



*Giordano*

State of North Carolina  
Department of Natural Resources and Community Development  
512 North Salisbury Street • Raleigh, North Carolina 27611

James G. Martin, Governor

S. Thomas Rhodes, Secretary

MEMORANDUM

TO: Technical Committee  
Policy Committee  
Citizens' Advisory Committees

FROM: Douglas N. Rader, Ph.D., Project Director *DNR/kn*  
Albemarle-Pamlico Estuarine Study

SUBJECT: Albemarle-Pamlico Estuarine Study (APES)  
Technical Committee Meeting

DATE: November 24, 1987

At its meeting on October 20, 1987, the Policy Committee "rejuvenated" the Technical Committee, giving it the specific authority to manage the APES on a day-to-day basis to implement the program (see enclosed minutes). The Technical Committee will meet on December 15, 1987, from 10 A.M. to 5 P.M. in the Governor's Press Room, Administration Building, 116 W. Jones Street, Raleigh, to assume this important role.

Enclosed is a tentative agenda. Should you have additional suggestions, please contact me at 919-733-0314 or in writing before the meeting.

Your attendance at this important reorganizational meeting would be greatly appreciated.

DNR:kn

Enclosures

Tentative Agenda

ALBEMARLE-PAMLICO ESTUARINE STUDY

Technical Committee

December 15, 1987

Governor's Press Room - Administration Building  
116 W. Jones Street, Raleigh, NC

10:00 - 10:05	Welcome New Technical Committee members seated	Ernie Carl/Bruce Barrett
10:05 - 10:15	Report on Policy Committee Meeting of October 20	Staff
10:15 - 10:30	Program Status Report Budget Technical Projects Information Management Public Involvement	Staff
10:30 - 11:00	Fiscal Action on Previously Approved Projects Riggs' startup money Adams' expansion Smith's funding	
11:00 - 12:00	Subcommittee Formation and Goals Monitoring Technical Review Information Management	
12:00 - 1:00	Lunch	
1:00 - 4:00	Subcommittee Meetings	
4:00 - 5:00	Reports of Subcommittees	
5:00	Adjournment	

## FISCAL ACTION ON PREVIOUSLY APPROVED PROJECTS

Three projects which were approved previously by Policy Committee action for funding last August or this December require additional action.

1. Stan Riggs (ECU, Mud Pollutants)

HISTORY: Approved by Policy Committee for December or ASAP. Principal Investigator has requested startup money so he won't lose this entire sampling year and his staff dedicated to this project. Probably can be funded as part of baseline monitoring work to be done under supplemental funds.

RECOMMENDATION: Contaminant work in river/sound sediments is badly needed. Recommend authorization of \$6,000 as per request (attached).

2. Dave Adams (NCSU, Wetland Protection Strategies)

HISTORY: Approved by Policy Committee for December or ASAP. Principal Investigator has requested expansion from ~\$7500 to \$15,500 to cover upgrade in staffing.

RECOMMENDATION: Recommend approval to generate best possible material on this vital subject.

3. Gary Smith (ECU, Videotape/Slide Show)

HISTORY: Approved by Policy Committee for August initiation. Administrative problem at ECU caused us to include in "Contractual Services" in NRCD cooperative agreement request. Five percent cut from \$700,000 to \$685,000 total APES grant was taken from NRCD "contractual services", leaving only \$1200.

RECOMMENDATION: Recommend authorization to spend \$10,000 of planning year contractual services funds to execute the videotape portion of this project.

## MINUTES

### ALBEMARLE-PAMLICO ESTUARINE STUDY POLICY COMMITTEE

October 20, 1987  
Archdale Building, Raleigh, NC

At 9:30 a.m. Dr. Ernie Carl welcomed committee members and guests (Attachment A) on behalf of Secretary Tommy Rhodes, delayed by a meeting with Governor Martin. Dr. Carl introduced Mr. Lee DeHihns, Acting Regional Administrator, EPA Region IV. Mr. DeHihns has assumed the Policy Committee Co-chairmanship along with Secretary Rhodes, following the resignation of Mr. Jack Ravan.

Mr. DeHihns welcomed members on behalf of EPA and confirmed his replacement of Mr. Ravan. He reiterated the strong support of EPA Headquarters and Region IV for the Albemarle-Pamlico Estuarine Study (APES). He described his conversation with Administrator Lee Thomas and Assistant Administrator for Water, Larry Jensen, and their extreme interest in APES. He said that Headquarters was eager to receive our designation package and that they were ready to sign off on it. He summarized with the statement that EPA support was in no way diminished by Mr. Ravan's departure and that the program would not skip a beat.

Mr. DeHihns chaired the meeting in Secretary Rhodes' temporary absence. He introduced the topic of the National Project Designation, and asked Dr. Doug Rader, Project Director, and Mr. Ted Bisterfeld, EPA Project Officer, to present the package.

Dr. Rader described the legislative/administrative context of the designation process, and the reasons to go forward with the process today. Those included the likelihood of supplemental funding, the necessity of designation prior to receiving 1989 funds, and the potential advantage of being the first program so designated. A handout summarized the major points and schedule imposed by the work-planning aspect of the process (Attachment B).

Mr. Bisterfeld described the historical context of the designation guidelines and emphasized the need for direction detected from other estuary programs. He reiterated the availability of supplemental funds to cover any activities required by this process which we would otherwise not be ready to conduct (perhaps \$200,000+).

Ms. Mike Gantt commended Dr. Rader, Mr. Bisterfeld, and EPA Headquarters staff for a job well done. She expressed her concern that the role of the State of Virginia needed to be expanded for there to be any hope of their active involvement in implementation activities. She realized it was too late to have them be signatory to this designation package, but asked for committee help to recruit more active Virginia involvement in the protection of a shared resource.

Mr. Dan Ashe agreed strongly that Virginia should be included more fully. He stated that their involvement at the Technical Committee level should be reinforced. Mr. DeHihns stated that he had found that Governor Beliles of Virginia was very supportive of estuarine programs. Dr. Carl stated that everyone agreed that increased Virginia input was a good thing. He described the

philosophical decision at the time of committee formation to include them at the nuts and bolts level--the Technical Committee level, rather than the Policy Committee level. He stated that their interest was watershed-based as opposed to shared-estuary in nature. Mr. DeHihns stated that that was exactly Pennsylvania's role in the Chesapeake Bay system and Susquehanna management was critical there.

Dr. Rader reviewed the importance of Virginia in the Albemarle-Pamlico System, particularly in the Chowan and Back Bay/Currituck Basins.

Dr. Dirk Frankenberg read the portion of the Clean Water Bill that is pertinent ("governors or their representatives from all affected states"). Dr. Frankenberg continued by asking how EPA/OMEP felt about a program structure without more explicit Virginia involvement. Mr. DeHihns answered that the proposed package was prepared in close collaboration with EPA and that Mr. Tudor Davies and Mr. Thomas were ready to move ahead with it.

Dr. Rader stated that Mr. Davies had informed him at the recent OMEP National Meeting that we needed to bring in Virginia and EPA Region III in a stronger role, but that the current situation was acceptable for designation purposes.

Ms. Gantt then read the Clean Water Bill section on Management Conference membership and suggested that we could get more attention if more than one state was involved.

Mr. DeHihns reiterated that APES is considered very important at the national level, that Region IV would help with bringing Region III in more fully. Dr. Frankenberg asked about the Chesapeake Bay Program. He observed that the Pennsylvania/Susquehanna River situation is similar to our Virginia/Chowan-Back Bay one, and wondered whether there was a precedent for ex post facto inclusion of "watershed" states into an antecedent program. (That is, where states with the estuaries proper began the program and then asked for up-basin participation.)

Mr. Ashe observed that there was little incentive for up-basin states to join voluntarily, that Pennsylvania had joined the Chesapeake Bay Program in order to avoid unilateral EPA action.

Mr. DeHihns repeated his offer to bring EPA Region III along to gently persuade Virginia to be more directly involved.

Dr. Rader offered to send letters to Virginia and Region III requesting more formal participation in the APES process, but he asked for help in actually targeting the requests.

Dr. Frankenberg suggested that a letter to the Governor of Virginia should come from the Governor of North Carolina. A letter to the Secretary of the Virginia Department of Natural Resources or the Regional Administrator of EPA Region III should come from the North Carolina Secretary of DNRCD (S. T. Rhodes). He suggested a joint letter from Mr. Rhodes and Mr. DeHihns, either as co-chairmen of the Policy Committee or as Secretary and Regional Administrator.

Mr. Ashe suggested that staff should make discrete inquiries with contacts in Virginia to determine the appropriate target and signatories.

Dr. Frankenberg moved to direct the staff to explore the most expeditious mechanisms for including Virginia and EPA Region III more fully in the study and to follow-up in the most effective way.

Mr. Ashe seconded. Motion passed unanimously by roll call vote.

Dr. Frankenberg expressed his "congenital uneasiness" with committing to do things that are likely impossible. As an example he listed the position of the agreement which committed us to determining the efficacy of management strategies by monitoring. He wondered whether our feet would be held to the fire on that and other technically unlikely issues.

Mr. DeHihns responded that an answer was available on two planes. First, as an absolute technical matter we will be required to do our best to evaluate the effectiveness of our actions (i.e. have we "turned it around?", can we show the benefits of the program?). However, on a practical basis, we cannot do the impossible and EPA will not be asking for the money back if we show no progress--technically infeasible expectations are unreasonable. The second plane is the necessity for prompt action on the designation package: the language comes straight from the Clean Water Bill and is not really negotiable at OMEP.

Dr. Carl stated that "baseline" programs have killed a number of promising programs. He continued that "baseline thinking" isn't scientific, but rather is a management process. Such activities can be enormous wastes of money unless they are targeted at recognized indicators (e.g. fecal coliforms) that may not be the actual problem, but are closely related. Similarly, there are a few questions that can be addressed in a truly scientific manner, but they require careful planning beforehand (as opposed to post hoc analysis).

Dr. Frankenberg stated that bad data is worse than none, and that in this system sampling artifacts are likely to swamp all real signals.

Ms. Gantt stated the clear need to be accountable to the public and lawmakers in the final analysis.

Dr. Frankenberg suggested that a social science "monitoring" program might be as efficient as any in detecting manageable changes in the environment, and the success of the program. He asked Dr. Mike Orbach to comment.

Dr. Orbach briefly described the status of attitude/opinion polling funding, and suggested it would be on the list for the next cycle.

Secretary Rhodes underlined the need to measure public opinion in order to properly target a program such as this. He sees a clear need to recognize the real concerns of the public and address them. Mr. DeHihns agreed that the whole thrust of the project didn't need to be scientific in nature.

Dr. Don Hoss (representing Dr. Bud Cross) expressed the fear that monitoring /modeling efforts could swallow the whole cost of the program. The additional funding provided from EPA lessens this worry for the short term, but the situation bears watching for the long term.

Secretary Rhodes recalled his experience designing a monitoring program for Lake Ontario, where he concluded you knew as much before the program as after.

Dr. Rader stated that monitoring can be very useful in the characterization process, but he agreed that effective hypothesis testing is not a likely outcome of monitoring exercises. He suggested that the monitoring program to be designed between now and March 1988 must include 1) continuous monitors located in high risk/incidence areas, 2) improved wet chemistry/ambient monitoring, and 3) broad, fine-resolution citizens monitoring plan. The Technical Committee will conduct these planning activities.

Mr. DeHihns requested that the Committee move on in the interest of time.

Dr. Orbach asked for correction in the Citizens' Advisory Committee description (30 members instead of 18, 19 private citizens instead of 4). Dr. Rader stated that a number of similar minor editorial corrections were required and asked Policy Committee permission to make those post hoc without discussion, as long as major policy matters were not involved.

Secretary Rhodes agreed and asked the committee to move on.

Ms. Gantt moved that the committee accept the document as written with minor editorial discretion for Dr. Rader and Mr. Bisterfeld. Further, the document should be signed as soon as possible and presented with a cover letter from the Governor to Mr. Lee Thomas at EPA.

Mr. Ashe seconded. Motion passed unanimously by roll call vote.

Mr. DeHihns and Secretary Rhodes signed the three cover pages, and the committee and guests in attendance applauded.

Ms. Gantt, as chairman of the Subcommittee on Administrative Procedures, continued by presenting a series of resolutions pertinent to administrative structures and voting representation. She expressed her concern about lack of attendance at meetings by designated Technical Committee members. She offered a resolution on Technical Committee membership (Attachment C) intended to formalize several replacements and to add Mr. Bobbye Jack Jones, US Soil Conservation Service. She agreed the importance of SCS based on the importance of nonpoint issues to this system and the management significance of the Farm Bill (Swampbuster/Sodbuster). She moved the resolution be adopted. Dr. Frankenberg seconded.

Secretary Rhodes agreed strongly with the inclusion of SCS and noted the close ties between state and federal nonpoint programs. Mr. DeHihns agreed and observed that SCS has played a vital role in the past in this field. He then called for a vote. The Resolution was adopted unanimously by roll call of members present.

Ms. Gantt expressed her concern about attendance records of existing members, and observed that attendance is declining on average, from about 13/18 to about 7/18. She introduced for discussion a resolution addressing attendance/performance of Technical Committee members (Attachment D). Ms. Gantt moved the resolution be adopted. Dr. Frankenberg seconded.

Mr. Ashe observed that three consecutive missed meetings was liberal. Dr. Frankenberg questioned whether a "note from one's mother" would be adequate

as an excuse for missing a meeting. The question was called. The resolution was adopted by unanimous roll call vote.

Ms. Gantt continued by examining the role of the Technical Committee. She suggested that it was time that the ambiguous stature of that body was clarified (i.e., advisory committee or major working level body). To address that concern, she introduced a resolution clearly demarcating specific tasks to be completed by the Technical Committee in the course of active management of all aspects of the program (Attachment E). Ms. Gantt moved the resolution be adopted. Dr. Frankenberg seconded.

Secretary Rhodes asked Dr. Rader to describe briefly the evolution of the current Technical Committee/Policy Committee roles. Dr. Rader complied. Dr. Frankenberg elaborated to say that the current relationships developed because of the brevity of time available for administrative action on technical review matters, as a stopgap maneuver. He emphasized that in the beginning we had the advantage of addressing many problems and selecting the best from a wide variety of submitted proposals, whereas now we have the task of filling in the cracks in a more discrete, refined manner. He suggested that the "stopgap" function might now be superseded by more carefully structured administration. Ms. Gantt observed that there was a great deal of work to do and that the Technical Committee needed to meet more often. Dr. Carl observed that the Technical Committee/Policy Committee relationship arose as a "horse and reins", where the Policy Committee was intended to keep watch on the Technical Committee actions. Since that time, the duties of both have been made broader, so that they are currently indistinguishable and duplicative. He believes clear redefinition of the committees' roles is essential. Dr. Mike Orbach, Technical Committee member, requested clarification of the word "decision": are decisions final at the Technical Committee level? Does the Policy Committee still have to approved individual steps, or completed packages? Committee consensus was that the resolution on the floor authorized the Technical Committee to get about the practical business of running the show, without repetitive Policy Committee action. Secretary Rhodes suggested that Technical Committee co-chairs should be present at all Policy Committee meetings. Mr. DeHihns stated that he was comfortable with the Technical Committee acting as principal management entity. Dr. Rader suggested improved communications among all administrative boards.

Mr. Ashe questioned the need for the specific tasks listed in the resolution, especially since the designation document already listed such tasks. He stated that general directives contained in the first part of the resolution were adequate. Secretary Rhodes agreed. Mr. Bisterfeld suggested that the budget was the key to Policy Committee action. If funding occurs twice yearly, then Policy Committee meetings at least twice yearly would be required for final approval of packages. Ms. Gantt and Mr. Ashe suggested a shortened resolution, without the specific directives in the original. Mr. DeHihns suggested that the first sentence be amended to include 1) at least bimonthly meetings and 2) the development of a delegation memorandum requested by the Technical Committee to allow them to implement the conference agreement.

Ms. Gantt amended her resolution as follows:



"Resolution: The Technical Committee is hereby directed to take a stronger role in the day to day management and operation of the Albemarle-Pamlico Estuarine Study to fulfill their role as the major, working level committee to implement Policy Committee directives."

Dr. Frankenberg seconded the amended resolution. The resolution passed by unanimous roll call vote.

Ms. Gantt continued by presenting a resolution intended to encourage Citizens' Advisory Committee involvement in replacement of their own members (Attachment F). She moved the resolution be adopted. Dr. Frankenberg seconded.

Dr. Carl asked whether such recommendations from the CACs would be exclusive. Secretary Rhodes stated that as long as it was clear the Policy Committee retained ultimate appointment powers, he had no problem. Dr. Parker Chesson (Albemarle CAC chair) recommended that the recommendations not be binding, and that "shall" should be "may." CAC representatives Dr. Mike Corcoran and Dr. Tom Quay underlined the need for CAC involvement in replacements. Dr. Orbach observed that the resolution should better define the process (i.e., how staff should get recommendations in general and how they would be acted upon). Mr. Ashe agreed a more general process was needed.

Ms. Gantt amended the resolution to read (as attached). Dr. Frankenberg seconded the amended resolution. The resolution passed unanimously by roll call vote.

Ms. Gantt asked Dr. Chesson to present the resolutions of the two Citizens' Advisory Committee on Policy Committee representation (Attachment G). Dr. Chesson presented those actions and requested Policy Committee adoption. He emphasized that this request was not a criticism, but rather a statement of extreme interest. He stated that many of the citizens do not currently feel involved, and representation on the Policy Committee would send a strong message of governmental interest in citizens involvement. Secretary Rhodes stated that the confusion arose from the mixed roles of the Policy Committee and Technical Committee, and that today's action clarified the active role of the Technical Committee. Mr. DeHihns agreed that a revitalized Technical Committee should address most of the citizens concerns. Dr. Chesson observed that citizens feel frustrated at a lack of direct action and feel that a conviction for involvement is missing on the part of government. Mr. Tom Ellis (N.C Dept. of Agriculture, Technical Committee) reminded the committee of Trudy Coxes' message from the February 14 meeting, to get citizens in at the top level. Dr. Frankenberg felt representation was probably a good idea, on inspection. Dr. Quay suggested that the CACs felt they could do their best work as equal to the Technical Committee, reporting directly to the Policy Committee. Mr. Ashe felt strongly that citizens should have an effective voice. He felt the cry for Policy Committee involvement was unfortunate at a time when the Policy Committee was attempting to delegate authority to the Technical Committee, but that the issue had become a "litmus test" of the sincerity of government for public involvement. He stated he would have difficulty opposing such a resolution, but would prefer to let it percolate for a bit, to prove to the CACs that the original plan was really designed in their best interests. Dr. Corcoran stated that much of the mistrust implied

resulted directly from the "dismal" performance in convening the committees originally. Ms. Sally Turner (EPA staff) stated that Trudy Coxes' call on February 14 was very unfair because of the difference in the administrative organization of APES and Narragansett Bay. At the time, Narragansett had no public representation on any committees and the fight that led to her statements was for representation, period. Ms. Gantt observed that the citizens simply wanted to be where they could make the most difference: they aren't (generally) technical specialists. She supported representation on the Policy Committee. Dr. Carl stated that it might be prudent to wait and see. However, he warned that if the request was turned down, the Policy Committee would need a good reason. Dr. Chesson observed that nothing was lost by Policy Committee expansion, but that a great deal was gained: public credibility.

Dr. Frankenberg moved that the Albemarle Citizens' Advisory Committee and the Pamlico Citizens' Advisory Committee each be given representation on both the Policy Committee and the Technical Committee. Ms. Gantt seconded.

Dr. Carl was concerned that at the same time the Policy Committee was trying to delegate authority to the Technical Committee, it was also expanding the Policy Committee. He viewed that as inconsistent action. Mr. DeHihns noted that the citizens already have a very important role. He observed that a vote against Policy Committee inclusion might be construed as a vote against citizen input. Dr. Chesson argued that the Policy Committee expansion does not really expand its role. Mr. Ellis reiterated that the issue has taken on a life of its own, that the denial of the first CAC request would be badly taken, and that a positive step should be taken to regain CAC trust. Dr. Corcoran stated his opinion that the long tedious process of appointment used previously should be avoided. Secretary Rhodes reminded Dr. Corcoran that the process took so long because it involved doubling the committee size. He continued by recommending that the elected chairpersons be appointed instead of specific persons.

Dr. Frankenberg amended his motion to appoint the elected chairpersons to the Policy Committee and the elected vice-chairpersons to the Technical Committee. Ms. Gantt seconded. The motion passed by unanimous roll call vote.

Dr. Rader presented a quick status report on the program. He stated:

- o Public Involvement Coordinator interviews had been held and that he was submitting a recommendation;
- o Two of three workshops had been held successfully and proceedings were in the works. Four workgroups are being organized (striped bass by Dr. Bill Hogarth, wetlands/natural areas by Ms. Gantt, recruitment and toxicants by Dr. Costlow);
- o Several budgetary items needed simple, quick action see Attachment H). In addition, Dr. Stan Riggs had made a proposal for upfront funding;
- o The calendar for the next month was presented.

The Policy Committee declined to act on any budgetary items, because the Technical Committee is now to conduct management at that level, and because adequate time did not remain for proper consideration. Dr. Rader was directed to take those actions to the Technical Committee.

Dr. Don Hoss (representing Dr. Bud Cross) expressed concern over the lack of Policy Committee involvement in the Public Involvement Coordinator hiring process; but did not feel comfortable taking a stronger role in Dr. Cross' absence.

Mr. DeHihns called for new business. No further business was considered. The next meeting was set for late winter/early spring, but the specific date was not decided on.

#### Agenda

- Attachment A - Attendance
  - Attachment B - National Program Designation
  - Attachment C - Resolution on Technical Committee Membership
  - Attachment D - Resolution on Technical Committee Attendance
  - Attachment E - Resolution on Technical Committee Role
  - Attachment F - Resolution on CAC Membership Replacement
  - Attachment G - Resolution on CAC Policy Committee Representation
  - Attachment H - Budget Considerations
- Calendar

POLICY COMMITTEE

ALBEMARLE-PAMLICO ESTUARINE STUDY

Tuesday, October 20, 1987  
Archdale Building - 14th Floor Conference Room  
Raleigh, NC

A G E N D A

9:00 a.m.	Welcome	Mr. Tommy Rhodes Mr. Lee DeHihns
9:10	National Program Designation (package already sent)	Dr. Doug Rader Mr. Ted Bisterfeld
10:10	Committee Structure	Ms. Mike Gantt
	A. New Technical Committee Members B. Citizens' Advisory Committee Resolutions	
11:00	Program Status Report	Dr. Doug Rader Mr. Ted Bisterfeld
	A. Staffing B. Workshops/Technical C. Budget D. Calendar	
11:45	Other New Business	
12:00	Adjourn	

Attendees

PC

Oct. 20, 1987

MICHAEL CORCORAN	NC WILDLIFE FED	919-833-1923
KATE BENKERT	U.S. Fish & Wildlife Serv.	919-856-4520
David Owens	Div. Cst/Mngt, ONRCD	919-733-2293
SALLY TURNER	EPA, REGION IV	404-347-7788
Ted Bestfeld	EDA, Region IV	"
Kathy Jarvis	APES	
Rann Carpenters	Texas Gulf	919 322 4111
Tom Wilkerson	The News & Observer	817-4520
Barbara Chesson	Albemarle Citizens Advisory Comm	919-335-082
Jim Stewart	Water Resource Research Institute	919 737 2810
Dawn Parks	ECU	919-752-4288
MILIE ORBACH	TECHNICAL COMMITTEE	(717) 777-7777
marcia Stults	Dorchester - Pilot Newspaper	919-332-4043
Tommy Gray	Paulino (AC (Raleigh))	978-9874
RICHARD B HAMILTON	NC WILDLIFE COMMISSION	733-3391
ERNIE CARL	NRCO	733-4984
Lee DeHikus	U.S. EPA Region IV	(404) 347-4727
Dirk Frankenberg	U North Carolina at Chapel Hill	732-4989
Dan Ashe	U.S. Congress	202-226-2460
Mike Gull	US Fish & Wildlife Serv.	856-4520
Don Hoss	NMFS/NOAA, Beaufort N.C.	(919) 728-8736
Tom Ells	NC DA	
Wally Jones	GPA	
S. T. Rhodes	NRCO	

National Estuary Program Designation

1. All National Estuary Program (NEP) projects must be "designated" under the 1987 Clean Water Bill to be eligible for 1988 funds or additional 1987 funds beyond initial levels.
2. To be designated, a "management conference" must be declared to be convened, meeting specific guidelines. Our Policy Committee/Technical Committee/Citizens' Advisory Committees structure meet those guidelines.
3. Designated programs agree to conduct certain functions and prepare certain products on specified schedules. (See attached)
4. Specific products include:
  - 10/90 final comprehensive report on status and trends and probable causes of significant environmental changes
  - 11/92 Comprehensive Conservation and Management Plan
5. We stand a very good chance of being the first "designated" program in the country and getting a national EPA figure to come announce that designation along with an appropriate state dignitary on November 14 (assuming positive action by the Policy Committee on October 20).
6. There remain some problems with the designation package. Much of the wording is illogical - but it came directly from the Clean Water Bill. Hopefully, the Policy Committee will work it out.

## National Estuary Program Designation

### Proposed Schedule, Albemarle-Pamlico Estuarine Study

<u>TIME</u>	<u>MILESTONE</u>
01/88	Inventory of existing monitoring programs completed
03/88	Baseline monitoring program designed
04/88	Identification of potential contributions by other federal agencies
06/88	Key data resources identified (draft)
08/88	Final list of data sets prepared and reviewed
12/88	Priority environmental concerns reviewed and reaccessed by the Policy Committee/Technical Committee/EPA
06/89	1. Databases prioritized (which useful for what purposes) 2. Probable causes of significant environmental changes identified
09/89	1. Inventory of relevant federal programs completed 2. Plan for addressing load/transport/fate relationships
11/89	"Probable cause" document reviewed by scientists/managers
12/89	1. Schedule for data management activities established 2. Federal consistency report completed
04/90	Key sections of Comprehensive Conservation and Management Plan identified
07/90	Draft monitoring plan (management effectiveness)
08/90	Draft report on status and trends and probable causes
10/90	Final combined report distributed to public
04/91	Potential management strategies defined and costs evaluated
08/91	Priority action plan to maintain/attain potential uses drafted (with authority needed, etc.)
11/91	Compliance schedule for action plans developed
01/92	1. Draft Comprehensive Conservation and Management Plan 2. Recommended alternatives to resolve federal inconsistencies
08/92	Institutional and financial commitments for action plans secured
11/92	Final Comprehensive Conservation and Management Plan

Also requires biennial reports on management action effectiveness to public

ALBEMARLE/PAMLICO SOUNDS

DRAFT

*State/EPA Conference Agreement for National Estuary Program  
Designation Under the Water Quality Act of 1987*

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We recognize the need for a Management Conference on the Albemarle/Pamlico Sounds to better define the environmental concerns in the system; to address the extent, complexity and sources of pollutants; and to develop a comprehensive conservation and management plan for action. We further recognize that the States and EPA share the responsibility for management decisions and resources regarding priority issues in the system.

In signing this agreement, we are committing to products and schedules which will: assess trends in water quality, natural resources and uses; determine the causes of change through data collection, characterization, and analysis; evaluate point and non-point loadings and relate them to observed changes; write a comprehensive conservation and management plan which includes recommendations for priority actions; develop plans to coordinate implementation of a comprehensive plan with federal, state and local agencies; provide monitoring to assess the effectiveness of the implementation actions; and review Federal financial assistance programs and Federal development projects for consistency.

We also agree that the statutory requirements for Management Conference membership have been met and that we will participate in that Conference. Further, we commit that the statutory requirements for matching funds will be met to complete the characterization of priority problems and develop the comprehensive conservation and management plan.

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*S. Thomas Rhodes  
Secretary  
North Carolina Department of  
Natural Resources and Community Development*

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*Lee A. DeHihns, III  
Acting Regional Administrator  
Environmental Protection Agency  
Region IV*

Dated this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_



Technical Committee Membership Resolution

Resolution: To ensure active agency participation and representation on the Technical Committee by the designated voting members, the Policy Committee effects the following changes in the voting membership of the Technical Committee:

- 1) replacement of James Graham by Tom Ellis, NC Department of Agriculture;
- 2) replacement of Bill Austin by David Sides, NCDNRCD, Division of Soil and Water;
- 3) replacement of Michelle Hiller by Mark Alderson, EPA;
- 4) replacement of Paul Woodbury by Larry Saunders, Corps of Engineers;
- 5) replacement of Charles Fullwood by Dick Hamilton, NC Wildlife Resources Commission;
- 6) appointment of Bobbye Jack Jones, US Soil Conservation Service, State Conservation, to the Technical Committee.

Attachment D

Technical Committee Attendance Resolution

Resolution: To ensure active and continuing participation and representation on the Technical Committee and to curb the downward trend in attendance by the voting membership, the following attendance policy is hereby implemented:

- 1) The absence of a designated voting member of the Technical Committee at three consecutive Technical Committee meetings will result in the replacement of said member. A letter of notification will be sent to said member upon their absence at the second consecutive meeting. A voting member of the Technical Committee is considered absent despite meeting attendance by a designated proxy.
- 2) In the event of absence due to an emergency situation, the Technical Committee member shall notify the Program Coordinator as soon as feasible. Emergency absences will not be considered as part of the total count of consecutive absences.

Attachment E

Technical Committee Task Directive Resolution

Resolution: The Technical Committee is hereby directed to take a stronger role in the day to day management and operation of the Albemarle-Pamlico Estuarine Study to fulfill their role as the major, working level committee to implement Policy Committee directives.

Unanimously adopted by the Policy Committee, October 20, 1987.

Citizen Advisory Committee (CAC) Resolution

Be It Resolved That:

To help ensure the desired and continued involvement of the public in the development and implementation of the Albemarle-Pamlico Estuarine Program, the Project Director shall assemble recommendations including that of the respective CAC for presentation to the Policy Committee for replacements of individuals who resign or otherwise leave a CAC. The CAC shall continue to be composed of 11 members representing various interests and 19 members at large:

1. Public Official (2)
2. Educator
3. Tourism Repr.
4. Developer
5. Sport Hunting and Fishing
6. Commercial Fishing Industry
7. Agriculture
8. Industry
9. Environmental Group
10. Coastal Engineer/Surveyor
11. Private Citizen (19)

## BUDGET CONSIDERATIONS

- 1) All cooperative agreements finally active (EPA-UNC, EPA,NCSU, EPA-DUKE, EPA-ECU, EPA-NRCD, EPA-NMFS, EPA-FWS, NRCD-USGS, EPA-NCCF, EPA-PTRF); NRCD cooperative agreement received October 9, 1987.
- 2) NRCD agreement received with a shortfall of \$15,800, to make total EPA commitment received (\$700,000 - 5%) = \$685,000. Taken out of "contractual services" - result is lack of funding for ECU/Gary Smith slide show/videotape already approved.
- 3) Total "planning year" fund expenditures leave us approximately \$50,000 - \$70,000 (depending on how Ken Pearce project is counted), which is available for use. Possibilities:
  - a) reserve for emergency response, etc.
  - b) fund Gary Smith (~\$15,000)
  - c) fund additional activities; requests received:
    - (1) Tom Hoban (Ag. Extension, NCSU) - A.E. Agent training
    - (2) Dave McNaught (PTRF) - Professional slide show
    - (3) Farid Askari (NCSU) - Remote Sensing
    - (4) Dave Adams (NCSU) - Expand wetland protection package
    - (5) Joe Ramus (DUKE) - Dissolved Oxygen
    - (6) Fund further contractor support
- 4) Contract support budgeted was \$20,000 (less than the expected \$40,000 - simply to balance). Current support has expired - single source contract or competitive bidding?
- 5) Additional federal/EPA support is likely in relation to the designation process:
  - a) \$250,000 for baseline monitoring
  - b) support for approved Riggs, Adams, Nichols proposals ("December" funding)
  - c) Possible NASA money
- 6) Funding coordination meeting has not been scheduled - November?

## Calendar

- October 19-23 National Save Our Sounds/Bays/Great Lakes Conference (Rhode Island)
- October 20 Policy Committee meeting (Raleigh)
- October 26 Governor's Town Meeting (Columbia)
- October 26-30 International Remote Sensing Conference (Michigan)
- October 28 Perquimans River public meeting (Hertford)
- November 9-10 Remote Sensing Workshop (Raleigh)
- November 12-13 Neuse River Foundation Conference
- November 14 Public Meeting (Elizabeth City State University)
- November 16-17 Tidewater Chapter American Fisheries Society (Pine Knoll Shores)
- November 17 Albemarle Citizens' Advisory Committee meeting [Union Camp, Chowan River Tour] (Roanoke-Chowan Wildlife Club)