

NEUSE RIVER BASIN REGIONAL COUNCIL

Wayne Center
Goldsboro, NC

February 28, 1997
9:30 am

9:00 am Executive Session Executive Committee

AGENDA

9:30 am	Call to Order & Welcome	George Wolfe
9:35 am	Self-Introductions	All
9:45 am	Acceptance of Minutes	George Wolfe
10:00 am	Presentations:	
	Neuse River Basin Plan Update	Alan Clark (DWQ)
	Neuse River Basin NPS Teams	Annette Lucas (DWQ)
11:00 am	Discussion:	
	NRBRC Assistance to DWQ	Boyd Devane (DWQ)
	Nominations for NRBRC Officers	Nominating Committee
	Development of Annual Report	Dr. Costlow
	CCMP Implementation Forum	Joan Giordano (DWQ)
12:30 pm	Public Comment & Plans for Next Meeting	George Wolfe
1:00 pm	Adjourn	



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NEUSE RIVER BASIN REGIONAL COUNCIL

Wayne Center, Goldsboro
2/28/97

Minutes

The meeting was called to order by Chairman George Wolfe at 9:40 am following the Executive Committee meeting. There were 22 members and guests in attendance. (See Attachment A).

Following self-introductions, Chairman Wolfe asked for approval of the minutes of the previous meeting (Nov. 1., 1996). Joan Giordano, Div. of Water Quality (DWQ) staff member, ^{responded} related to the group that Donna Wright, NRBRC Secretary, was unable to provide the minutes from the last 3 meetings due to a number of unfortunate circumstances. Changes in her job responsibilities, hurricane damage to her home, and her husband's heart by-pass surgery, all contributed to the tardiness. Ms. Giordano added that she was in contact with Ms. Wright and Ms. Wright promised to provide the minutes shortly.

Chairman Wolfe ^{indicated} (addressed the group saying) that he anticipated an upswing in productivity for this next year of Council activity, and saw more focus and Council recognition as the objective of the next 3-4 months. Chairman Wolfe then called upon Alan Clark, DWQ staff, for a presentation on the updating of the Neuse Basinwide Plan (originally written in 1993).

Mr. Clark reminded the group that they were each provided with a copy of the Neuse River Basin Water Quality Management Plan at their inaugural meeting held in New Bern during November, 1995. He reported that his presentation would include an overview of some of the major recommendations contained in the original plan, some of the events that transpired since that time, and an explanation of how the updated Neuse Plan would fit within the context of Senator Perdue's Fishkills Task Force and the Nutrient Sensitive Waters (NSW) Strategy. He then outlined the handouts relating to his presentation and directed the group to the back table where they were available. (See Attachment B).

Chairman Wolfe inquired about the format of the Neuse River workshops detailed in one of the handouts and Mr. Clark replied that the workshops would be kept as informal as possible to allow maximum interaction with workshop attendees. He added that at the workshops there would be presentations by DWQ staff pertaining to water quality information DWQ developed; what the DWQ was doing with modeling; and where the NSW strategy rules were at this time. Chairman Wolfe indicated his reason for asking was to ensure that the proper information would be carried from NRBRC members to their various constituencies and to the public, citing this as one of the primary responsibilities of Council membership.

Rick Dove, NRBRC member (Craven Co.) representing environmental interests in the basin, referenced a DWQ Neuse Basin map, commenting on the significant amount of degraded waters depicted there. He cited Section 303 (B) of the Federal Clean Water Act which states that NC



1. has the obligation of getting all the degraded waters in the Neuse Basin restored. He questioned whether the Neuse River Basinwide Plan, in its updated version, would contain specific measures to restore the degraded waters in 5 years' time. Mr. Clark responded that he did not anticipate that happening and that DWQ was looking at prioritizing where limited state resources could be placed while addressing the water quality concerns of highest need.

Sondra Riggs, NRBRC member and County Commissioner from Jones Co., expressed concern about the devastation caused by hurricanes last fall. Of particular concern to her and her constituents was the issue of fallen trees. Because of them, she added, fire will be a threat to the area as well as the causative agent for water backing up and saturating fields. The fallen trees are also creating electrical outages and inordinate amounts of debris in roadside ditches. She would like to see the Dept. of Transportation (DOT) continue its efforts in cleaning it up. Lastly, she pointed out that between the beavers damming up streams, and fallen trees also impeding water flow, that bacteria are forming and eventually will find their way into the river, wreaking havoc with fish and other aquatic life. Mr. Clark expressed understanding of her concerns and added that, ironically, all the backed up water could have some benefit in nitrogen reduction.

Don Cox, Soil & Water Conservation District representative from Orange Co., alerted Ms. Riggs to the Natural Resource Conservation Service (NRCS) people in her area as possibly being able to help in Jones Co. Some discussion continued regarding time limits for applying for clean-up monies, contracting agents, and the use of Cooperative Extension personnel in aiding such situations. In further discussion, Ms. Riggs mentioned the subject of ocean outfall. She stated that she was for it, but believed the "tunnel or septic thing" that was going to carry it should begin up in Raleigh because the problem was not only down "at the east end of the Neuse River Basin", but starts "up above us."

Mr. Clark asked the group if there were any more comments and Ms. Riggs inquired about buffer zones. Mr. Clark acknowledged Ms. Riggs' question and answered that Annette Lucas, DWQ staff member, would be touching on that during her presentation later in the agenda.

2. Rick Dove asked about NC waters other than the Neuse, stating that many of them were generally in the same condition. Mr. Clark explained that DWQ was responsible for all the surface waters within the entire State of NC, and given the limited number of resources (money and personnel) it was not feasible to fix all the problems which existed everywhere in the state. He continued to say that due to the severity of the issues in the Neuse, a lot of DWQ's energy had been targeted there and that may have caused a set back in examining concerns in other basins. All agreed that having adequate resources, would be most useful.

3. Ms. Riggs expressed real concern for the falling water table in Jones Co. She said it was falling 8' per year and could potentially threaten the drinking water supply. Mr. Clark answered that he was not 100% sure of the figures, but that the Division of Water Resources is working on a water supply plan for the state, and DWQ is including more water supply (quantity and quality) information in their basinwide plans.

Dr. Costlow asked that Mr. Clark be permitted to deliver his presentation in an uninterrupted

manner and, following that, he had a question he wanted to ask. He said it was unfair to ask Mr. Clark "to go off in 20 different directions" and it was difficult to follow such conversation. Mr. Clark expressed his desire for completing his presentation as well.

4. Mr. Clark continued saying that in the Neuse Basinwide Plan, two priority issues were identified. First was the control of bi-chemical oxygen (mainly waste from BOD) from wastewater treatment plants, and the subsequent concern for maintaining adequate dissolved oxygen in the Neuse River mainstem and major tributaries of the basin. Organic matter, stuff that is coming out of waste treatment plants, is one of the major pollutants therefore modeling has been done by the Division to establish waste limits for dischargers. A recommendation was derived, based on the modeling, to require all the new and expanding wastewater treatment plants on the Neuse to meet advanced tertiary waste limits which is the most stringent of water quality limits for the plants. There were 7 streams which were recommended as having no additional dischargers allowed because of the lack of assimilative capacity for those oxygen consuming wastes.

The second priority issue dealt with nutrients. Phosphorous loadings were targeted as being a problem. Institution of the ban on phosphorous in detergent and the NSW Strategy for the Neuse were remedies proposed in the original Neuse Basinwide Plan.

Mr. Clark continued with his presentation of the Neuse River Basinwide Plan detailing major features of the original plan ('93) and the changes which will be made in the updated version due in 1998. The updated version will contain changes which can be attributed to several factors. Among them were the ban on phosphorous in detergents; the formation of the Lower Neuse Basin Association; Senator Perdue's Task Force on Fishkills; the NSW Strategy for the Neuse and a greater understanding of the assimilative capacity of waters made possible through DWQ's efforts at modeling. Mr. Clark re-emphasized the need for prioritizing problems, and addressing those of most pressing concern first.

He continued with information regarding the scheduling of the Basinwide Plan and the NSW strategy (See Attachment B). A point of clarification was made in the Plan and Permitting Schedule. The date shown, April '97, should read **APRIL '98**.

5. Dr. Costlow, scientific representative from Carteret Co., expressed his concern over certain categories set forth in Governor Hunt's Executive Order that dealt with the issue of the NRBRC as "being advisory and advisory only." He asked about what, DWQ would like advice. Additionally, he questioned the NRBRC's other charge, that of being responsible for communicating to various constituencies NRBRC activities, and DWQ's progress with water quality issues/concerns. He wanted to know what he could tell the County Commissioners in his county relative to the progress being made with Neuse River Basin issues. Mr. Clark responded that making them aware of the workshops which were being held to gather public input for the updating of the Neuse Plan, would be helpful and, unfortunately time did not permit, nor did he have background information, at the moment, for reporting hurricane damage to that area (Carteret), modeling information, etc. He directed Dr. Costlow to a 2-page listing of information prepared for the meeting dealing with nonpoint source pollution, nonpoint source teams (NPS) basinwide teams and the NSW management strategy. (See Attachment B).



6. Harold Herring, NRBRC representative from Lenior Co., inquired about the status of the data which has been sent to DWQ from the Lower Neuse River Basin Association. Mr Clark responded that those data are being evaluated and will be part of the Neuse Basinwide Plan.

Rick Dove commented that the Neuse River was the first one to get a basinwide plan, and although he was not asking specifically how the river benefitted from that plan, he wanted to go on record as saying that he did not think it benefitted significantly. He continued that the updated plan, which he understood to not be regulatory, but simply policy, which "does not empower the DWQ to say yes or no to anything," was discouraging. He had hoped that this plan would, at least, address the restoration of the watershed in its second stage. He felt that if it didn't at least do that, i.e. "bring to the public's attention what the DWQ is going to try to do in the coming 5 years to restore the degraded waters, which is the requirement by law, then how can it even be put on the street."

7. Mr. Clark assured him that to the extent possible there would be recommendations for various streams but could not guarantee that there would be significant accomplishment in 5 year. He added that on some streams where water sampling had been done, there was evidence through recognition of the aquatic life, that problems existed somewhere up stream. He explained that the problem may or may not be attributable to dischargers, but most probably was a combination of several factors such as urban run-off, farm land runoff, etc.. Public education efforts are needed to rectify these problems and they take time to set up and deliver to the areas determined to be contributing. Mr. Clark said that there were more staff available now with the nonpoint program than when the first plan was written, and that there was hope of getting additional staff which could be assigned exclusively to the Neuse Basin.

Rick Dove replied that he was not unmindful that DWQ, in fact all of DEHNR, was woefully understaffed and under funded and that DWQ had more to do than could be done, but that all that had to change. He referenced the newly released book, *And the Waters Turned to Blood*. He reported that there were plans for turning it into a movie, that the NY Times, Good Morning America, Dateline, and National Public Radio were doing features on it and, as people across America read it, it would precipitate a crisis for North Carolina to get busy and address the restoration of the waters. He felt that the cost of fixing it {the water} is going to be far less than not fixing it. He believes that the Council is part of the solution and needs to be utilized by DEHNR/DWQ in helping to fix the Neuse.

8. In answer to Dr. Costlow's inquiry of what the Council could do to fulfill the Governor's charge as set forth in Executive Order #75, and what the status was of the other 4 Regional Councils called for in that same Order, Mr. Clark stated that the DWQ had been working to have all 5 Councils up and running by Jan. '96, but that the crisis situations in the Neuse Basin necessitated forming that Council very quickly. The decision to postpone the remaining 4 Councils was made at a level much higher up than his own.

Much discussion ensued relative to the process employed in setting up the NRBRC, what activities it had undertaken during the past year, the desire to be partnered with the state in protecting the Neuse, and how the Council could be more functional.

9
John Cooke, NRBRC business and industry representative from Wake Co., stated that every time speakers made presentations, there occurred a "pinging process" whereby the presenter was picked at and told they were not doing what they are supposed to be doing, until they were set back down and the next person was called up. Mr. Cooke felt this behavior was very counter-productive because it causes members not to return, and staff to be badgered. He felt because of this that no one on the NRBRC would consistently put in the time and effort and organizational discipline necessary to make the Council successful. He further stated that, in his opinion, the Council was at a critical juncture and he called for compromise between NRBRC members and staff of DWQ.

Chairman Wolfe requested that Mr. Clark repeat the information he shared earlier pertaining to the restrictions on wastewater treatment plants. Mr. Clark responded that there were 7 streams where wastewater treatment plants were restricted from increasing the number of dischargers discharging into them. Chairman Wolfe advised that Council members be aware of this because he felt it was a restriction on development. He wondered if compliance with this was going to be voluntary or if there was to be regulation for it from the Falls of the Neuse down to the Pamlico.

The next speaker was Annette Lucas who is on staff at DWQ in Raleigh with the Nonpoint Source Planning Group. Ms. Lucas' topic dealt with Nonpoint Source (NPS) Teams. (See Attachment B). She explained that she and 3 co-workers were responsible for coordinating NPS teams across the state (in all the major river basins), with some of the larger basins having more than one.

Ms. Lucas told the group that there will be 25 NPS teams when all are set up and that she will be working with the 3 NPS teams which are in the process of being formed in the Neuse. Those teams will correspond to the upper, middle and lower portions of the Neuse Basin. She explained that nonpoint sources of pollution cause the most water quality problems in our state and that over 85% of the impaired waters in NC were attributable to that. She emphasized that virtually all human activity contributed to nonpoint sources of pollution and that no one group could be singled out for blame.

Ms. Lucas described the "bottom line" on nonpoint source pollution as being activity conducted on the land. Keys to controlling it are through local involvement; hence the NPS teams. The teams are characterized as inclusive, rather than exclusive, because all groups and individuals with an interest in nonpoint sources are encouraged to participate. She explained that the process of setting up the teams is still evolving and probably will change as it progresses.

10
Tom McGee, NRBRC local government representative from Granville Co., commented on the great job Ms. Lucas did in describing the NPS mechanism and added that the formation of the NPS teams in the Neuse was probably a good example of what earlier NRBRC conversation was all about. He felt that the preliminary action of forming of the Neuse NPS team could have been presented to the NRBRC for their input months ago. Ms. Lucas reminded him that team formation is an evolving process and what worked some places doesn't necessarily work in others. She assured him that she and her co-workers were open to any comments and would be glad to listen to him.



11
Dr. Costlow referred to a portion of Ms. Lucas' presentation in which Ms. Lucas expressed "being humbled" at learning the amount of ongoing nonpoint source efforts being conducted in various NPS team locations. He asked for insight into how things were being done, where the groups were located, under whose jurisdiction they operated, and how the NRBRC might communicate with them. Additionally, he wanted to know what the NSW Strategy recommendations, which are due to the Environmental Management Commission (EMC) in May, '97 were, so that NRBRC members could endorse them to their respective county commissioners. He reasoned that if NSW Strategy recommendations were made known to Council members, then they could advise the state on those matters. Not knowing the recommendations precluded them from fulfilling their responsibility.

Boyd Devane, DWQ Raleigh staff, interjected that public hearings were held relative to the NSW Strategy and that hearing officers were present. He assured the NRBRC that as soon as the recommendations were available he would see to it that the NRBRC got copies.

12
Ms. Lucas continued, saying that last May public meetings were held at various locations in the basin and that in November, 4 public hearings were held: New Bern, Kinston, Goldsboro and Raleigh. Each meeting had between 200 and 400 attendees and over 400 written comments were received. The great number of comments received indicates that everyone who desired to comment on the plans, did so. All comments are being read and time is being taken to determine what should be done as a result of them. DWQ is still in the process of compiling different alternatives.

In an overview of the NSW Strategy Schedule, Ms. Lucas said DWQ will meet with the hearing officers in mid-March, and in May the hearing officers will make their recommendations to the EMC. In the summer of '98, if the EMC approves the recommendations and the rules are successfully passed through the Rules Review Commission, in the summer of '98 the General Assembly will consider the rules. The anticipated effective date of the rules is August 1, 1998.

13
Terry Rolan, NRBRC local government representative from Durham Co., inquired about the process employed in naming the NPS Teams. Of particular concern to him was the question of agricultural representation. Ms. Lucas answered that agriculture would be represented through groups such as Soil and Water Conservation Districts, the Cooperative Extension Service, NRCS, and local governments if they have a large constituency of agricultural interests. Ms. Lucas added that a standard list of state and federal agencies, local watershed groups, etc. are used for invitational purposes in forming the NPS Teams.

13A
Brief discussion ensued regarding this issue of fishkills, and the NC Rivers Assessment Program. Ms. Lucas deferred to Mr. Devane and Mr. Clark for information about the NC Rivers Assessment Program before returning to her presentation on NPS Teams. She reported that there will be 3 NPS Teams in the Neuse and that they would begin meeting in March and they would correspond to the upper, middle and lower portions of the basin. Terry Rolan said he envisioned the Teams as being at the lowest level of a 3-tiered organizational structure: i.e., the NRBRC, the Upper and Lower Neuse Basin Associations, and the NPS Teams, because their work dealt with local issues.



At the conclusion of Ms. Lucas' presentation Chairman Wolfe called for a 5 minute break after which the group would reconvene and discuss the issue of where the Council is going and what is it going to do. He felt NPS Teams, Upper and Lower Basin Associations and the NRBRC needed to clearly and frequently communicate in order to avoid duplicative effort. He then recognized Ms. Marion Smith from the Governor's Eastern Office in New Bern who had joined the group.

14 Relative to the notion of building partnerships, communicating and sharing information, Don Cox commented that the Division of Soil and Water and the Soil and Water Conservation Districts had been working very hard at building partnership teams with other agencies. He disclosed that the Cooperative Extension Service refused to cooperate with that.

The group then began a 5 minute break.

The group reconvened at 11:40 am and Chairman Wolfe announced that the discussion for the remainder of the meeting would center on NRBRC and DWQ relations. He felt that there was a frustration level prevalent among members that sometimes presented itself in the form of temperament and emotion. He felt that it was borne of concern for the Neuse, concern for what was and wasn't being done, and concern that appropriate recognition of the Council was lacking. He did not want the Council "to be left alone" as was perhaps DWQ's impression. He felt the NRBRC should be consulted (in order to help) when activities such as the formation of the NPS Teams was undertaken, or when attendance at workshops/public meetings needed to be encouraged at the local level, etc..

15 John Simmons, NRBRC local government representative from Jones Co., questioned that if DWQ was not going to look at the streams that lead to the Neuse, then where were they going to start? And start with whom? Mr. Devane answered that he hoped that DWQ had already started. He pointed out that in the Neuse River in 1975 there were 12.3 tons of BOD per day being discharged into the river. Now there were about 3.4 tons of BOD. The flow has gone up by about 20% in the amount of water going in, but it has been drastically reduced in strength. For these reasons, he felt DWQ had made some progress.

16 Don Cox expressed his concern about the need to educate people to the realization that there are places where having pristine mono-culture lawns are not possible without serious environmental degradation. Fertilizers and chemicals for applying to lawns are readily available to the public and most are purchased by homeowners and golf courses. He noted though, that golf courses are very sensitive to this and they have set up an internal, self-policing mechanism to reduce nutrient and pesticide loadings. Farmers, on the other hand, cannot afford to put excess fertilizer on their crops. Swimming pools also pose a threat to the environment. The algacides, biocides, and chlorine that are discharged continually and frequently when pools are emptied, continue to work in the streams into which they are discharged. He said the natural assimilation of nutrients is gone because we don't have the natural stream biota, algae, and bio-diversity we once had. He believes this is because we have been killing it with the chemicals we use to keep our swimming pools, toilets, etc. clean and pretty looking. All these compounds keep on working in the streams as they flow to the estuary. People need to know that these things carry detrimental impacts and

cause injury to our streams. He felt these things needed to be addressed by DWQ and expressed a desire for having them included in the basinwide plans.

17
John Cooke then took the podium and expressed his concern at the NRBRC's lack of accomplishment. He felt that the way to move the Council forward was to: a.) involve the staff; and b.) go back to the Executive Order and focus on the two main functions, advice and communication. He said the way to do that is to go back to the staff and ask them to identify some specific areas for the Council to consider for giving advice and communication. He cautioned against trying to do everything across the board and suggested starting with small things to see if the process works. If it works then larger issues can be considered. He did not contend that the Council be controlled by staff, but the practical side of the issue was that very few members had the time to run the Council. Other thoughts he expressed included staying focused on the agenda and keeping close to the times indicated there; trying to keep personal comments to a minimum (there are other forums available for expressing them); and if nothing is accomplished then call the effort a success and disband.

18
The next speaker was Boyd Devane. Mr. Devane said that although the NRBRC was not what some people had hoped it would be, good did come from it. He proposed the idea that a special meeting be held to focus the group and decide what the group can and can't do. Because there are 4 more Regional Councils to be formed, he felt the NRBRC should be the model and for that reason wanted it to be the best it could be. In so far as the NRBRC becoming involved, he suggested the basinwide planning process as a start. Review of the Neuse Basinwide Plan would prove to be helpful to the DWQ and would provide a local perspective on the water quality material contained in it. Mr. Devane said that he sensed the Council's frustration at there not being the clear direction many had in mind. He encouraged the group to comment on the basinwide plan reporting that the EMC had occasion to see the plans 3 times before they were finalized and that comments received at public meetings and through the mail, were viewed by the EMC too. He assured the group that their input would be heard.

He went on to say that because of the NRBRC many more people were aware of what the DWQ was or was not doing to protect water quality in NC. As is often the case with group membership of a diverse nature, arriving at compromise or at a solution with which all can live, is very difficult. He thanked the group for their dedication and desire to become involved and again urged them to entertain the idea of holding a special meeting to focus their efforts

19
Chairman Wolfe reported that the group focused on 3 or 4 things during the past year. One of the things they have said is that the NSW strategy is specific in nature to municipalities and point source, but it is non-specific in nonpoint source, except for agriculture. He felt the NSW strategy needed to address all aspects of nonpoint source as specifically as it did stormwater runoff and it seemed that urban runoff, as a source of nonpoint pollution, was getting a "free hand." He advocated that the NSW strategy needed to give equal weight and consideration to all types of nonpoint source pollution. He added that perhaps the group did not do a good job of pointing this out specifically to the DWQ, and wondered if a formal recommendation needed to be put forth.

20
Dr. John - Where is this resolution?
What is it about?
Don Cox offered his perspective in response to Mr. Devane's comments. He stated that all of the NRBRC members were invited to participate on the Council because of their demonstrated expertise and experience. He added that he was also a member of 5 or 6 other such organizations and because of that, he "did not have the time to worry about organization and administration of another group." What was easiest for him to participate in was a process that allowed him to react, share past experiences, and relate knowledge and advice, but did not have the time for more committee work to try to come up with consensus. He said the group's strength was the breadth of experience and knowledge that each could individually share at a collective meeting. If DWQ posed specific questions, either in person or questionnaire format (response would be in writing) it would allow for focused participation and also for delivery back to the various constituencies represented by the group, for implementation or for further consideration. Mr. Cox agreed that one week's time was insufficient to expect participation at a public hearing (i.e. Neuse Workshops).

Terry Rolan agreed and added that part of the frustration experienced by the NRBRC is that it is supposed to be advisory, but it has not been asked for very much advice. He believed that staff needed to pose the questions and array some possible solutions or alternative options for the Council's consideration and advice. To expect the Council to be the originator or the creator of the ideas is mutually frustrating. His concurrence with the previously mentioned "lack of time" prompted the suggestion of the NRBRC meeting only when staff felt they needed advice on something.

22
Dr. John - Where is this resolution?
What is it about?
Dr. Costlow suggested that even though the group had not been asked for its advice, perhaps it should be given anyway. He addressed a question to Mr. Devane inquiring what would happen if the group should endorse the resolution he was about to read and sent it to the Governor and Secretary Howes. (See Attachment C). Mr. Devane answered that it would have some legal ramifications because when defined as a point source, EPA would require certain permits to be issued.

Rick Dove added that it was the cumulative effect of all the streams, and their nitrogen loading to the waters of the estuary, that was killing the fish. He maintained that they didn't have to be regulated as a point source under the Clean Water Act, but that they could be regulated within the state as a point source to determine what the delivery was to the waters of the estuary.

23
Bill Ritchie, NRBRC local government representative from Craven Co., proposed a resolution entitled "Resolution Regarding Responsibilities of the Neuse River Basin Regional Council" (See Attachment D). Chairman Wolfe asked for a motion to have the resolution accepted and sent. Bill Ritchie made the motion and Rick Dove seconded the motion. When put to a vote, the ayes had it.

Caroline Parker, NRBRC recreational fishing representative from Wayne Co., expressed the need to identify which of those present could vote. Chairman Wolfe then called for a show of hands. Discussion ensued concerning governance in the by-laws pertaining to resolutions. It was determined that the resolution needed to be entered into the minutes of the meeting and also included as an agenda item at the next meeting, at which time it could be voted upon.

Chairman Wolfe asked for an amended motion from Mr. Ritchie to have the resolution placed on the agenda for the next meeting. Discussion about to whom the resolution should be sent occurred and it was decided that it should be sent to Governor Hunt and Secretary Howes. John Cooke felt that the resolution was a little like pointing a finger at staff and that it seemed counter-productive. He thought seeing it in writing (in the minutes) would provide an opportunity for reflection and maybe subsequent change. Terry Rolan added that he felt the real sense of the resolution should be to involve the staff more in the meeting process and he did not think that the resolution, as read, did that. He felt that whoever makes the decision of staff allocation should be the one to whom the resolution was sent.

Chairman Wolfe summarized the discussion by determining that the resolution would go in the minutes, be considered by the full membership, and either in writing or in person at the next meeting, the resolution would be voted upon. Terry Rolan added that the by-laws stated that the resolution had to be presented to the membership 10 days prior to the next meeting and to the staff 20 days prior to the next meeting. If the minutes could be sent out early enough, it would provide time for written comments or phone calls to the staff in order to have changes made to the resolution and then, the revised version as well as the original version, could be sent out for consideration of the whole body. Then all would be privy to all versions and could come to the next meeting prepared to debate it and then vote on it.

Chairman Wolfe then called for a friendly amendment from Mr. Ritchie to his original motion and John Simmons seconded it. More discussion ensued until the amended motion was accepted.

24 Bill Ritchie then read another resolution which he asked be placed in the minutes along with the first one. (See Attachment E).

Rick Dove asked to have a resolution read and entered into the minutes (See Attachment F) so that it could be taken up at the next meeting.

25 Some discussion ensued, the outcome of which was that members wanted to hear more about Mr. Dove's resolution before any action could be taken. The notion of inviting Dr. Delaney, one of the physicians involved in the drafting of the resolution, was mentioned. Rick Dove made it clear that the resolution in no way was asking for endorsement of a moratorium and that further discussion of the issue was in order. Marion Smith recommended that a videotape relating to the issue had been furnished to her and that she would be willing to provide a transcript of the tape to the membership for their information.

Terry Rolan questioned the reference to funding in Bill Ritchie's second resolution. Chairman Wolfe said he would try to include some background on the issues prompting the resolutions in the minutes. John Cooke suggested putting the background information into a separate package so not to risk overlooking it as might happen if it were placed in with the minutes. Chairman Wolfe said the background information on the 3 resolutions would go out as a separate package from the minutes.

The next agenda item was nominations for the election of officers. Terry Rolan acting as Chair of

the nominating committee (other members were M. Whitfield, J. Hughes, A. McLawhorn), recommended for office of secretary, Caroline Parker; for Vice Chair, Dr. Costlow; and Chair, George Wolfe. He added that the Executive Order called for 5 year terms which coincided with the renewal of basinwide discharge permits. That meant to him that all members of the Council would be up for reappointment at the end of 1997.

Chairman Wolfe asked if the 5 years should be tied to the review (of plan) starting point, or at the implementation point? It was added by Marion Smith that Executive Orders, unlike laws are from the Governor and the Governor's legal counsel oversees the Executive Order process for him. She felt an interpretation from them was in order if it would help the Council. Chairman Wolfe concurred.

Nominations then were opened to the floor for officers. There being no further nominations, Chairman Wolfe asked for a motion to accept the slate of nominees as presented. Don Cox made the motion and John Simmons seconded it. Terry Rolan clarified that the proposed slate of nominees would go out in the minutes and voting would occur at the next meeting. Chairman Wolfe concurred. There being no further discussion, the motion was put to a vote and it carried.*

PLEASE SEE AMENDMENT TO MINUTES CONCERNING SLATE OF NOMINEES

Dr. Costlow was the next scheduled speaker. He referred to his outline for an annual report that was distributed at a past meeting. (See Attachment G). He refreshed the group to the fact that they were obligated by Executive Order #75 to provide the Governor with such a report. He asked that members submit, in writing, to Joan Giordano, DWQ staff (DEHNR, 943 Washington Square Mall, Washington, NC 27889) any comments they chose to have included. He then shared a letter from Assistant Secretary for Environmental Protection, Linda Rimer, which encouraged the NRBRC's input into the development of the Albemarle-Pamlico Estuarine Study's Comprehensive Conservation and Management Plan (CCMP) Implementation Forum being held in New Bern on June 5th and 6th. He said that the NRBRC was officially and formally invited to have input and participation in that program. He also asked that thoughts on the Forum should be submitted to Joan also.

27
Joan Giordano was next on the agenda and presented an overview of the Implementation Forum. She said that a "Call for Abstracts" had already been sent out and that a sheet describing that was on the back table. She asked the group to be particularly aware of that portion of the agenda which dealt with citizen's and local government's perspective on challenges facing the Albemarle and Pamlico region. She asked also for the group's input on the planning of the proposed field trips which would be a part of the second day's activities. Dr. Costlow asked if it would be possible to have a state/federal organizational flow diagram which tells who, and in which way, they might be involved in all this? He felt it would be exceptionally useful to the public.

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Chairman Wolfe then asked for any public comment. There being none, he asked for comments from the membership. Don Cox expressed his concern for the 30% nitrogen reduction called for by the DWQ. He acknowledged that we were late in our efforts at protecting the Neuse and wondered if it couldn't be taken as a charge to reduce the amount of nitrogen, phosphorous, and



other damaging materials going into the river, as rapidly as we can afford to do so, in all areas of our involvement. He felt there were many interests that did not want us to move to do these things which are absolutely necessary. He added that municipalities have a responsibility and on a per capita basis can afford to move to additional denitrofication. He wanted to see some pilot studies, through USDA funds or state grants, for constructed wetlands, hydroponic-types of system removal of nitrogen before discharge, the hog industry and its impacts, and other issues.

Chairman Wolfe said he would put together a summary of concerns voiced by the members over the last year and submit it to Joan for inclusion in the minutes. There being no further discussion the meeting was adjourned with the next meeting date set for April 11, 1997 in Goldsboro.

The NPS Team Process

Successfully managing NPS pollution requires not only a knowledge of science and technology, but also an understanding of the local resources and economy. Although there are some general management guidelines, there is no one single technique for controlling NPS pollution. The most efficient and effective NPS solutions will be site-specific. Formulating NPS solutions often requires cooperation between different interested parties. Each group that contributes to the NPS problem must be part of the solution.

DWQ's goal in forming the NPS Teams is to choose predominantly locally-based members that represent the federal, local, and state agencies, local governments, industries, and citizens' groups that have interests and responsibilities pertaining to NPS pollution. DWQ will consult local groups to determine which interests should be represented on the team.

Once the NPS Team is formed, DWQ and the team will work as partners to identify, prioritize, and address the NPS problems in the basin. DWQ will offer information from the state's water quality monitoring program and its staffs' knowledge of technical and financial resources. The NPS Team will describe NPS initiatives that currently are being implemented in the basin, identify priority NPS-impaired waterbodies, and analyze NPS pollution control issues and needs. One of the most important missions of the DWQ-NPS Team partnership is to foster coordination and cooperation between the basin's diverse interest groups and NPS agencies. The eventual goal of the NPS Team is to create and implement Action Plans that will address priority *NPS-impaired waterbodies* and *NPS issues* as part of the basinwide planning process. The implementation schedule will be determined as the plans are developed.

The NPS Team process is discussed below.

1. Take inventory of existing NPS initiatives and programs.

Each team member will describe the initiatives and programs currently being implemented by the agency or group he/she represents. This will provide an opportunity for mutual education, understanding and coordination. The NPS Team will also assess whether existing initiatives and programs are successfully improving water quality.

2. Choose priority NPS-impaired waterbodies and NPS issues.

Due to existing resource constraints, the NPS Team will not be able to address all of the *NPS-impaired waterbodies* and *NPS issues* in the basin. Thus, it will have to follow a system for prioritization. The NPS Team will use the following process.

Selecting the Priority NPS-impaired Waterbodies

Within these flexible guidelines, the team will select at least one NPS-impaired waterbody for Action Plan development. More than one may be selected if time and resources allow. An NPS-impaired waterbody that meets the primary criteria and one or more of the secondary criteria is a good candidate for prioritization by the NPS Team.

The primary criteria are:

- Highly-valued waters (ORW, HQW and WS I-IV) and their tributaries.
- Waters that have a use support rating of not supporting.
- Waters that have a use support rating of partially supporting.

The secondary criteria are:

- Pose a potential threat to human health,
- Ecological importance (such as endangered species or unique habitats),
- Erosion problems,
- Recent, rapid decline in water quality,
- Identifiable pollution sources,
- Good potential as a demonstration site, and
- High likelihood of successful restoration.

Selecting the Priority NPS Issues

In order to address problems in the remaining waterbodies (ones not prioritized for specific Action Plans), the following criteria will be used to target NPS issues:

- Apply throughout a significant portion of the basin or address one or more impaired waters that were not selected as a *priority NPS-impaired waterbody*,
- Have a clearly defined “problem” and “solution,” and
- Are within the team’s ability to address through educational efforts, improved coordination, focused new initiatives, or involving additional stakeholders.

3. Determine the needs for the NPS-impaired waterbodies and the NPS issues.

The team will decide which actions are likely to restore the priority NPS-impaired waterbodies and address the NPS issues. Some possible needs are public education, BMPs, ecosystem restoration and management, and local water quality planning.

4. Develop Action Plans for priority NPS-impaired waterbodies and NPS issues.

The NPS Team members will develop “Action Plans” that address each priority NPS-impaired waterbody and NPS issue. Each Action Item will include lead contacts, goals, and a schedule for completion.

5. Implement Action Plans.

Implementing the Action Plans is the most important part of the NPS Team process. Most, if not all, members of the team will be involved with the implementation of one or more of the Action Items. During the implementation phase, the team will continue to meet on a regular basis. The purpose of these meetings will be for the team to update each other on their progress toward completing the Action Plans and provide a forum for continuing coordination between team members.

6. Monitor to evaluate the effectiveness of Action Plans.

The NPS Team will identify where additional water quality monitoring sites may be needed to document the effectiveness of its Action Plans. DWQ and the NPS Team will cooperate to assure that pre- and post-monitoring is in place before a new program, initiative or BMP is implemented.

7. Consider additional management strategies if the Action Plans do not work.

If the NPS Team's management strategies do not show progress in improving water quality according to the designated schedule, DWQ and the team will work together to identify the reason for the lack of progress.

