

ALBEMARLE-PAMLICO NATIONAL ESTUARY PROGRAM

ROANOKE RIVER BASIN REGIONAL COUNCIL

Claudine's Restaurant
Hwy. 258
Rich Square, North Carolina
(252) 539-2266

November 17, 2000

AGENDA

9:30AM	Welcome	Jerry Holloman, Chairman
9:35	Roll Call	Joan Giordano, APNEP Staff
9:40	Approval of Minutes	Jerry Holloman
9:45	<u>OLD BUSINESS:</u>	
	Update on Demonstration Project	Jerry Holloman
	Ethanol Plant Discussion	All
	Roanoke River Basinwide Plan	Callie Dobson, DWQ
10:30	<u>NEW BUSINESS:</u>	
	Flow Management Easement Discussion	All
11:30	<u>OPEN DISCUSSION:</u>	
	Issues of Concern in the Lower Roanoke Basin	All
11:45	Plans for Next Meeting (Create agenda items)	All
12:00	Adjourn	

Roanoke River Basin Regional Council

November 17, 2000
Claudine's Restaurant
Rich Square, NC

Minutes

The meeting was called to order by Chairman Jerry Holloman at approximately 9:40 a.m.
Members present were:

Jim Early	Jimmy Outland
Jerry Holloman	Kay Winn
Michael Taylor	Alex McLennan

Staff and guest present were Guy Stefanski, Joan Giordano, and Callie Dobson.

Old Business

Update on Demonstration Project

Jerry Holloman distributed a written accounting of progress on the Winslow Farm project, and shared photographs of the site made at various points in the process. The water source was changed from drilling new wells to piping from an existing well, a lower cost alternative. Troughs are also being built. The stream crossing has a 42" pipe and most of the gravel in place. A few more loads of gravel will finish this element of the project. Fencing has been installed, although gates still must be hung. Cows will be excluded entirely from the river once troughs are finished. Tree planting will be delayed until next winter, mostly due to a delay in ordering. Although unfortunate, this delay allows a chance to observe some natural succession in vegetation on the site. Final planting plans include hardwoods and cypress. In all, approximately 1.5 miles of riverbank, 150' deep, will be restored (an estimated 20 acres).

The chairman expressed concern over lack of publicity at this point. Once the troughs are completed and the cattle off the river, we need to seek wide media exposure. Callie Dobson explained Clear Water Act compliance relevant to such cattle grazing operations, and cost-shares that could pay for up to 75% of such practices. Michael Taylor asked if this would be something that other farmers could replicate, or if such was mandatory.

On the related subject of the cows at Caledonia, Alex McLennan said that he was fairly certain that he had observed them back in the river during a recent flyover. This contrasted with the representations made to Council by the DOC.

Jerry Holloman had met with several DOC staff and Fishing Creek SWCD representative Wayne Short on-site on September 12. He had a November 16 fax in hand from Phillip Sykes, Caledonia Farm Manager, relating to that meeting and the DOC's desire to resolve the situation.

After much discussion, Council agreed that Jerry would coordinate with Guy and Joan to draft a letter to the DOC (Lynn Phillips, Asst. Secretary of DOC is the chief contact). In that letter, Council would:

1. Congratulate the DOC on progress being made
2. Seek an opportunity to visit on-site to view changes being made
3. Jointly publicize our demonstration project and DOC's voluntary efforts
4. Urge DOC to expedite progress so that it can be highlighted as an improvement in the Basinwide Water Quality Plan, to be presented publicly in February.

Ethanol Plant Discussion

Our list of questions from the last meeting was forwarded to Ed Stahl. No permits have advanced to application as of yet, although there is a firm out of the Triangle apparently doing an Environmental Assessment. Jerry made Council aware of some problems with similar facilities in Kentucky and Rhode Island.

Draft of Basinwide Water Quality Plan

Callie Dobson brought Council up to date on the progress of the plan. The draft had been sent to the printer in preparation for a December 13 presentation to the EMC. Assuming acceptance at the EMC meeting on December 13, the plan will advance to public meetings to be held in late February through early March. Meetings will be held at several sites throughout the basin. A 30-day comment period ensues following the meeting schedule. The final plan goes before the EMC in July. Once approved, NPDES permits will be reissued, and the 5-year cycle starts again.

In discussion, Jerry Holloman noted that September inundation of the flood plain was studied for 10 days. Oxygen sag in the lower river was noted after several days at 18,500 cfs. Low DO in the lower river, this time evidently due at least in part to an increase in oil prices, is another example of a flow management/water quality consequence relationship.

Jim Early informed Council that the water quality monitoring sites maintained by USGS (4 or 5 of 8 monitoring sites on the river) will cease this spring. Funding ends March 31, 2001. Loss of this data is of concern to Council. Alternative funding is being investigated by the Chairman. Kay Winn suggested that a resolution or letter to urge funding be directed to the appropriate agency(ies).

On a motion by Jimmy Outland, seconded by Jim Early, Council agreed unanimously to have the Chairman (with staff assistance) identify and address correspondence to the most appropriate agency for securing continued funding for the continuous water quality monitoring sites on the lower Roanoke. It was suggested the USGS be copied on the letter.

New Business

Flow Management Easements

Kay Winn was asked to summarize her earlier memo to Council, which suggested that we support a means of compensating landowners in the lower river for land rendered useless due to flow management strategies presently employed by the Corps. In essence, these should function in a manner similar to conservation easements in the Neuse basin.

Ideally, flow management would not result in aseasonal high flows. Calculating a real cost, especially including loss of private use to achieve the public purposes of lake level regulation, power generation, rockfish spawn, etc., is necessary to determine the real costs of present management.

In discussion, points were made about the difficulty of assessing damages to downriver interests and likelihood of the implementation of a compensation plan. The 216 Study needs to include these concerns. Jerry Holloman presented a draft resolution designed to address the concerns of downriver interests and the real costs of current management policies. Council reviewed the draft. Some corrections were suggested. Kay Winn asked that a more direct clause be included to address the private costs of accomplishing public purposes. Council agreed to expedite the adoption of this resolution to have minutes and the second draft mailed by the first of next week, allowing 15 days for Council to consider it prior to a special December meeting.

Council will convene that meeting on December 8, at 9:30 a.m. at Claudine's Restaurant for the single purpose of taking action on this resolution.

The next regular meeting will be January 19, 2001 at 9:30 a.m. at Claudine's Restaurant in Rich Square.

Callie Dobson asked to be on the agenda for the January meeting to share her draft plan with Council.

There being no further business, the meeting was adjourned.

Respectfully submitted,
Kay Winn, Secretary

Enclosure: Draft Resolution

DRAFT RESOLUTION
for consideration by the
Roanoke River Basin Regional Council
submitted November 17, 2000

Whereas the Roanoke River is a natural wonder; it supports over 119 species of fish, and is among the most biodiverse east of the Rockies; the lower river section includes the largest intact bottomland hardwood swamp forest on the Atlantic slope, comprising almost 160,000 acres, and supports the Atlantic Coasts' third largest anadromous striped bass population, over 214 species of migratory birds, including 90 species of breeding birds, and some of the best opportunities for wildlife observation, photography, interpretation and environmental education and hunting and fishing in North Carolina.

Whereas the lower section of the Roanoke River basin can provide more food and fiber, subsistence, and otherwise sustain many individuals through economic activities related to aesthetic, recreational and environmental tourism, and has many important social and historical sites, some recorded, and many not recorded,

Whereas landowners and local county agricultural and forestry economies of the lower section of the Roanoke River continue to sustain or suffer a disproportionate and uncompensated economic loss related to river flow management,

Whereas the biological, chemical, and physical integrity of the lower section of the Roanoke River has been and is being affected by point and nonpoint sources of pollution, dams, flow alterations, and land use practices, such that sturgeon may be locally extirpated, once abundant fish such as American shad are now severely depleted, and freshwater mussel species diversity and population numbers have suffered alarming declines,

Whereas intergenerational equity and environmental justice are ill-served by the present flow regime, including low flow augmentation and high flow dampening, and the encouragement of industrial facilities within the 500-year floodplain, which continues trends that irreversibly damage the vitality, health, and integrity of the river and its floodplains, and trades the natural beauty, national significance, and capacity for regional subsistence provided by the basin for short term and localized economic gains,

Whereas the Implementation Plan of the Albemarle-Pamlico Estuarine Study's Comprehensive Conservation and Management Plan (CCMP) of 1994 recommended the creation by Governor's Executive Order of the Roanoke River Basin Regional Council (RRBRC) to provide a local forum for input into the implementation process by public and private interests; 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 Roanoke River Basin consistent with the CCMP,

Whereas inter-related administrative processes, including the Roanoke Rapids and Gaston Hydropower licensing, the Corps of Engineers section 216 study, the North Carolina Division of Water Quality Basinwide Plan, the development of a multi-species fishery management plan, the wetlands restoration plan, water needs of the Weyerhaeuser mill in Plymouth, and the renewal of many water quality certificates in the basin provide an opportunity to alter the trends damaging to the river's ecological integrity and the region's capacity for subsistence,

Whereas many statutes give the State of North Carolina opportunity to take corrective action and seek avoidance, minimization, and full compensation, including in-kind mitigation, and Adaptive Management, for past, present, and future environmental and economic damages, including loss of use, for damage related to the facilities and operations reviewed under pertinent administrative processes,

Whereas anecdotes do not constitute reliable data for decision-making, and best professional judgement is a less than a perfect tool for allocating public trust resources for private gain, and successful natural resource management depends on an understanding of cause and effect relationships and scientifically sound management must include institutional mechanisms to account for significant uncertainty and adaptability as new or improved information becomes available,

Therefore, be it resolved that the RRBRC recommends the State of North Carolina regulate and administer the Roanoke River to ensure that (1) long term, sustainable ecological integrity, subsistence production of food and fiber, and economic viability, including nonmarket values, are not compromised; (2) management decisions are supported by scientifically sound information; (3) environmental restoration and protection is not impeded or hindered by authorized activities, including water diversions, flow regulation and discharges of pollutants; and, (4) no irreversible commitments of the public trust are made that would preclude future generations from implementing the same management options and obtaining the same results available to the present generation.

The signature below certifies that the above resolution was approved by the Roanoke River Basin Regional Council this the _____ day of _____ 2000.

Jerry L. Holloman, Chair
Roanoke River Basin Regional Council

11-16-00 — Update on Lloyd Winslow Project

Watering System

It was determined that it would be cheaper to use an existing well at the main road and pipe the water to the troughs.

The main 2" waterline and 1" waterlines to each water trough site have been installed. One water trough is almost finished.

Stream Crossing

The crossing has been repaired using a 42" pipe. A few more loads of gravel need to be placed on the crossing.

Fencing

The fence has been installed. The cattle are still using the Roanoke for a few more weeks until the upper pasture water troughs are complete. There are a few places the fence needs to be finished and the gates hung.

Tree Planting

Due to communication problems the site preparation was not completed for tree planting in time for this winter. The trees will have to be planted next winter. Mr. Winslow has been enrolled in the CRP program and will get his payment this year.

Materials and Labor	Estimated Cost	Expenditures
Two miles of Fence	\$11,000	\$10,576
Alternate Water System	\$17,500	\$10,229
Cattle Trail Crossing	\$4,600	\$1,908
Riparian Zone Rehab (hardwood tree planting)	\$7,900	0
Total	\$41,000	\$22,713

Organization	Budget	Expenditures
US Fish and Wildlife Service	\$16,000	\$12,484
Roanoke River Basin Council	\$25,000	\$10,229
Total	\$41,000	\$22,713

