

CENTER FOR THE INLAND BAYS

BOARD OF DIRECTORS'

Meeting Minutes

Center for the Inland Bays Office
Rehoboth Beach, Delaware

December 16, 2011
approved March 30, 2012

IN ATTENDANCE:

<i>Board Members Present</i>	<i>EPA Representatives</i>
Rick Eakle (<i>Chair</i>)	Ed Ambrogio
Dr. Bill McGowan (<i>Vice-chair</i>)	Sue McDowell
Joanne Cabry (<i>Treasurer</i>)	
Dr. Bill Ullman (<i>STAC Chair</i>)	<i>Center for the Inland Bays Staff</i>
Secretary Ed Kee (<i>DDA</i>)	E.J. Chalabala
Bill Zak (<i>CAC</i>)	Chris Bason
	Sally Boswell
<i>Board Alternates Present</i>	Jenn Jones
Frank Piorko (<i>DNREC</i>)	Loretta Smith
Hal Godwin (<i>Sussex County</i>)	Roy Miller
	Eric Buehl
<i>Board Members Absent</i>	
Secretary Collin O'Mara (<i>DNREC</i>)	<i>Public Attendees</i>
Todd Lawson (<i>Sussex County</i>)	Melissa Steele
Gordon Wood (<i>SCAT</i>)	Doug Parham
	Bill Moyer

SUMMARY OF MOTIONS

1. Motion by Sec. Kee to approve the minutes of the SEP 23 2011 meeting of the Board of Directors as written; seconded by J. Cabry. Passed unanimously.
2. Motion by Sec. Kee to accept the Treasurer's report as written; seconded by B. McGowan. Passed unanimously.

3. Motion by Sec. Kee to approve the Executive Committee's recommendation that the CAC Election of Doug Parham as Chair be approved by the Board and that Doug Parham be brought on the Board as the Board Secretary effective immediately; seconded by B. Ullman, the motion passed unanimously.
4. Sec. Kee motioned to enter Executive Session to discuss a personnel matter; seconded by B. Ullman, the motion passed unanimously.

CALL TO ORDER/WELCOME

Chairman R. Eakle called the meeting to order at 1:04 p.m. Meeting participants were asked to join in reciting the Pledge of Allegiance.

Administrative Items

The Chair requested that reports be kept brief to allow time for the Holiday party to assemble afterwards.

MINUTES:

Secretary's Report/Approval of Minutes

Secretary Bill Zak requested any corrections to the minutes of the SEP 23 Board Meeting included in the Board packet. Hearing none, B. Zak asked for a motion to approve the minutes. Sec. Kee made a motion to approve minutes. J. Cabry seconded the motion. The motion passed unanimously.

Treasurer's Report/Work Plan Amendments

J. Cabry asked the Board to refer to the Board budget summary for the Treasurer's Report. J. Cabry asked the Board for any questions or comments and hearing none then requested a motion to accept the budget summary. Secretary Kee made a motion to accept the Treasurer's report. B. McGowan seconded the motion. The motion passed unanimously.

COMMITTEE REPORTS:

Citizens Advisory Committee (CAC)

B. Zak reported that the CAC continues to monitor the proposed Wandendale Project and the Burton's Island Landfill Voluntary Cleanup Process. The CAC heard a report from DNREC's Site Investigation & Restoration Branch on Burton's Island, and a public hearing on the study conclusions that SIRB reached is forthcoming. Nitrogen and phosphorus pollution has been designated as the CAC's priority for the coming year. The CAC plans to make recommendations on this subject in the future.

Scientific & Technical Advisory Committee (STAC)

B. Ullman reported the STAC met on OCT 07 and discussed new approaches to microbial source tracking and progress on implementing Total Maximum Daily Loads. It was discovered that a lot of microbial contamination in the Bays can be attributed to non-human sources, as suspected. The next meeting was scheduled for FEB 03. The STAC will request membership renewal and B. Ullman reported his term will end after the next meeting.

Executive Committee Update

R. Eakle referred the Board to the minutes provided from the most recent Executive Committee meeting in the Board package.

Water Use Plan Implementation Committee Update

E.J. Chalabala reported on WUPIC's work to identify funding sources to implement removal of navigation hazards, channel marking, and beneficial use of dredge spoils. He announced the next Inland Bays crab pot pickup is scheduled for January 29.

AGENCY REPORTS:

Sussex County

H. Godwin reported that the Angola Neck sewer district expansion will go online JAN 01. Homes currently existing in that district will be allowed to hook up with no County connection fee, new homes must pay for hookups.

Department of Natural Resources & Environmental Control

F. Piorko congratulated C. Bason and the staff that worked on the Anchorage Canal Drainage Area Median Bioretention Areas. He reported that DNREC is requesting funds for channel marking, derelict structure removal, and beneficial reuse projects. He reported DNREC will continue to work with CIB on the CCMP update process and the Hopkins Dairy farm.

Delaware Department of Agriculture

Sec. Kee reported that the Concentrated Animal Feeding Operation permit regulations were approved by the EPA. The Environmental Law Center of Widner University and some Riverkeeper groups dropped an appeal of the regulations. He expressed appreciation of the CAC's interest in poultry manure.

Sec. Kee described a young farmer's program to assist the next generation of Delaware farmers. Nine or ten young people will receive assistance in buying their first farm; two or three will be in the Inland Bays Watershed.

Sec. Kee reported on the purchase of the Allen's Family Foods by a Korean company and described the owner, Mr. Kim.

Sussex Conservation District

B. McGowan reported that the Conservation District installed solar panels on its office. He reported 13 sediment and stormwater plans were completed and that cover crop acreage increased from 7,100 to 8,600 acres in the Inland Bays watershed from last year to this year.

Sussex County Association of Towns

No representative from SCAT was present.

Environmental Protection Agency

E. Ambrogio provided the Agency's report. The federal budget may soon be decided. He reported that an agency goal for habitat acres protected and restored nationally might be lowered due to budget cuts and increasing difficulty of protection and restoration actions. He reported EPA is interested in success stories whereby estuaries meet their water quality goals. He reported on Mid-Atlantic Regional Council on the Oceans (MARCO) planning activities to better coordinate work across state, federal, and local agencies.

S. McDowell reported that the CIB underwent an internal audit by the EPA and that a draft letter will be delivered in early January 2012. She encouraged the program to spend federal grant dollars to avoid scrutiny of "unliquidated obligations." Forthcoming funding guidance may require that projects must be completed within two years.

General Assembly Updates

House

J. Cabry reported the House has not been in session since the last meeting. She reported that the Acting Director sent a letter to the Director of the Office of Management and Budget requesting continued inclusion of the CIB as a line within DRNEC's budget, and she affirmed that Rep. Schwarzkopf would monitor that line.

Senate

R. Eakle reported that he would request Sen. Deluca monitor the CIB line as well.

CAC CHAIR ELECTION

R. Eakle recommended on behalf of the Executive Committee that the CAC Election of Doug Parham as Chair be approved and that Doug be brought on the Board as the Board Secretary effective immediately. Sec. Kee motioned to approve the recommendation. B. Ullman seconded. The motion passed unanimously.

EXECUTIVE SESSION

Prior to entering the session the Chair requested a motion to enter Executive Session to discuss a personnel matter. Sec. Kee motioned to enter Executive Session. B. Ullman seconded. The motion passed unanimously. The Board entered Executive Session.

OLD BUSINESS

No old business was on the agenda.

NEW BUSINESS

Upon returning from Executive Session the Board addressed New Business.

Report on Agriculture and Nutrient Management

Sec. Ed Kee presented "The Intersection of Agriculture and the "Eco -Restoration" of the Chesapeake Bay: Applications for Delaware's Inland Bays", which was followed by discussion.

Introduction to the Inland Bays Foundation

Bill Moyer presented on the organizational structure, membership and mission of the newly formed Inland Bays Foundation and demonstrated the Foundation's website.

CIB Budget Outlook

C. Bason reported that the FY2013 federal NEP appropriations were in good shape, but that uncertainty existed in the amount budgeted for each NEP, and that that uncertainty would increase in FY2014. The NEP reauthorization bills continue to have bipartisan

support, but the current political climate will very likely prevent them from passing prior to the next election. The DNREC budget proposal included CIB.

CIB Staff Project Updates

CIB DNREC MOU for review of proposals to the Delaware Water Pollution Control Revolving Fund Program (DWPCRP) for CCMP consistency.

C. Bason reported that the Wandendale Regional Wastewater Treatment Facility applied to the DWPCRP. The CIB completed its consistency review of the project per the terms of the MOU, and determined the project was inconsistent with the CCMP, as detailed in its letter to DNREC. The determination was based primarily on testimony provided by CIB at the August 2011 public hearing for the DNREC construction permit for the Wandendale Facility. He reaffirmed that the expansion of the DWPCRP program into non-traditional water quality projects is beneficial.

R. Eakle pointed out that the letter received concurrence from the Chairs of the STAC, CAC, and Executive Committees.

E. Ambrogio asked what the next actions were and C. Bason replied that DNREC has the final determination per the MOU.

CIB Annual Appeal

Jenn Jones described the effectiveness of the Centers annual appeal for fundraising. She encouraged Board members to solicit donations for CIB via the updated CIB website.

CCMP Update

Roy Miller distributed the draft prioritized objectives of the CCMP update and discussed the process to date. The next Steering Committee meeting will be on JAN 05. Roy encouraged continued appreciation from Board member's staff.

OPEN FORUM

Bill Moyer remarked on the process for the Wandendale application for an SRF loan. He pointed out that, per his conversation with Terry Deputy of the DNREC Financial Assistance Branch, Tidewater Utilities had not yet applied for a *DWPCRP* loan, but that the request for CCMP consistency review comes first. R. Eakle remarked that the position of the CIB is to not discuss such projects with applicants but only with DNREC. F. Piorko described DNREC deliberations on how such *DWPCRP* projects should be reviewed for consistency with NEP CCMPs.

ADJOURNMENT

Prior to adjournment, R. Eakle thanked Bill Zak for invigorating the CAC and Doug Parham for taking over as CAC Chair.

At approximately 3:20 p.m., the Chair called for adjournment.

Respectfully submitted,

Rick Eakle, Chair –

RE/cwb