAN POPULATION GROWTH AND LAND DEVELOPMENT IN THE CHESAPEAKE BAY WATERSHED. There is a clear correlation between population growth and associated development and environmental degradation in the Chesapeake Bay system. Enhancing, or even main-mining, the quality of the Bay while accommodating growth will frequently involve difficult decisions and restrictions and will require continued and enhanced commitment to proper development standards. The states and the federal government will assert the full measure of their authority to mitigate the potential adverse effects of continued growth.

Local jurisdictions have been delegated authority over many decisions regarding growth and development which have both direct and indirect effects on the Chesapeake Bay system and its living resources. The role of local governments in the restoration and protection effort will be given proper recognition and support through state and federal resources.

States will engage in an active partner ship with local governments to establish policy guidelines

to manage growth and development.

OBJECTIVES:

Designate a state-level office responsible for ensuring consistency with this Agreement among the agencies responsible for comprehensive oversight of development activity, including infrastructure planning, capital budgets, land preservation and waste management activities.

Provide local governments with financial and technical assistance to continue and expand their management efforts.

Consult with local government representatives in the development of Chesapeake Bay restoration and protection plans and programs.

Identify and give public recognition to innovative and otherwise noteworthy examples of local government restoration and protection-related programs.

Assure that government development projects meet all environmental requirements.

Promote, among local, state and federal governments, and the private sector, the use of innovative techniques to avoid and, where necessary, mitigate the adverse impacts of growth.

COMMITMENT:

TO ACHIEVE THIS GOAL WE AGREE:

to commission a panel of experts to report, by December 1988, on anticipated population growth and land development patterns in the Bay region through the year 2020, the infrastructure requirements necessary to serve growth and development, environmental programs needed to improve Bay resources while accommodating growth, alternative means of managing and directing growth and alternative mechanisms for financing governmental services and environmental controls. The panel of experts will consist of twelve members: three each from Virginia, Maryland and Pennsylvania, and one each from the District of Columbia, Environmental Protection Agency and the Chesapeake Bay Commission.

by January 1989, to adopt development policies and guidelines designed to reduce adverse impacts on the water quality and living resources of the Bay, including minimum best management practices for development and to cooperatively assist local governments in evaluating land-use and development decisions within their purview, consistent with the policies and guidelines.

to evaluate state and federal development projects in light of their potential impacts on the water quality and living resources of the Chesapeake Bay, and design and carry out each state and federal development project so as to serve as a model for the private sector in terms of land-use practices.

by December 1988, to develop a strategy to provide incentives, technical assistance and guidance to local governments to actively encourage them to incorporate protection of tidal and non-tidal wet lands and fragile natural areas in their land-use planning, water and sewer

planning, construction and other growth-related management processes.

Public Information, Education and Participation

GOAL: PROMOTE GREATER UNDERSTANDING AMONG CITIZENS ABOUT THE CHESAPEAKE BAY SYSTEM. THE PROBLEMS FACING IT AND POLICIES AND PROGRAMS DESIGNED TO HELP IT AND TO FOSTER INDIVIDUAL RESPONSIBILITY AND STEWARDSHIP OF THE BAY'S RESOURCES.

GOAL: PROVIDE INCREASED OPPORTUNITIES FOR CITIZENS TO PARTICIPATE IN DECISIONS AND PROGRAMS AFFECTING THE BAY. The understanding and support of the general public and interest groups are essential to sustaining the long-term commitment to the restoration and protection of the Chesapeake Bay system and its living resources. Citizens must have opportunities to learn about that system and associated management policies and programs and must be given opportunities to contribute ideas about how best to manage that natural system.

OBJECTIVES:

- Provide timely information on the progress of the restoration program.
- Assure a continuing process of public input and participation in policy decisions affecting the Bay.
- Enhance Bay-oriented education opportunities to increase public awareness and understanding.
- Provide curricula and field experience for students.
- Promote opportunities to involve citizens directly in Bay restoration efforts.
- Coordinate the production and distribution of Bay information and education materials.

COMMITMENT:

TO ACHIEVE THESE GOALS WE AGREE:

to conduct coordinated education and information programs to inform the general public, local governments, business, students, community associations and others of their roles, responsibilities and opportunities in the restoration and protection effort, and to promote public involvement in the management and decision-making process.

to provide for public review and comment on all implementation plans developed pursuant to this agreement.

by March 1988, to develop state and federal communication plans for public information, education and participation, and by May 1988, to develop a unified, Bay-wide communication plan.

to promote Chesapeake Bay restoration efforts by establishing an annual Bay-wide series of

Chesapeake Bay Watershed Awareness events, to include a Governor's Cup Fishing Tournament.

Public Access

GOAL: PROMOTE INCREASED OPPORTUNITIES FOR PUBLIC APPRECIATION AND ENJOYMENT OF THE BAY AND ITS TRIBUTARIES. Interest in and commitment to the Chesapeake Bay and its tributaries are greatly affected by personal contact with that natural system. Consequently, improved opportunities for access to the shores and waters of the system are essential if public awareness and support are to be maintained and increased.

OBJECTIVES:

- Improve and maintain access to the Bay including public beaches, parks and forested lands.
- Improve opportunities for recreational and commercial fishing.
- Secure shoreline acreage to maintain open space and provide opportunities for passive recreation.
- Secure necessary acreage to protect unique habitat and environmentally sensitive areas.

COMMITMENT:

TO ACHIEVE THIS GOAL WE AGREE:

- to intensify our efforts to improve and expand public access opportunities being made available by the federal government, the states, and local governments, by developing a strategy, which includes an inventory of current access opportunities by July 1988, which targets state and federal actions to secure additional tidal storefront acres by December 1990 along the Bay and its tributaries.
- by December 1988, to prepare a comprehensive guide to access facilities and the natural resource system for the tidal Chesapeake Bay.

Governance

GOAL: SUPPORT AND ENHANCE THE PRESENT COMPREHENSIVE, COOPERATIVE AND COORDINATED APPROACH TOWARD MANAGEMENT OF THE CHESAPEAKE BAY SYSTEM.

GOAL: PROVIDE FOR CONTINUITY OF MANAGEMENT EFFORTS AND PERPETUATION OF COMMITMENTS NECESSARY TO ENSURE LONG-TERM RESULTS.

The cooperation necessary to sustain an effective Chesapeake Bay restoration and protection

effort requires a formal working arrangement involving the states and the federal government. That institutional arrangement must allow for and promote voluntary individual actions coordinated Within a well-defined context of the individual responsibilities and authorities of each state and the federal government. It must also ensure that actions which require a concerted, Bay-wide approach be addressed in common and Without duplication. One of the principal functions of the coordinating institution is to develop strategic plans and oversee their implementation, based on advice from the public, from the scientific Community and from user groups.

In addition, the coordinating body must exert leadership to marshal public Support, and it must be accountable for progress made under the terms of this agreement. The coordinating body will continue to be called the Chesapeake Executive Council. The Chesapeake Executive Council shall be comprised of the Governors, the Mayor of the District of Columbia, the Administrator of the Environmental Protection Agency and the Chairman of the Chesapeake Bay Commission. The chairmanship of the Council shall rotate annually as determined by the Council. The term of the Chairman shall be one year. The Administrator of the Environmental Protection Agency shall represent the federal government and the Chairman of the Chesapeake Bay Commission shall represent its members.

OBJECTIVES:

Continue to demonstrate strong, regional leadership by convening an annual public meeting of the Chesapeake Executive Council.

Continue to support the Chesapeake Executive Council and provide for technical and public policy advice by maintaining strong advisory committees.

Coordinate Bay management activities and develop and maintain effective mechanisms for accountability

The Chesapeake Bay Liaison Office shall provide staff support to the Chesapeake Executive Council by providing analyses and data management, and by generating reports related to the overall program. The Implementation Committee shall provide guidance to the CBLO Director in all matters relating to support for the Council and their supporting committees, subcommittees and work groups including the development of all plans and other documents associated with the Council.

Examine the feasibility of joint funding support of the Chesapeake Bay Liaison Office.

Track and evaluate activities which may affect estuarine water quality and resources and report at least annually.

Develop and maintain a coordinated Chesapeake Bay data management system.

Continue to implement a coordinated Bay-wide monitoring system and develop a Bay-wide living resources monitoring system.

Develop and implement a coordinated Bay-wide research program.

COMMITMENT:

TO ACHIEVE THESE GOALS WE AGREE:

to develop an annual Chesapeake Bay work plan endorsed by the Chesapeake Executive Council.

to continue to support Bay-wide environmental monitoring and research to provide the technical and scientific information necessary to support management decisions.

to strengthen the Chesapeake Bay Liaison Office by assigning, as appropriate, staff persons from each jurisdiction and from participating federal agencies to assist with the technical support functions of that office.

by July 1988, to develop and adopt a comprehensive research plan to be evaluated and updated annually to address the technical needs of the Chesapeake Bay Program.

by July 1988, develop a Bay-wide monitoring plan for selected commercially, recreationally and ecologically valuable species.

by March 1988, to establish a local government advisory committee to the Chesapeake Executive Council and charge that committee to develop a strategy for local government participation in the Bay program.

to consider and review the feasibility of establishing an independent Chesapeake Bay Executive Board.

by July 1988, the Environmental Protection Agency, acting for the federal government, will develop, a coordinated, federal agency workplan which identifies specific federal programs to be integrated into a coordinated federal effort to support the restoration of the Chesapeake Bay.

BY THIS AGREEMENT, we reaffirm our commitment to restore and protect the ecological integrity, productivity and beneficial uses of the Chesapeake Bay system. We agree to report in January 1989 on progress made in fulfilling the commitments in this agreement, and to consider at that time additional commitments. The implementation strategies which will be developed pursuant to this agreement will be appended as annexes, and annual reports will include an accounting of progress made on each strategy.

DATE: December 15, 1987

For the Commonwealth of Virginia -- Gerald L. Balilis, Governor

For the State of Maryland -- William Donald Schaefer, Governor

For the Commonwealth of Pennsylvania -- Robert P. Casey, Governor

For the District of Columbia -- Marion Barry, Mayor

For the United States of America -- Lee Thomas, Administrator, U.S. Environmental Protection Agency

For the Chesapeake Bay Commission -- Kenneth J. Cole, Chairman

For more information, contact the Chesapeake Bay Program Office, 410 Severn Avenue, Suite 110, Annapolis, MD 21403, Tel: (800) YOUR-BAY, Fax: (410) 267-5777.

Last modified 4 March 1996

Chesapeake Bay Agreement: 1992 Amendments

In 1987, Virginia, Maryland, Pennsylvania, the District of Columbia, the Chesapeake Bay Commission and the U.S. Environmental Protection Agency formally agreed to reduce and control point and nonpoint sources of pollution to attain the water quality conditions necessary to support the living resources of the Bay. TO achieve this, we agreed to develop, adopt and begin to implement a strategy to equitably achieve by the year 2000 a 40 percent reduction of nitrogen and phosphorus entering the mainstem Chesapeake Bay. WE also agreed to reevaluate the 40 percent reduction target based on the results of modeling, monitoring and other information available to us.

BASED UPON THE 1991 NUTRIENT REDUCTION REEVALUATION, WE HAVE FOUND THAT:

We have achieved significant improvements in water quality and living resources habitat conditions in the mainstem of Chesapeake Bay.

There is a clear need to expand our program efforts in the tributaries, since most of the spawning grounds and essential habitat are in the tributaries.

Intensified efforts to control nonpoint sources of pollution, including agriculture and developed areas, will be needed if we are to meet our 40% nutrient reduction goal.

We are now able to demonstrate the link between water quality conditions and the survival and health of critically important submerged aquatic vegetation (SAV).

Implementation of the Clean Air Act Amendments will provide additional opportunities to achieve nitrogen reductions.

Achieving a 40 percent nutrient reduction goal, in at least some cases, challenges the limits of current point and nonpoint source control technologies.

THEREFORE, TO FURTHER OUR COMMITMENTS MADE IN THE 1987 CHESAPEAKE BAY AGREEMENT, WE AGREE:

To reaffirm our commitment to achieve an overall 40 percent reduction of nitrogen and phosphorus entering the mainstem Chesapeake Bay by the year 2000 and to maintain at least this level of reduction thereafter.

To amend the water quality goal of the 1987 Chesapeake Bay Agreement to reflect the critical importance of the tributaries in the ultimate restoration of Chesapeake Bay: "Reduce and control point and nonpoint sources of pollution to attain the water quality condition necessary to support &e living resources of the Chesapeake Bay and its tributaries."

To develop and begin implementation of tributary-specific strategies by August 1993. These strategies will be designed to:

1. Meet the mainstem nutrient reduction goals.
2. Achieve the water quality requirements necessary to restore living resources in both the mainstem and the tributaries.
3. Incorporate public participation in the development, review and implementation of the strategies, ensuring the broadest possible public involvement.
4. Advance both cost-effectiveness and equity.

To use the distribution of submerged aquatic vegetation (SAV) in the Bay and its tidal tributaries, as documented by Baywide and other aerial surveys conducted since 1970, as an initial measure of progress in the restoration of living resources and water quality.

To incorporate into the Nutrient Reduction Strategies an air deposition component which builds upon the 1990 Amendments to the federal Clean Air Act and explores additional implementation opportunities to further reduce airborne sources of nitrogen entering Chesapeake Bay and its tributaries.

To continue to explore improved technologies that may be cost-effective in attaining further nutrient reductions.

To explore cooperative working relationships with the other three basin states (New York/West Virginia/Delaware) in the development of tributary-specific strategies for nutrient reduction.

By this AGREEMENT, we reaffirm our commitments made in the 1987 Chesapeake Bay Agreement to restore and protect the ecological integrity, productivity and beneficial uses of the Chesapeake Bay system. In addition, we the undersigned agree to further our efforts through the commitments made here today which are hereby incorporated into the 1987 Chesapeake Bay Agreement.

DATE: August 12, 1992

SIGNERS:

For the Commonwealth of Virginia--Lawrence Douglas Wilder, Governor

For the State of Maryland--William Donald Shafer, Governor

For the Commonwealth of Pennsylvania--Robert P. Casey, Governor

For the District of Columbia--Sharon Pratt Kelly, Mayor

For the United States of America--William K. Reilly, Administrator, U.S. Environmental Protection Agency

For the Chesapeake Bay Commission--Bernie Fowler, Chairman

For more information, contact the Chesapeake Bay Program Office, 410 Severn Avenue, Suite 110, Annapolis, MD 21403, Tel: (800) YOUR-BAY, Fax: (410) 267-5777.

Last modified 4 March 1996

**COORDINATING COUNCIL
for the
Albemarle-Pamlico Sounds Region**

By-Laws

ARTICLE I

Name, Authority, Location, Purpose, Functions

Section 1: NAME

The name of this organization shall be the Coordinating Council for the Albemarle-Pamlico Sounds Region. Its area of interest shall include the entire Albemarle-Pamlico Sounds watershed.

Section 2: AUTHORITY

The Coordinating Council has been created by Executive Order # 75 (amended as 118) of the Governor of North Carolina, James B. Hunt, Jr.

Section 3: LOCATION

The principal mailing address of the Coordinating Council shall be the: NC Division of Water Quality, Planning Branch, P.O. Box 29535, Raleigh, NC 27626-0535.

Section 4: PURPOSE & FUNCTION

The primary purpose of the Coordinating Council (which has no regulatory authority) shall be to:

- A. evaluate and support the implementation of strategies of the Albemarle-Pamlico Estuarine Study's Comprehensive Conservation and Management Plan (CCMP) to ensure the highest level of cooperation and coordination among agencies, local governments, and public and private interest groups;
- B. consult the Regional Councils for guidance on coordinating implementation strategies at a local level;
- C. set annual priorities for implementing sections of the CCMP and make recommendations based on progress and success, and identify and prioritize information needs as described in the CCMP;
- D. pursue a Memorandum of Agreement between North Carolina and Virginia to ensure continued cooperation and coordination in implementing the CCMP;
- E. submit annual reports (generated by each participating entity) evaluating the progress made in implementing CCMP recommendations and the success of implementation strategies;

To fulfill this purpose, the members of the Coordinating Council shall be expected to communicate the activities of the Coordinating Council to their respective organizations, local governments, and the public, and conversely, to communicate the comments and concerns of these organizations to Coordinating Council membership and others, as appropriate.

Specifically, the Coordinating Council shall:

- A. assist in the pursuit of funding to implement CCMP recommendations;
- B. develop a research agenda that addresses the outstanding information needs described in the CCMP and update it annually. The Council would seek researchers and funding;
- C. identify experts who could serve, as needed, on special committees to address complex scientific or technical issues;
- D. brief the Environmental Review Commission of the General Assembly semi-annually on CCMP implementation and highlight legislative concerns. The Council would also track legislative developments;
- E. develop Memoranda of Agreement as necessary to support implementation of management strategies according to appropriate time lines;
- F. support public education, outreach, and involvement programs concerning the region's estuarine resources;
- G. support workshops for cross-training individuals involved in enforcement, permit review, and other related activities. These workshops will promote inter-agency cooperation in resource management.

ARTICLE II

Membership and Officers

Section 1: Coordinating Council Composition

Membership of the Coordinating Council shall include:

- 1. Fifteen representatives of the five Regional Councils. (Each Regional Council will select two of the elected and/or appointed local government officials and one other representative from any interest group background).
- 2. Seven representatives of citizen commissions and councils. The Chair of each of the following groups shall select a representative:
 - a. Marine Fisheries Commission
 - b. Soil & Water Conservation Commission
 - c. Environmental Management Commission
 - d. Coastal Resources Commission
 - e. Wildlife Resources Commission
 - f. Forestry Advisory Council
 - g. Sedimentation Control Commission



3. Four representatives of federal resource agencies, to be selected by the appropriate federal administrators:
 - a. U.S. Environmental Protection Agency
 - b. U.S. Army Corps of Engineers
 - c. U.S. Fish and Wildlife Service
 - d. National Oceanic and Atmospheric Administration
4. Three representatives of state government:
 - a. Secretary of NCDENR, or his designee (Chair of the Coordinating Council)
 - b. Secretary of the NC Department of Commerce, or his designee
 - c. Commissioner of the NC Department of Agriculture, or his designee

Section 2: Criteria for Membership

Each member shall:

- A. be a stakeholder in the Albemarle-Pamlico estuary and watershed;
- B. be willing to assume responsibility for communicating with a major user or interest group, and to attend regular meetings;
- C. have some knowledge and interest in water quality and resource management issues of the Albemarle-Pamlico Sounds region.

Section 3: Terms of Appointment

Members of the Coordinating Council shall serve at the pleasure of the appointing agency or authority. Any resignations or vacancies shall be immediately filled by the appropriate appointing agency or authority.

Section 4: Method of Appointing Additional Members

The process for appointing **additional** members to the Coordinating Council shall be as follows:

- A. nominations for additional members shall be solicited from among current members;
- B. a membership subcommittee consisting of the Coordinating Council Chair (or his designee), and two other Coordinating Council members, shall review all nominations received for consistency with the provisions of this article concerning Coordinating Council membership and composition;
- C. the membership subcommittee shall submit a list of proposed members to the Coordinating Council for review and approval.

Section 5: Compensation

All members shall serve without compensation.



Section 6: Officers

With the exception of the Chair (designated to be the Secretary of NCDENR (or his designee) by the Governor's Executive Order), a Vice-Chair shall be elected by the members of the Coordinating Council. The term of office for the Vice-Chair shall be one year.

Election of the Vice-Chair shall be held in January of each year. A nominating committee shall be established to identify candidates, and shall notify Coordinating Council members of those nominated for this position at least 30 days prior to the meeting where voting will take place. The Vice-Chair shall be elected by a majority vote of the Coordinating Council members present, provided that a quorum is present.

Section 7: Responsibilities of the Chair

The Chair shall be responsible for:

- A. communicating recommendations and concerns of the Coordinating Council to the EMC and vice versa;
- B. drafting agendas for Coordinating Council meetings with assistance from DWQ staff;
- C. chairing Coordinating Council meetings;
- D. coordinating an annual process to evaluate progress, priorities and next steps for the Coordinating Council, with assistance from DWQ staff.

Section 8: Responsibilities of the Vice-Chair

- A. the Vice-Chair shall serve in absence of the Chair and shall perform as the Chair in all matters of business;

ARTICLE III

Meetings

Section 1: Meetings

Meetings of the Coordinating Council shall be held at least three times a year. Subcommittees may meet more frequently. Meetings of the Coordinating Council shall alternate between locations in the Albemarle-Pamlico Sounds region and shall be open to the public.

Section 2: Agenda Items

Matters may be placed on the agenda for consideration at meetings of the Coordinating Council by any of the following:



- A. the Coordinating Council Chair
- B. a member of the Coordinating Council

Section 3: Parliamentary Procedure

Robert's Rules of Order shall be the parliamentary authority for the conduct of Coordinating Council meetings.

Section 4: Attendance

Members of the Coordinating Council shall attend all regular meetings of the Coordinating Council. If any member of the Coordinating Council or his/her designated alternate fails to attend two regular meetings per year without sufficient explanation, the Chair may recommend removal and replacement of that member. This attendance requirement also applies to meetings of the various subcommittees.

Section 5: Decision Making and Voting Rights

- A. Majority Vote. Decisions/resolutions shall be adopted by a simple majority vote of the Coordinating Council members present, provided a quorum is present and except as otherwise provided by these by-laws. A majority of the members shall constitute a quorum. Each member shall have one vote.
- B. Subcommittees of the Coordinating Council may operate by consensus to develop recommendations. Those recommendations would ultimately be decided upon by all members of the Coordinating Council through a majority vote.

Section 6: Alternates

Whenever a Coordinating Council member cannot attend a meeting, he/she shall send his/her designated alternate. Alternates shall be recognized as constituting the voting members in attendance and shall be counted in determining a quorum.

Section 7: Ground Rules for Interaction

- A. Ground Rules. Members of the Coordinating Council shall seek to participate constructively in meetings. Ground rules for constructive interaction include:
 - * Treat all members with courtesy and respect.
 - * One person speaks at a time.
 - * Listen carefully.
 - * Be brief and clear in your comments.
 - * Focus on the current agenda item.
 - * It's ok to disagree.
 - * Focus on the problem, not finding fault.



- * Observe meeting limits and only extend meetings 30 minutes when necessary with consensual agreement of members present.
 - * Members making statements to the public on behalf of the Coordinating Council must have received approval by the Coordinating Council prior to speaking.
- B. Enforcement of Ground Rules. Ground rules shall be monitored and enforced by members of the Coordinating Council.

ARTICLE IV

Subcommittees

Section 1: Subcommittees

The following shall be established as standing subcommittees to address regular business of the Coordinating Council:

- A. membership subcommittee, composed of the Chair (or his designee), and two other Coordinating Council members;
- B. issues subcommittee, composed of volunteers from among the Coordinating Council members;
- C. public outreach workgroup, composed of members appointed by the Coordinating Council in conjunction with DWQ staff;
- D. nominating committee for the election of the Vice-Chair, composed of volunteers from among the Coordinating Council members, but excluding current Vice-Chair.

As deemed appropriate, the Coordinating Council may designate additional subcommittees to address concerns and present recommendations to the full committee. A subcommittee may be proposed by the Chair or any Coordinating Council member and established by a majority vote of the members present -- provided that a quorum is present.

All subcommittees shall report to the Coordinating Council about current activities on a regular basis.

ARTICLE V

Staff

Section 1: Staff Support

Staff support for the Coordinating Council shall be provided by the Division of Water Quality-Water Quality Section.

Section 2: Staff Responsibilities

The staff shall:

- A. assist with drafting the agenda;
- B. record and transmit the minutes of Coordinating Council meetings to members;
- C. establish whether a quorum is present;
- D. process incoming correspondence;
- E. prepare any correspondence from the Coordinating Council to other individuals or organizations for endorsement by the Chair;
- F. ensure that all views on an issue are accurately recorded and reported.

ARTICLE VI

Coordinating Council Positions

Section 1: Adopting Official Coordinating Council Positions

Official positions of the Coordinating Council on any issue or topic shall be adopted by resolution. If possible, proposed resolutions shall be provided to Coordinating Council members at least 15 days prior to the meeting where voting will take place. Resolutions may be proposed by the Chair or a member of the Coordinating Council. Proposed resolutions shall be transmitted to DWQ staff at least 45 days before the meeting at which they will be acted upon in order to allow sufficient time for staff to transmit copies to Coordinating Council members. Resolutions shall be adopted by a majority vote of the Coordinating Council members present, provided that a quorum is present; A record of any resolutions adopted by the Coordinating Council shall be kept in the DWQ Public Involvement Office, Washington, NC.

Section 2: Representing Coordinating Council Positions in Public Forums

In the event that an individual Coordinating Council member wishes to represent the views or position of the Coordinating Council in a public forum, they must notify the Chair and DWQ staff in advance of the scheduled event.

ARTICLE VII

By-Laws and Amendments

Section 1: Initiation

These by-laws and any amendments thereto shall be effective immediately upon adoption.



Section 2: Amendments

Proposed amendments to the by-laws shall be provided to the members at least 30 days prior to the meeting at which they will be acted upon. Any amendments to these by-laws must be approved by a two-thirds majority vote of the members. Members who expect to be absent from the meeting at which the by-laws will be acted upon may provide a written communication of their vote on the proposed amendment to the by-laws. Such notification must be received at least 48 hours before the meeting where the amendments are scheduled to be acted upon.

By-laws adopted on _____ , 1998.

