



State of North Carolina

ROY COOPER
GOVERNOR

November 9, 2017

EXECUTIVE ORDER NO. 26

ALBEMARLE-PAMLICO NATIONAL ESTUARY PARTNERSHIP

WHEREAS, the Albemarle-Pamlico region includes one of the nation's largest estuarine systems; and

WHEREAS, the Albemarle-Pamlico estuarine system possesses incredible natural diversity, natural resources, and history, and bestows extensive economic benefits on the State; and

WHEREAS, the United States Congress designated the Albemarle-Pamlico Sounds as an "estuary of national significance" in 1987; and

WHEREAS, the protection and restoration of the Albemarle-Pamlico estuarine system supports its ecological integrity, the regional economy, and local communities; and

WHEREAS, the Albemarle-Pamlico National Estuary Partnership ("APNEP") excels as a science-based cooperative among the State of North Carolina, the Commonwealth of Virginia, the United States Environmental Protection Agency ("EPA"), and many other federal, state, and local agencies and organizations; and

WHEREAS, APNEP requires a legal framework specifying its governance structure and organizational processes and establishing an APNEP Office ("Office"); and

WHEREAS, APNEP's thirty-year legacy of supporting and synthesizing scientific research and monitoring continues to provide extensive information that addresses natural resource and environmental issues; and

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

WHEREAS, APNEP solicits and fosters citizen involvement to implement the CCMP, which guides efforts to identify, protect, and restore the region's significant resources; and

WHEREAS, the State of North Carolina is committed to protecting and restoring our natural resources and supports APNEP's mission by encouraging and supporting cooperation and collaborative partnerships among diverse stakeholders.

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

Section 1. Office and Host

The Office is established in the Department of Environmental Quality (“Department”) to coordinate and facilitate CCMP implementation and support APNEP’s mission. The Office shall serve as a conduit for information, collaboration, and coordination among the state and federal agencies, local governments, tribes, academia, and the public.

The Office shall consist of the Director of the Office (“Director”) along with the requisite staff necessary to meet the needs identified by the Management Conference, which is described in Section 2 of this Executive Order.

The Department shall serve as the host for the Office, and the Office will be housed within the Department’s Office of the Secretary. The Department shall efficiently assist in the operation and support of the Management Conference. The Department shall only be responsible for assisting with administrative and fiscal management of the APNEP-EPA cooperative agreement, which provides federal funds for APNEP, and for assisting with the management of other funding sources.

Section 2. Management Conference

A. Purpose

1. A Management Conference consistent with Section 320 of the Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 – 1376, shall be established to advise, support, and guide CCMP implementation, and to assist the Office in fulfilling its mission.
2. The Management Conference shall advise APNEP on APNEP’s overall policy, budget, and community engagement direction.
3. The Management Conference shall review and revise the CCMP as necessary in response to changes in the environment or resource management actions. Unless otherwise authorized by the Governor of the State of North Carolina or the Governor’s designee, the Management Conference shall have no authority other than to provide direction to APNEP.

B. Membership

1. The Management Conference shall consist of diverse stakeholders with interests in the Albemarle-Pamlico estuarine system and utilize a collaborative, consensus-building approach to implement the CCMP.
2. The Management Conference shall consist of a Leadership Council, an Implementation Advisory Committee, and a Science and Technical Advisory Committee.
3. The Director shall appoint the initial membership of the Management Conference and, to the greatest extent possible, shall ensure geographic and demographic diversity as well as a willingness to serve. The addition and replacement of members to the Leadership Council and each of the advisory committees shall be determined under each entity’s individual bylaws.

C. Leadership Council

1. Purpose

The Leadership Council shall work with the Office, advisory committees, and other groups to advise, support, evaluate, update, advocate for, and guide CCMP implementation. The Leadership Council is the Office’s primary guidance body.

2. Membership

- a. The Leadership Council shall include the following voting members:

- i. The Secretary of the Department or designee;
 - ii. The Secretary of the North Carolina Department of Natural and Cultural Resources or designee;
 - iii. Director of North Carolina Sea Grant or designee;
 - iv. Two members of the Implementation Advisory Committee;
 - v. Two members of the Science and Technical Advisory Committee;
 - vi. A representative of a local government or regional council of governments;
 - vii. A representative of a local, state, or national conservation organization; and
 - viii. Three at-large members who have vested interests in the region, with at least one being a resident of the Commonwealth of Virginia.
- 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 EPA's National Estuary Program shall be invited to participate as a non-voting, ex-officio member.
 - d. The Leadership Council may expand its membership, as it deems necessary, upon a two-thirds affirmative vote.

D. Implementation Advisory Committee

1. Purpose

The Implementation Advisory Committee shall work with the Leadership Council on CCMP implementation activities. Committee members shall serve as liaisons to citizens, agencies, and relevant parties regarding environmental and natural resource management relevant to CCMP implementation.

2. Membership

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

E. Science and Technical Advisory Committee

1. Purpose

The Science and Technical Advisory Committee shall provide independent advice to the Leadership Council and the Implementation Advisory 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 should 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.

- b. All members shall have substantive and extensive expertise in scientific and technical fields germane to APNEP's mission and relevant to environment and natural resource management, including, but not limited to, landscape ecology, terrestrial ecology, wetlands ecology, submerged aquatic ecology, marine biology, fisheries, hydrology, remote sensing, ecological assessment, engineering, agricultural technologies, forest technologies, soil conservation, water quality modeling, environmental policy, economics, public policy, planning, spatial statistics, education, and law.

F. Administration and Expenses

1. Each standing body within the Management Conference shall be responsible for determining its own meeting schedules, rules of order, terms of service, bylaws, chairmanship, attendance requirements, ad hoc committees, and other matters of protocol.
2. Members shall serve voluntarily and without compensation or per diems. Extraordinary expenses may be reimbursed subject to approval by the Director and in accordance with EPA cooperative agreement requirements, the Department's travel policies, state law, and the policies and regulations of the Office of State Budget and Management.

Section 3. State Programmatic Support

1. Executive Branch agencies of the State of North Carolina shall work cooperatively with the Management Conference and the Office to implement the CCMP.
2. Council of State agencies of the State of North Carolina are invited to work cooperatively with the Management Conference and the Office on CCMP implementation.
3. Campuses and institutes of the University of North Carolina system are invited to work cooperatively with the Management Conference and the Office on CCMP implementation.

Section 4. Effect and Duration

Unless otherwise provided, this Executive Order supersedes and rescinds any previous executive orders to the extent that they conflict with this Executive Order. This Executive Order is effective immediately and shall remain in effect until November 9, 2025, pursuant to N.C. Gen. Stat. § 147-16.2(b), or until 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 9th day of November in the year of our Lord two thousand and seventeen.



Roy Cooper
Governor

ATTEST:



Rodney S. Maddox
Chief Deputy Secretary of State

