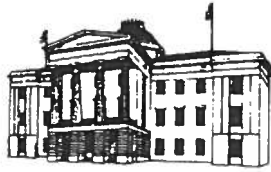


State of North Carolina



BEVERLY EAVES PERDUE
GOVERNOR

EXECUTIVE ORDER NO. 133

ALBEMARLE-PAMLICO NATIONAL ESTUARY PARTNERSHIP

WHEREAS, Congress designated the Albemarle-Pamlico estuarine system “estuary of national significance” in 1987; and

WHEREAS, the Albemarle-Pamlico National Estuary Partnership (APNEP), formerly known as the Albemarle-Pamlico Estuary Program, is a cooperative effort established by the State of North Carolina and the United States Environmental Protection Agency in cooperation with the Commonwealth of Virginia; and

WHEREAS, the mission of APNEP is to identify, restore, and protect the significant resources in the Albemarle-Pamlico estuarine system; and

WHEREAS, APNEP is a collaborative effort involving state, federal, regional, local, educational, public, and private entities in the protection and enhancement of the Albemarle-Pamlico estuarine system; and

WHEREAS, APNEP was among the first National Estuary Programs to be designated by Congress under Section 320 of the Clean Water Act; and

WHEREAS, APNEP has provided extensive information and supported scientific research to address natural resource and environmental issues facing the Albemarle-Pamlico estuarine system since 1988; and

WHEREAS, scientific information from the Albemarle-Pamlico Estuarine Study (1987-1994) was combined with extraordinary involvement by citizens to develop a Comprehensive Conservation and Management Plan (CCMP) that was first adopted in 1994 and revised in 2012; and

WHEREAS, APNEP and its CCMP also recognize that from an ecological, societal, and economic standpoint, the most effective means to sustain environmental health of the Albemarle-Pamlico estuarine system is to identify, manage, and protect the resources in the watershed through adaptive, system-based approaches; and

WHEREAS, APNEP recognizes the importance of engaging and involving the public in making decisions regarding ecosystem-based management;

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED:**

Section 1. Establishment and Structure.

The Albemarle-Pamlico National Estuary Partnership Office (the “APNEP Office”) is hereby established to coordinate and facilitate the implementation of the CCMP, and the APNEP mission. The APNEP Office shall serve as a conduit for information, collaborations, and coordination among the state and federal agencies, local governments, tribes, academia, and the public. The Office will be located in the Offices of the Secretary of the North Carolina Department of Environment and Natural Resources (“DENR” or the “Department”). The Department shall be responsible for administrative and fiscal management of the APNEP Office as the federal grant recipient.

Section 2. Advisory Bodies.

The following advisory bodies shall be established to support the implementation of the CCMP and to assist the APNEP Office: a Policy Board, an Implementation Committee, and a Science and Technical Advisory Committee. The Secretary of the Department of Environment and Natural Resources, in consultation with the Director of the APNEP Office, shall appoint the initial membership of the advisory bodies and, to the greatest extent possible, shall seek to ensure geographic, demographic and social balance, and willingness to serve. Unless otherwise authorized by the Governor or the Governor’s designee, advisory bodies shall have no authority other than to serve in an advisory capacity as provided herein.

A. Policy Board

1. Purpose

The Policy Board shall work with the APNEP Office and other partners to advise, support, evaluate, update, advocate for, and guide CCMP implementation. The Policy Board is the primary guidance body of the APNEP Office.

2. Membership

a. The membership of the Policy Board shall include the following voting members:

- 1) The Secretary of the North Carolina Department of Environment and Natural Resources, or designee;
- 2) Two members of the Implementation Committee;
- 3) Two members of the Science and Technical Advisory Committee;
- 4) A representative of a local or regional council of governments;
- 5) A representative of a local, state, or national conservation organization; and
- 6) Two at-large members.

- b. The Secretary of Natural Resources of the Commonwealth of Virginia, or designee, shall be invited to participate as a voting member.
- c. A representative of the United States Environmental Protection Agency–National Estuary Program shall be invited to participate as a non-voting ex-officio member.
- d. The Policy Board may expand its membership, as it deems necessary, upon two-thirds affirmative vote.

3. Meetings

The Policy Board shall meet as deemed appropriate by the Chair or upon request by the APNEP Director.

B. Implementation Committee

1. Purpose

The Implementation Committee shall work with the Policy Board on CCMP implementation. Committee members shall serve as liaisons to agencies and relevant parties regarding environmental and natural resource management relevant to CCMP implementation.

2. Membership

The membership of the Implementation Committee shall be broad-based and may include the following natural resource management interests within the watershed: local governments; local or regional planning; commerce and industry; education; tourism; fishing or seafood industry; agriculture; forestry; tribal organizations; local, state, or national conservation organizations; soil and water conservation districts; finance; communication and media; education; state agencies; and federal agencies.

3. Meetings

The Implementation Committee shall meet as deemed appropriate by the Chair or upon request by the Director of the APNEP Office.

C. Science and Technical Advisory Committee

1. Purpose

The Science and Technical Advisory Committee shall provide independent advice to the Policy Board and the Implementation Committee on scientific and technical issues, including ecosystem assessment and monitoring in support of CCMP implementation.

2. Membership

- a. The membership of the Science and Technical Advisory Committee shall be broad-based and may include scientists and researchers from local colleges, universities, and research institutes, as well as technical staff from federal and local agencies, industry, and environmental organizations with expertise in science and technology relevant to environment and natural resource management in the Albemarle-Pamlico estuarine system. Representatives of state agencies may serve as non-voting liaisons to the committee.
- b. All members will be expected to have an advanced degree (Master's or above) and/or extensive experience (at least 6 years), with expertise in scientific and technical fields germane to APNEP's mission.
- c. Members should have expertise in science and technology relevant to environment and natural resource management including, but not limited to, landscape ecology, terrestrial ecology, wetlands ecology, submerged aquatic ecology, marine biology, hydrology, remote sensing, ecological assessment, engineering, agricultural technologies, forest technologies, soil conservation, water quality modeling, environmental policy, economics, public policy, planning, spatial statistics, and law.

3. Meetings

The Scientific and Technical Advisory Committee shall meet as deemed appropriate by the Chair or upon request by the Director of the APNEP Office.

D. Administration and Expenses

1. Each advisory body shall be responsible for determining its own rules of order, terms of service, bylaws, chairmanship, attendance requirements, ad-hoc committees, and other matters of protocol. All meetings shall be held in accordance with the Open Meetings Law.
2. Vacancies on an advisory body shall be filled by invitation from the remaining members as set forth in each committee's bylaws.
3. The Department of Environment and Natural Resources, through the APNEP Office, shall provide clerical support and other services required by the advisory bodies.
4. Members of the advisory bodies shall serve voluntarily and without compensation or per diems. Extraordinary expenses may be reimbursed subject to approval by the APNEP Director and in accordance with DENR travel policies, State law, and the policies and regulations of the Office of State Budget and Management.

Section 3. Effect and Duration.

This Executive Order is effective immediately. It supersedes and replaces all other executive orders on this subject and specifically rescinds Executive Order No. 122 issued on August 2, 2007. It shall remain in effect until November 5, 2016, pursuant to N.C. Gen. Stat. § 147-16.2, unless earlier rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 5th day of November in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-seventh.



Beverly Eaves Perdue
Governor

ATTEST:

Elaine F. Marshall *by Rodney Maddox*
Chief Deputy Secretary of State