



DELAWARE CENTER FOR THE  
**INLAND BAYS**  
 Research. Educate. Restore.

# BOARD OF DIRECTORS'

## Meeting Minutes

Center for the Inland Bays  
 Indian River Inlet Facility

December 12, 2014  
*Approved March 27, 2015*

**ATTENDANCE:**

|                                       |   |
|---------------------------------------|---|
| <i>Board Members Present</i>          | <i>Center for the Inland Bays Staff</i> |
| Joanne Cabry ( <i>Chair, House</i> )  | Bob Collins                             |
| David Baird ( <i>Treasurer, SCD</i> ) | Chris Bason                             |
| Diane Hanson ( <i>SCAT</i> )          | Loretta Smith                           |
| Susie Ball ( <i>CAC</i> )             | Roy Miller                              |
| Rob Robinson ( <i>Senate</i> )        | Sally Boswell                           |
|                                       |   |
| <i>Board Members Absent</i>           | <i>Public Attendees</i>                 |
| Todd Lawson ( <i>Sussex County</i> )  | Bill Verona                             |
| Dr. Scott Andres ( <i>STAC</i> )      | Dan Verona                              |
| Secretary Ed Kee ( <i>DDA</i> )       | Ken Arni                                |
| <i>Board Alternates Present</i>       | Dennis Klinzig                          |
| Hal Godwin ( <i>Sussex County</i> )   | Bob Batky                               |
| Robin Tyler ( <i>STAC</i> )           | Tom Farrah                              |
| Austin Short ( <i>DDA</i> )           | Steve Callanen                          |
| Frank Piorko ( <i>DNREC</i> )         | Nancy Cabrera-Santos                    |
|                                       | Ralph Begleiter                         |
| <i>EPA Representatives</i>            | Steven Britz                            |
| Ed Ambrogio ( <i>EPA Reg. III</i> )   | Amy Taylor Sevigny                      |

## **SUMMARY OF MOTIONS**

1. Hal Godwin motioned to approve the minutes of the SEP 26, 2014 Board of Directors meeting; seconded by Rob Robinson. Passed unanimously.
2. D. Baird motioned to accept the Board Budget Summary as presented; seconded by S. Ball. Passed unanimously.
3. D. Hanson motioned to approve the CAC membership of Ptery Iris; seconded by F. Piorko. Passed unanimously.
4. D. Baird motioned to approve the CAC's resolution regarding shellfish aquaculture as presented; seconded by S. Ball. Motion failed; eight No and one abstained (DNREC).

## **SUMMARY OF DIRECTIVES**

None.

## **CALL TO ORDER/WELCOME:**

Chair Joanne Cabry called the meeting to order at 1:04 p.m.

## **MEETING AGENDA REVIEW:**

J. Cabry called for any changes to the agenda and heard none.

## **SECRETARY'S REPORT:**

Susie Ball directed attention to the minutes of the SEP 26, 2014 Board of Directors meeting and requested any additions or corrections. Hearing none, she requested a motion to approve the minutes. Hal Godwin made the motion and was seconded by Rob Robinson. The motion passed unanimously.

## **TREASURER'S REPORT:**

David Baird directed attention to the Board Budget Summary and noted that the Finance and Executive Committees had reviewed the report and found it to be in order. He requested and any questions or comments. Hearing none, he motioned to accept the Board Budget Summary as prepared. Susie Ball seconded. The motion passed unanimously.

## **COMMITTEE REPORTS:**

### *Citizens Advisory Committee (CAC)*

S. Ball reported that the CAC heard a presentation from Chris Bason on the State of Delaware Freshwater Wetlands Committee. CIB received a letter from DNREC with NRG's draft of the Burton Island Coal Ash Landfill long term stewardship plan. In coordination with Chris Bason, the CAC prepared and submitted comments on the plan to DNREC who confirmed their receipt and promised a response. The comments included requests for increased frequency of sampling, additional sample parameters, and management of invasive vegetation. S. Ball will present the

new CAC priorities at the next Board meeting. The CAC voted to present a resolution regarding shellfish aquaculture to the Board that will be considered under New Business.

*Scientific & Technical Advisory Committee (STAC)*

STAC Vice Chair Dr. Robin Tyler reported that the STAC meeting on DEC 5<sup>th</sup> hosted presentations on spray irrigation of wastewater near Middletown, migratory fish passage, and how the rise in sea level is affecting changes in the water table. J. Cabry encouraged the Board to attend the STAC meetings.

*Water Use Plan Implementation Committee*

C. Bason reported that Ed Lewandowski, a WUPIC member for at least two years, has assumed the Chair of WUPIC. WUPIC has increased its membership to include an eco-tourism business owner and a marina operator. Bob Collins is now the committee liaison. It will meet every two months and would like to present its progress to the Board once a year at the Board's annual meeting. WUPIC reviewed the Water Use Plan at its last meeting.

*Living Shorelines Committee*

C. Bason reported the Committee did not meet since the last Board meeting. The Committee will have a new co-chair at its next meeting since the departure of Bart Wilson from the Center staff. The Center will continue to serve on the committee through Sally Boswell's chair of the Education and Outreach committee. A marine shoreline contractor training on living shorelines will occur in spring.

*Executive Committee*

J. Cabry directed the Board to the notes of the Executive Committee meeting. There were no comments or questions.

**AGENCY REPORTS:**

*Sussex County*

Hal Godwin reported that Sussex County has recently annexed the Angola North sanitary sewer district which will remove 379 homes with domestic on-site systems. The County is also preparing for referendum for the Herring Creek sewer district.

*Department of Natural Resources & Environmental Control*

Frank Piorko reported that DNREC has a new Deputy Secretary, Kara Coats. He thanked the Center for adding insurance to meet the State's requirement so that a hazardous debris removal project could be completed. Upper Indian River is being dredged; sediment is being disposed of on uplands. The Middle Island restoration project, a beneficial reuse project, is in the development stage and is estimated to cost \$4 million. The Waterway Management and

Financing Committee continues to meet. The Freshwater Wetlands Advisory Committee has completed its report.

*Delaware Department of Agriculture*

Austin Short reported that 13 properties, one in the Inland Bays watershed, were preserved through the Ag-lands preservation program this year. Over 800 properties and 116,000 acres in total have been put under permanent easements to date with this program. The Environmental Sweep program began its second year of operation and collected 16 tons of un-used pesticides from farmers for voluntary safe disposal.

*Sussex Conservation District*

D. Baird reported that Dale Oakles will continue on with the District Board. The District will receive funding to conduct a watershed study on the Phillips and Unity. The District sponsored a soil health workshop (attended by 80 individuals) to promote best management practices to improve the operations of farmers and their bottom line. Another workshop is scheduled in January and another will be scheduled in spring. Diane Hanson asked about the priorities for soil health. D. Baird replied that voluntary cover crop installation and their management is the priority option for improving soil health. R. Tyler remarked that communicating anything that can be done to make the land work more like a filter than a funnel is an easily understandable lesson for the public. D. Baird added that farmers' priority is the profitability and continuance of their farms, while at the same time they care about the environment.

*Sussex County Association of Towns*

Diane Hanson presented that a large turnover of mayors has occurred. Lewes, Ocean View, Bethany, South Bethany, Georgetown all have new mayors that Diane believes are supportive of the efforts of the Center.

*Environmental Protection Agency*

Ed Ambrogio reported that 80 – 100 people attended a meeting of the Delaware Chapter of the American Water Resources Agency focused on the estuaries of Delaware which featured a presentation by Chris Bason. The Partnership for the Delaware Estuary held a ceremony in Wilmington where the partners renewed their commitment to the Program; the Delaware Estuary environmental summit will be in January. A living breakwaters project off the coast of Staten Island will be created.

## *General Assembly Updates*

### House

J. Cabry had nothing to report since the House had not been in session. She stated that she intends to arrange a meeting between herself, Rob Robinson, and local legislators to find out what more the CIB can do with policy in regards to the Inland Bays.

### Senate

Rob Robinson stated that he is also looking forward to working with the Legislature on behalf of the Center.

## **OLD BUSINESS**

No Old Business.

## **NEW BUSINESS**

### *Executive Director Update*

C. Bason reported that the CIB brought Bob Collins on full time to manage certain programs and projects while continuing to function as the Center's property manager. Interviews for a Science & Restoration Coordinator will take place next week and the search is on track to hire by January. The Center received a 15,000 grant award from the Delaware Nature Society to conduct an outreach campaign to encourage outdoor enthusiasts to support financing for clean water; Roy Miller is the Center's project manager. The Center's wind turbine will be removed and an osprey nest will be installed. Flexera will replace the renewable energy from the turbine in coordination with Parks. C. Bason reported that an RFP for strategic planning services has been prepared and a strategic board retreat will be scheduled for February.

### *Approval of CAC Member Application – Ptery Iris*

S. Ball presented the CAC member application of Ptery Iris, a retired teacher and Board Member of the Delaware Botanic Gardens. J. Cabry requested a motion to approve the application. D. Hanson made the motion and was seconded by F. Piorko. The motion passed unanimously and J. Cabry congratulated Ptery.

### *Update on the Burton Island Long Term Stewardship Plan Resolution*

This item had been discussed during the CAC report. J. Cabry and S. Ball congratulated Tom Farrah on his work.

### *CAC Resolution on Shellfish Aquaculture*

J. Cabry reported that the Executive Committee reviewed the CAC's resolution to the Board (attached) and recommended that the Board not approve the CAC's resolution for the following

reasons: 1) many Board Members attended the Town Hall meeting referenced in the resolution where attendees were not protesting aquaculture in general, but two specific sites; CIB's work is to provide scientific data to inform policy not to take positions on individual permit applications, 2) CIB is charged with implementing the CCMP, the CAC's resolution does not relate to the CCMP, 3) DNREC is charged with implementing the shellfish aquaculture regulations and CIB provided comments on the regulations, some of which were shared by attendees at the Town Hall meeting; it is DNREC that has the authority to act on those comments.

S. Ball commented that this issue was difficult for the CAC and she understands the concerns of the stakeholders. The vote on the resolution at CAC was 8 to 6 in favor of the resolution. F. Piorko commented that Secretary Small listened to the concerns expressed at the Town Hall meeting and continues to listen to concerns. DNREC will wait to see how the Corps will act on the permit application. Rob Robinson asked if there were dates set for the Corps public comment period. Frank replied that he was not aware of any yet. Ed Ambrogio remarked that Joanne's comments were right on and that all National Estuary Programs do not make comment individual permit applications.

J. Cabry requested a motion to approve the resolution. D. Baird motioned to approve the resolution as presented by the CAC. S. Ball seconded. All voted not to approve the resolution, save F. Piorko (DNREC) who abstained; the motion did not pass. Robin Tyler clarified that although he works for DNREC, his vote represents that of Scott Andres, Chair of the STAC.

*The Chair called a five minute recess.*

#### *Your Creek Project Update Presentation*

Sally Boswell provided the presentation and showed the video that will accompany outreach presentations.

#### **OPEN FORUM**

Ken Arni spoke in regards to water quality and aqua-gardens. He asked if the Inland Bays are healthy enough to support commercial aquaculture. C. Bason replied that the Center's oyster gardening program has demonstrated since 2003 that they are.

Bob Batky thanked the Board for considering the resolution and stated that the CAC wants to see the aquaculture program succeed. He expressed concerns that the implementation of the program proceed cautiously.

Ralph Begleiter of Beach Cove spoke about industrial shellfish processing operations. He accused the Center of not notifying homeowners about aquaculture.

Steve Callanen of Quillen's Point said he has been involved with the Center for years and was surprised about the locations for the proposed aquaculture leases.

Dennis Klinzig said he misunderstood the meeting and that the Center needs a parliamentarian because it violated Robert's Rules. He asked if the Executive Committee filters what goes to the Board. J. Cabry replied that the Executive Committee reviews but takes no action on resolutions.

## **ADJOURNMENT**

J. Cabry adjourned the meeting at 3:21 pm.

Respectfully submitted,  
Susie Ball, Secretary –  
SB/cwb