



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

## BOARD OF DIRECTORS' MEETING MINUTES

Center for the Inland Bays  
 Indian River Inlet Facility  
 JUN 01, 2018  
 APPROVED SEP 14, 2018

### ATTENDANCE

<i>Board Members Present</i>	<i>Board Alternates Present</i>
Pat Coluzzi (House)	Hans Medlarz (Sussex County)
Michelle Price-Fay (EPA)	Terry Deputy (DNREC)
Susie Ball (Chair)	
Rob Robinson (Senate)	<i>Center for the Inland Bays Staff</i>
Scott Andres (STAC)	Chris Bason
Mike Dunmyer (Board-Elected)	Amy Barra
David Baird (Treasurer, SCD)	Marianne Walch
Richard Mais (SCAT)	Emma O'Donnell
Vickie York (Board-Elected, Secretary)	Bryana Lisiewski
Todd Lawson (Sussex County)	Victoria Spice
<i>Board Members Absent</i>	<i>Members of EPA Program Evaluation</i>
Sec. Michael Scuse (DDA)	Frank Piorko (MCB Executive Director)
Jonathan Forte (Board-Elected)	Catherine King (EPA)
Sec. Shawn Garvin (DNREC)	Romell Nandi (EPA)
	Nancy Laurson (EPA)

### CALL TO ORDER/WELCOME/MEETING AGENDA REVIEW

Chair Susie Ball called the meeting to order at 9:30 a.m. and led the introductions. S. Ball made note of the three executive committee meetings to discuss and sign the Executive Director's employment contract.

### SECRETARY'S REPORT

Vickie York directed the Board to the minutes of the last meeting and requested any corrections or changes to the minutes; hearing none V. York requested a motion for approval of the minutes. Pat Coluzzi made the motion and was seconded by Richard Mais. The vote for approval was unanimous.

## **TREASURER'S REPORT**

David Baird reported that the Finance Committee met on May 7th. He directed the Board's attention to the meeting minutes and Board Budget Summary and asked for any questions. Hearing none, D. Baird moved that the Board accept the Finance Committee's report. Richard Mais seconded and the vote for approval was unanimous.

## **REPORTS**

### **Citizens Advisory Committee (CAC)**

Susie Ball reported recruitment of new members continues, approval to be presented under new business.

### **Scientific & Technical Advisory Committee (STAC)**

Scott Andres reported that STAC met at the end of March and heard presentations on "Nutrient Control during Ditch Dip-Outs" and "Microbial Source Tracking in the Love Creek Watershed". STAC also held its first meeting of the monitoring subcommittee, a standing subcommittee that will advise STAC.

### **Legislative**

Pat Coluzzi reported the environmental license plate bill has been signed by the Governor. Chris Bason reported that HB270 had a well-attended hearing at the House Natural Resources Committee. After testimony for and against, as well as a lengthy debate, the bill was ultimately tabled due to concerns that the bill's fee structure and management may not be equitable. The Governor's office, in particular, was concerned with the funding approach creating a separate pool of money because they prefer to approach the state's fiscal responsibilities as one comprehensive package. Funding for clean water may be available through a different approach as a component of a larger package. The Executive Committee has discussed and committed to refocusing and increasing efforts toward local legislators with regard to clean water in Sussex County and the Inland Bays.

### **Development Committee**

Deferred until Mike Dunmyer arrives.

## **NEW BUSINESS**

### **Approval of CAC Member Applications**

Susie Ball reviewed the applications of Richard Watson and Claire Simmons and recommended them for approval. Pat Coluzzi motioned for approval and Richard Mais seconded the motion. Vote for approval was unanimous.

### **Presentation and Approval of FY19 Proposed Operating Budget & FY19 Proposed Workplan Summary**

Chris Bason presented the proposed FY19 Operating Budget to begin October 1, 2018. C. Bason noted the total budget has decreased about 20% from FY18 due to project timing. In regards to funding sources, C. Bason noted the Center would be receiving level funding from the EPA, DNREC and Sussex County and that additional funding has been requested from DNREC both as a one-time additional allotment for FY19 as well as a more permanent increase to match 50% of the EPA's contribution. In regards to

expenses, C. Bason explained approximately 70% of total expenses go to personnel costs, an 8% increase over FY18, due to conversion of the Project Manager from part-time to full-time, a cost of living increase, and performance increases. Administrative costs in the FY19 budget show a 10% decrease from FY18 resulting in increased funds available for projects.

C. Bason also presented and summarized a grants revenue plan to accompany the budget and assist in meeting the Center's goal of reaching a \$3,000,000 operating budget within 3 years by increasing revenue by \$600,000 a year. Mike Dunmyer asked if the Center would have the capacity to implement the projects associated with the grants were all the grants applied for received. C. Bason explained the grant applications would include allowances for additional staff, in which case space would be the preliminary concern. Overall, C. Bason was confident implementation would be possible.

Susie Ball requested a motion to accept the proposed budget. Scott Andres made the motion and Pat Coluzzi seconded the motion. The vote to accept was unanimous.

C. Bason presented the proposed FY19 workplan summary. New proposed projects consist of CCMP Public Education and Outreach Plan, Terrapin Education and Research Program, and an Economic Evaluation of the Inland Bays. Planned enhancements to on-going projects include two new living shoreline demonstration sites, several new reforestation projects, an update to the tidal prism environmental indicator, and a focus on watershed coordination to include an estuary implementation workgroup and a grant writing workshop for municipalities.

Susie Ball requested a motion to accept the workplan summary. Todd Lawson made the motion and Vickie York seconded the motion. The vote to accept was unanimous.

### **Development Committee Report**

Mike Dunmyer reported the Development Committee has met 3 times since the previous Board Meeting. Meetings have revolved around the James Farm Master Plan and the approach to a big picture fundraising strategy with special attention to the annual fund, corporate sponsorships, foundations, and improving events.

### **Preliminary Findings of the EPA NEP Program Evaluation**

Nancy Luarson, EPA National Estuary Program (NEP) Coordinator, gave a brief overview of the function of the Program Evaluation (PE) and reported on the outcomes of the challenges identified at the previous PE. As a result of the previous PE, A State of the Bays Report, Monitoring Plan, and Finance Plan were all requested to be completed by the current PE. N. Luarson reported all three were complete, successful, and well done. Also noted in the previous PE letter was a request to put more accomplishments on the CIB website. N. Luarson reported the Center's accomplishments are on the website currently in report form but would like to see more summarized, easier to read versions for lay-men. N. Luarson invited the staff to the EPA's national meeting and requested the Center participate in the story map that the EPA has created. New findings and requests of the current PE were the completion of the climate vulnerability assessment, a full revision of the CCMP, and a management or implementation board.

Frank Piorko, Director of Maryland Coastal Bays (MCB) and member of the review team, suggested the Center and MCB collaborate on planning processes that benefit both estuary programs and seconded the recommendation for an implementation committee.

Michelle Price-Fay (EPA) reported on the strengths of the Center identified during the PE including, objectivity in data and information, commitment to quality assurance, engaging in significance planning efforts, and creating a constituency of informed citizens.

N. Laurson wrapped up the review by thanking the Center for their commitment and saying the Center is doing a wonderful job; a pass is recommended.

## **OLD BUSINESS**

### **Mountaire Committee Update and Affirmation of the Board Action on Committee Report polled on March 21<sup>st</sup>**

Susie Ball summarized the Board's involvement with the Mountaire Wastewater pollution thus far. The situation was discussed at the November 2017 CAC meeting and then brought to the Board. The Board appointed an ad hoc committee which met twice in January and once in March to compile and revise a report using publically available information and Freedom of Information Act (FOIA) requests. After the March Board meeting, S. Ball, M. Dunmyer and C. Bason met with DNREC Sec. Shawn Garvin to discuss concerns he expressed about the report. A decision was made to withhold the recommendations portion of the report until the discussions between DNREC and Mountaire were resolved. An email poll of Board members on the release of the report absent the recommendations resulted in 7 for, 3 against and 1 abstention. The report was released at a press event on April 9<sup>th</sup>. Roger Truitt, lawyer for those affected by the Mountaire Contamination, has submitted a FOIA request to the Center for the data used in our report.

S. Ball requested a motion to affirm the poll previously mentioned. Pat Coluzzi made the motion and Vickie York seconded. The vote for approval was unanimous aside from 1 abstention from DNREC.

Scott Andres requested the findings of the Mountaire Committee be presented at the next STAC meeting.

Mike Dunmyer inquired as to whether we've had any further dialogue with Mountaire following the press event and whether there is an update on the timeline for resolution from DNREC. Terry Deputy did not have an update on the timeline or any further information at this time. C. Bason reported he had called and invited Mountaire to the River Rally but they were unable to attend due to the ongoing litigation.

C. Bason reported most recent monitoring values in the Indian River were high and the timing of spring rains will increase Nitrogen values and expressed desire to continue working together to understand and improve the health of the river.

S. Andres suggested the Center should increase monitoring in the Indian River. Michelle Price-Fay suggested the Center have an ask prepared for an enforcement project associated with the Mountaire contamination, with increased monitoring being a possible option. C. Bason expressed concern that action would need to take place within a month and support would be needed from DNREC and the Citizen Monitoring Program. Terry Deputy informed that the Secretary has gone as far on the issue as he's willing and that T. Deputy does not have the authority to speak further.

S. Ball expressed concern that the Secretary has previously asked the Center to wait a few months to release their recommendations and while they had agreed, it had now been a few months. S. Ball questioned how much longer the board was willing to wait. At S. Ball's request, S. Andres summarized the monitoring portion of the recommendations as establishing a station in the Indian River that would inform on short term changes in water quality.

V. York motioned to release the committee's recommendations as stated previously. S. Ball expressed concern with releasing the recommendations without Sec. Garvin's input. T. Deputy agreed. P. Coluzzi questioned how much communication the Center has had with Sec. Garvin. C. Bason informed that he had spoken to Sec. Garvin in regards to other matters and that Sec. Garvin had expressed his displeasure with the release of the report. T. Deputy said DNREC's interest aligned with the Center's in regard to improving water quality but that releasing recommendations does not help to enhance water quality.

Todd Lawson questioned whether changes have been made in the time since the report was drafted that the Center is not aware of and whether information missing from the report due to unsuccessful FOIA requests would impact the recommendations. S. Ball expressed concern with the lack of communication on DNREC's report and requested feedback from T. Deputy on T. Lawson's points. T. Deputy agreed to share the Board's concerns with Sec. Garvin.

C. Bason expressed desire for DNREC to collaborate with the Center via their membership on STAC and requested assistance with monitoring from the EPA. Hans Medlarz expressed concerns that monitoring would be much more labor intensive and costly than the Board might be aware. C. Bason suggested a much lower level of monitoring could be achieved fairly easily.

V. York withdrew the previous motion to release the Committee's recommendations as stated previously. Rob Robinson suggested we circulate the recommendations, allow interested parties to comment and address at the next Board meeting. S. Ball suggested that we make a motion to begin monitoring in the Indian River instead. Scott Andres motioned that the Board direct the Center staff and STAC develop a list of monitoring requests for the upper Indian River. V. York seconded the motion. There were 8 votes in favor and 1 abstention, the motion carried. Mike Dunmyer suggested the

committee form a legislative strategy. S. Ball directed the committee to meet and continue to examine the recommendations and seek input from DNREC.

Amy Barra presented an Outreach and Education Program.

## **ADJOURNMENT**

The Chair adjourned the meeting at 12:20 p.m.

Respectfully submitted,

Vickie York, Secretary/cwb –