

**EXECUTIVE ORDER NO. 75
CREATION OF REGIONAL COUNCILS
AND A COORDINATING COUNCIL TO
SUPPORT SOUND ENVIRONMENTAL
MANAGEMENT IN THE ALBEMARLE-
PAMLICO ESTUARINE STUDY REGION**

WHEREAS, the Albemarle-Pamlico Estuarine Study (APES) was a cooperative effort by the State of North Carolina and the U.S. Environmental Protection Agency to preserve water quality, habitats, and fisheries in eastern North Carolina; and

WHEREAS, APES was the first of 21 National Estuary Programs to be started under the Clean Water Act; and

WHEREAS, APES has provided extensive information and scientific research about the environmental issues facing the Albemarle-Pamlico estuary since 1987; and

WHEREAS, that scientific information was combined with extraordinary involvement by citizens to develop a Comprehensive Conservation and Management Plan (CCMP) entitled "A Guide to Environmental and Economic Stewardship in the Albemarle-Pamlico Region"; and

WHEREAS, the CCMP also recognizes that, from an ecological and an economic standpoint, the best way to ensure the general environmental health of the Albemarle-Pamlico watershed is to manage and protect the five river basins of the watershed; and

WHEREAS, the CCMP also recognizes the importance of involving the public in making decisions regarding environmental management; and

WHEREAS, the CCMP recommends the establishment of Regional Councils to foster public input from each of the five river basins in the Albemarle-Pamlico region, and a Coordinating Council to support the implementation process of the CCMP;

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

Section 1. Establishment.

Five Regional Councils of citizens ("Councils"), one for each river basin in the Albemarle-Pamlico watershed, are hereby established to advise agencies responsible for environmental management on concerns and issues relative to that basin.

A Coordinating Council consisting of representatives from each Regional Council, citizen commissions, federal resource agencies, and state government is hereby established to evaluate and support implementation of the CCMP.

Section 2. Regional Councils.

A. Composition.

1. Basins to be represented by the Councils. Five

separate Regional Councils shall represent each of the following river basins, with the area of the river basin being defined by the hydrologic boundaries ascribed to it by the N.C. Division of Environmental Management (DEM):

- a. Neuse (including areas of the White Oak River basin that drain to Core and Bogue Sounds)
- b. Tar-Pamlico (including areas draining directly into the northern Pamlico Sound)
- c. Roanoke (the portion of the basin below Lake Gaston dam)
- d. Chowan
- e. Pasquotank/Alligator (including smaller rivers and areas that drain directly into the Albemarle, Currituck, Croatan, and Roanoke Sounds)

2. Membership of the Regional Councils.

- a. Each county in the basin shall have at least three representatives on the Council for that basin. In instances where a county lies in more than one basin, that county shall have at least three representatives on each Council that serves a basin of which the county is a part.

b. Membership from each county shall include:

- (1) one elected or appointed county official selected by the board of county commissioners;
- (2) one elected or appointed municipal official selected by the board of county commissioners in consultation with municipalities in the county (counties without municipalities shall appoint a second county official); and
- (3) one person appointed by the Secretary of the N.C. Department of Environment, Health, and Natural Resources (DEHNR). In making his appointments to each Council, the Secretary shall, to the greatest extent possible, seek to ensure demographic and social balance, as well as balance among the following interests:

- (a) agriculture
- (b) silviculture
- (c) conservation
- (d) environmental science
- (e) commercial fishing
- (f) business/industry
- (g) recreational fishing
- (h) tourism
- (i) Soil and Water Conservation Districts
- (j) at large

- c. Each Regional Council may expand its membership as it deems necessary.

- d. Members shall serve for a five-year term to coincide with the five-year cycle of discharge permit renewals in the river basins. Vacancies shall be filled by the appointing authority.

B. Duties.

1. The Regional Councils shall advise and consult with local, state, and federal governments, as well as the general public and different interest groups within the basin, on the implementation of environmental management programs in the river basins. Because

different basins are likely to face different concerns and problems, the Council for a particular basin shall work to prioritize the problems to be addressed in that basin and to design and build consensus support for the most cost-effective strategies for dealing with those problems. The councils shall also advise the public and local governments of actions and information relevant to environmental management in the basin. The Councils will have no authority other than as advisory bodies.

2. Federal and state agencies with environmental management responsibilities in the basin shall be invited to participate in meetings of the Regional Councils.
3. Each council shall be responsible for determining its own rules of order, chairmanship, attendance regulations, quorums, and other matters of protocol.
4. DEHNR shall assist the councils and serve as a conduit for information between the councils, state and federal agencies, local government, and the public.
5. Each council shall work with DEHNR in preparing an annual public report on the progress of environmental protection and related concerns in the five river basins.

C. Meetings.

Each Regional Council shall meet within three months of its formation by the Secretary of DEHNR and local governments. Each Council shall meet at least two times each year, or more frequently if deemed appropriate.

Section 3. Coordinating Council.

A. Membership.

Membership of the Coordinating Council shall include:

1. Fifteen representatives of the five Regional Councils.
(Each Regional Council will select two of the elected and/or appointed government officials and one other representative from any background.)
2. Seven representatives of citizen commissions and councils. The Chair of each of the following groups shall select a representative:
 - a. Marine Fisheries Commission
 - b. Soil and Water Conservation Commission
 - c. Environmental Management Commission
 - d. Coastal Resources Commission
 - e. Wildlife Resources Commission
 - f. Forestry Advisory Council
 - g. Sedimentation Control Commission
3. Four representatives of federal resource agencies, to be selected by the appropriate federal administrators, are invited to participate:
 - a. U.S. Environmental Protection Agency
 - b. U.S. Army Corps of Engineers
 - c. U.S. Fish and Wildlife Service
 - d. National Oceanic and Atmospheric Administra-

tion

4. Three representatives of state government:
 - a. Secretary of DEHNR, or his designee (Chair of the Coordinating Council)
 - b. Secretary of the N.C. Department of Commerce, or his designee
 - c. Commissioner of the N.C. Department of Agriculture, or his designee, is invited to participate.

B. Duties.

1. The role of the Coordinating Council shall be to evaluate and support the implementation process to ensure the highest level of cooperation and coordination among agencies, local governments, and public and private interest groups.
2. The Coordinating Council shall consult the Regional Councils for guidance on coordinating implementation strategies at a local level.
3. The Coordinating Council shall set annual priorities for implementing sections of the CCMP and make recommendations based on progress and success, and shall identify and prioritize information needs as described in the CCMP.
4. The Coordinating Council shall pursue a Memorandum of Agreement between North Carolina and Virginia to ensure continued cooperation and coordination in implementing the CCMP.
5. Each participating agency, institution, and organization of the Coordinating Council shall submit annual reports evaluating the progress made in implementing CCMP recommendations and the success of implementation strategies.

Section 4. Compensation, Per Diem and Expenses.

Members of the Regional Councils and the Coordinating Council shall serve voluntarily and without compensation, per diem or expenses.

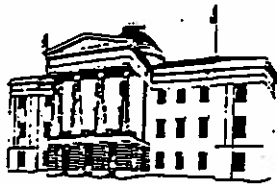
Section 5. Effect of Other Executive Orders.

All other Executive Orders or portions of Executive Orders inconsistent herewith are hereby rescinded.

This Order shall become effective immediately.

Done in the Capital City of Raleigh, North Carolina, this the 30th day of March, 1995.

State of North Carolina



JAMES B. HUNT JR.
GOVERNOR

EXECUTIVE ORDER NUMBER 118
AMENDING EXECUTIVE ORDER 75 CONCERNING
IMPLEMENTATION OF THE ALBEMARLE-PAMLICO
ESTUARINE STUDY RECOMMENDATIONS

WHEREAS, Executive Order No. 75 was issued to establish mechanisms to achieve better local stakeholder involvement in environmental programs in the Albemarle-Pamlico Estuarine region by the creation of five regional Councils and one Coordinating Council; and

WHEREAS, one Council, the Neuse River Basin Regional Council (NRBRC), has been established and has been meeting for over a year; and

WHEREAS, the State's environmental management programs have benefited from the experiences of that Council which have demonstrated that certain modifications can be made to the original Executive Order which will lead to more effective and productive local involvement programs.

NOW, THEREFORE, by the power vested in me as Governor by the laws and Constitution of the State of North Carolina, IT IS ORDERED that the following sections of Executive Order No. 75 are amended to read as follows:

Section 2. Regional Councils.

A. Composition.

1. Basins to be represented by the Councils.

Five separate Regional Councils shall represent each of the following five basins, with the area of the river basin being defined by the hydrologic boundaries ascribed to it by the North Carolina Division of Water Quality (DWQ):

A. Composition.

2. Membership of the Regional Councils.

- d. Local government representatives shall serve at the pleasure of the appointing authority and any local government vacancies in the Council shall be filled by the appointing authority. In the event of an interest group vacancy, the Secretary of the Department of Environment and Natural Resources shall solicit nominations from current Council members, the Department, and the general public. Interest group representatives serve at the pleasure of the Secretary. The Secretary will select an acting chair of each Council who will serve until the official selection of a chair by the Council membership is accomplished.

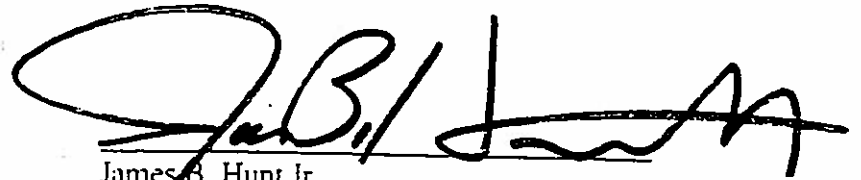
B. Duties.

1. A major responsibility of the Regional Councils is to make recommendations to local, state, and federal regulatory authorities on how to maintain and improve water quality and other environmental resources in their individual river basins. Each Regional Council will set their own priorities and develop a plan of work which will address those priorities. The Councils shall also advise the public and affected stakeholders of actions and information relevant to environmental management in the basin. The Councils shall have no authority other than as advisory bodies.

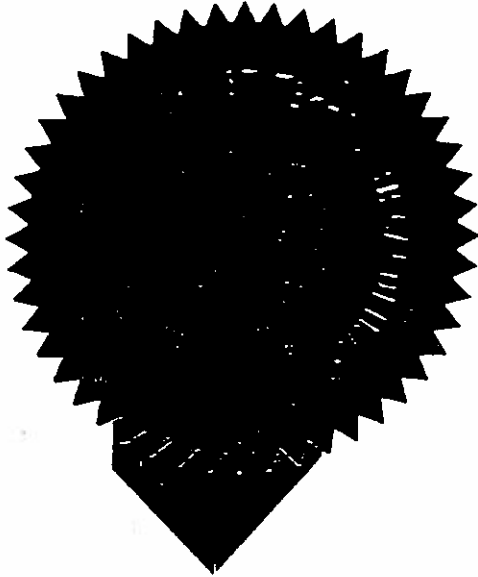
Subject to the amendments provided above, Executive Order No. 75 shall remain in full force and effect.

This order is effective immediately.

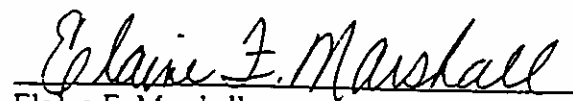
Done in the Capital City of Raleigh, North Carolina, this the 15th day of
September, 1997.



James B. Hunt Jr.
Governor

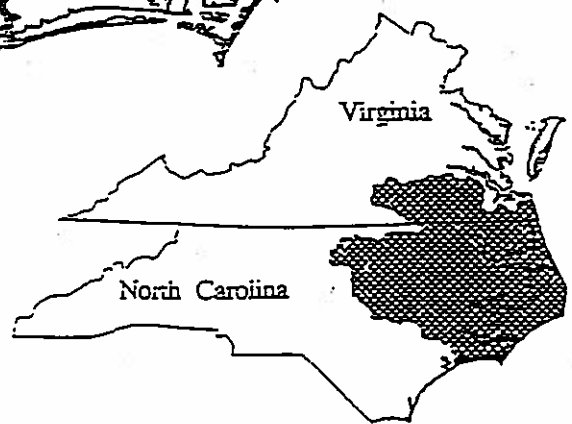


ATTEST:



Elaine F. Marshall
Secretary of State

MAJOR RIVER BASINS OF THE ALBEMARLE-PAMLICO WATERSHED



- 1: Chowan River Basin
- 2: Roanoke River Basin
- 3: Currituck Sound & Pasquotank River/Albemarle Sound Drainage Basin
- 4: Tar-Pamlico River & Pamlico Sound Drainage Basin
- 5: Neuse River Basin and Core Sound/Bogue Sound Drainage Basin

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 SUPPORT SOUND ENVIRONMENTAL
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WHEREAS, APES was the first of 21 National Estuary Programs to be started under the Clean Water Act; and

WHEREAS, APES has provided extensive information and scientific research about the environmental issues facing the Albemarle-Pamlico estuary since 1987; and

WHEREAS, that scientific information was combined with extraordinary involvement by citizens to develop a Comprehensive Conservation and Management Plan (CCMP) entitled "A Guide to Environmental and Economic Stewardship in the Albemarle-Pamlico Region"; and

WHEREAS, the CCMP also recognizes that, from an ecological and an economic standpoint, the best way to ensure the general environmental health of the Albemarle-Pamlico watershed is to manage and protect the five river basins of the watershed; and

WHEREAS, the CCMP also recognizes the importance of involving the public in making decisions regarding environmental management; and

WHEREAS, the CCMP recommends the establishment of Regional Councils to foster public input from each of the five river basins in the Albemarle-Pamlico region, and a Coordinating Council to support the implementation process of the CCMP;

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4. Three representatives of state government:
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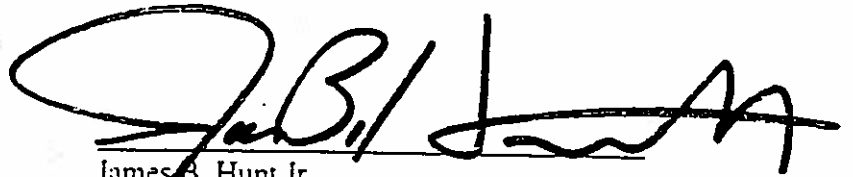
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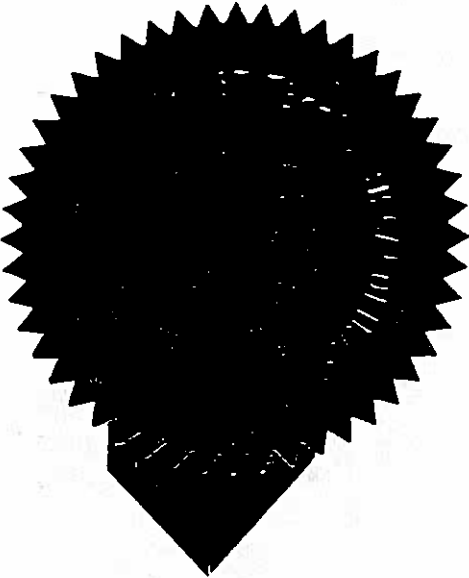
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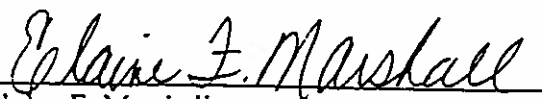
Done in the Capital City of Raleigh, North Carolina, this the 15th day of
September, 1997.



James B. Hunt Jr.
Governor



ATTEST:



Elaine F. Marshall
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MAJOR RIVER BASINS OF THE ALBEMARLE-PAMLICO WATERSHED



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