

CENTER FOR THE INLAND BAYS

BOARD OF DIRECTORS' Meeting Minutes

Center for the Inland Bays Office
Rehoboth Beach, Delaware

March 19, 2010

IN ATTENDANCE:

Board Members Present	EPA Representatives
Rick Eakle (<i>Chair</i>)	Ed Ambrogio
Dr. Bill McGowan (<i>Vice-chair</i>)	Susan McDowell
Dr. Sergio Huerta	
Dell Tush (<i>Treasurer</i>)	Center for the Inland Bays Staff
Joanne Cabry	Ed Lewandowski, Executive Director
	Sally Boswell
Board Alternates Present	E.J. Chalabala
Hal Godwin (<i>Sussex County Representative</i>)	Loretta Smith
Harry Haon (<i>Acting Secretary</i>)	Jenn Jones
Bill Rohrer (<i>DDA Representative</i>)	Eric Buehl
Jennifer Volk (<i>DNREC Representative</i>)	
	Public Attendees
Board Members Absent	Capt. Bill Baker
Collin O'Mara (<i>Secretary DNREC</i>)	Buzz Henifin
Ed Kee (<i>Secretary DDA</i>)	Martha Keller
Dave Baker (<i>County Administrator</i>)	Larry Tush

Summary of Motions

1. Dell Tush made a motion to accept the Secretary's report; Ed Ambrogio seconded. The motion passed unanimously.
2. Joanne Cabry made a motion to accept the Executive Session minutes from the December board meeting; Dell Tush seconded the motion. The motion passed unanimously.
3. Harry Haon made a motion to accept the Treasurer's report as written; Dr. Sergio Huerta seconded the motion. The motion passed unanimously.
4. Dr. Sergio Huerta made a motion to accept the candidates nominated for the Scientific & Technical Advisory Committee's election; Joanne Cabry seconded the motion. The motion passed unanimously, thus the BOD ratified the STAC candidates.

5. Motion to adjourn made by Rick Eakle and seconded by Dell Tush; meeting adjourned at 11:50a.m.

CALL TO ORDER/WELCOME

Chairman Rick Eakle called the meeting to order at 9:08 a.m. and welcomed those in attendance. Meeting participants were asked to join in reciting the Pledge of Allegiance.

-Administrative Items

Rick Eakle read a statement on behalf of the CIB that recognized the achievements of Dr Sergio Huerta during his service as the Chair of the Inland Bays Scientific & Technical Advisory Committee.

Rick Eakle made it known that we lost a member of our CAC, Graham Purchase. Harry Haon read a statement regarding Graham's contributions to the CIB and expressed how greatly he will be missed.

MINUTES:

Secretary's Report/Approval of Minutes

Harry Haon gave the Secretary's report. Being no corrections, Harry Haon asked for a motion to accept the Secretary's report along with the December board meeting minutes. Dell Tush made a motion to accept the minutes as written; Ed Ambrogio seconded the motion. The motion passed unanimously.

Harry Haon asked for a motion to accept the Executive Session minutes that took place at the December board meeting. Joanne Cabry made a motion to accept the minutes as written; Dell Tush seconded the motion. The motion passed unanimously.

Treasurer's Report/Approval of Minutes

Dell Tush provided the treasurer's report. Dell asked for a motion to accept the report. Harry Haon made a motion to accept the Treasurer's report as written; Dr. Sergio Huerta seconded the motion. The motion passed unanimously.

Ed Lewandowski and Rick Eakle shared the results of the annual audit. There were no significant findings by the auditor and the Center's finances were reported to be in good order. Ed Ambrogio asked for a clarification about the auditor's use of the term "Cash-basis accounting."

COMMITTEE REPORTS:

Citizens Advisory Committee (Citizens' Advisory Committee)

Harry Haon reported that the CAC outreach committee presentations have been accepted very well by the public.

Scientific & Technical Advisory Committee (STAC)

Dr. Sergio Huerta reported that no meeting has occurred since the last board meeting. The next STAC meeting will include an election for the STAC chair and Vice-chair seats. Per STACC Operating Guidelines, Ed Lewandowski identified the candidates who had been nominated for election. Dr. Bill Ullman is running uncontested for STAC chair. The two candidates running for Vice-chair will be Judy Denver and Bill Moyer.

Rick Eakle asked for a motion to endorse these candidates for the Scientific & Technical Advisory Committee election. Dr. Sergio Huerta made a motion to accept the candidates and Joanne Cabry seconded the motion. The motion was passed unanimously, thus the BOD ratified the STAC candidates.

Executive Committee Update

Rick Eakle commented on the Governor's Recommended FY'11 Budget, which eliminated "pass-through" funding for the CIB. Joanne Cabry reported that she contacted House Majority Leader Pete Schwartzkopf for a budget update, but there was no news at this time. Ed Ambrogio commented that Environmental Protection Agency funding for FY'11 has increased to \$800,000 per National Estuary Program.

AGENCY REPORTS:

Sussex County

Hal Godwin expressed his concerns about the State's budget situation and said that the County was closely monitoring the situation. He stated that there are no representatives from Sussex County on the Joint Finance Committee.

Department of Natural Resources & Environmental Control

Dr. Huerta provided the update. The Department will be assembling a group of experts to examine the fly ash issue and asked the CIB for its input concerning potential members. A presentation about rules and regulations concerning fly ash was offered as a potential presentation at a future Board meeting. The Department continues to engage in dialogue with Sussex County regarding the Pollution Control Strategies law suit. A joint meeting between CAC and Scientific & Technical Advisory Committee might be convened to entertain a fly ash presentation.

Harry Haon expressed his satisfaction with the Department's response to the Board's recommendation about establishing an independent panel of experts to discuss the fly ash problem. John Austin and Dr. Ullman were suggested as possible panelists. Hal Godwin commented on the improvements scheduled by NRG to improve its emission controls.

Delaware Department of Agriculture

Bill Rohrer provided the update for Sec. Kee. Agriculture continues to demonstrate solid performance in our local economy; the poultry industry contributes more than \$750M annually. Nutrient management continues to be a primary focus for the Delaware Department of Agriculture, especially with the new CAFO regulations and the Chesapeake Executive Order in place. The poultry industry experienced catastrophic losses due to the winter's storms and the Department was able to manage these losses using appropriate disposal methods.

Harry Haon inquired whether the budget cuts will impact the farmland preservation program. Mr. Rohrer stated that the program typically preserves about 15,000 acres per year and that the budget constraints do make it challenging to continue to enjoy this type of success.

Bill Rohrer reported that he will be leaving the Nutrient Management Program to start his own business. Dr. McGowan read a tribute recognizing the accomplishments of Mr. Rohrer and commended him for his leadership on nutrient management issues. The Board wished Mr. Rohrer well in his new endeavors.

Sussex Conservation District

Dr. McGowan highlighted the activities of the District. Wet weather conditions have prevented farmers from properly transitioning cover crops. Numerous BMPs, including heavy use area pads and nutrient management planning, have been implemented on agricultural operations. Dr. McGowan reported that CIB has been selected to receive a Governor's Conservation Award for our work with HOAs and stormwater management. The District has also been busy implementing stormwater management activities to satisfy the requirements of the Inland Bays Pollution Control Strategies.

Sussex County Association of Towns

Dell Tush reported that the municipalities are also dealing with constricting budgets. The reduction in municipal street aid was a surprise to municipal leaders.

Environmental Protection Agency

Ed Ambrogio provided the update. The Office of Water's National Water Program Guidance is open for public comment. The guidance emphasizes a number of public health concerns, including fish consumption. He reported that Large Aquatic Ecosystems (Gulf of Mexico, Great Lakes, Long Island Sound, etc.) are receiving increased attention by Environmental Protection Agency and there are technical transfer opportunities for NEPs. Region III has been very engaged in implementing the Chesapeake Executive Order and there may be some benefits for NEPs from this process. Mr. Ambrogio also mentioned that EPA is considering whether to reclassify coal ash as a hazardous waste. EPA is also convening a meeting to examine mercury deposition from coal-fired power plants.

HR4715 (Clean Estuaries Act of 2010) is moving through the House; it reauthorizes the National Estuary Program until 2016 and proposes increasing the authorized funding level for each NEP to \$1.25M. Ed Lewandowski offered additional information about the draft bill and reported that a vote on the measure is expected soon.

Dr. Huerta inquired about what section of EPA was considering the fly ash reclassification.

General Assembly Updates

No reports.

OLD BUSINESS

Ed Lewandowski presented his review of the CIB's committee roles and responsibilities. He suggested that action pertaining to his findings may include possible amendments to CIB's By-laws, which could be considered at the September Board meeting. Rick Eakle asked for clarification about the activities of the Strategic Planning Committee. Joanne Cabry inquired about the process by which the Strategic Planning Committee would make its recommendations to the Board. Ed agreed to distribute the document he prepared electronically and he requested review and written feedback from Board members by April 15th, 2010.

NEW BUSINESS

Rick Eakle called attention to the statement regarding the proposed Indian River Inlet casino that the CIB's Executive Director prepared, which was distributed to all Board members. The statement was issued in anticipation of the press contacting the CIB about the proposed casino. This statement indicated that the CIB did not yet adopt a formal position. It also indicated that the CIB would like to review all pertinent information (proposal, blueprints, etc.) before the organization considers its position.

WUPIC (Water Use Plan Implementation Committee)

Ed Lewandowski introduced Captain Bill Baker for an update about the progress of the Water Use Plan Implementation Committee.

Ed Lewandowski made two recommendations for Board consideration and approval: 1) Add a regular WUPIC report to future Board meeting agendas, and 2) Provide a letter to Secretary O'Mara, in his absence, that includes a synopsis of WUPIC's successes and identifies its needs. Rick Eakle suggested that penalty funds might be available to support some of WUPIC's activities.

Joanne Cabry asked why WUPIC was designated as an ad hoc committee and suggested that the committee was important enough to warrant designation as a standing committee.

Chesapeake Executive Order & Inland Pollution Control Strategies Update

Dr. Sergio Huerta introduced Jenn Volk, Watershed Assessment Section, who provided a presentation focusing on the Chesapeake Executive Order. She briefly commented on some of the recent activities concerning the Inland Bays Pollution Control Strategies, including the CIB's involvement with the Lewes Board of Public Works nutrient offset program. In addition, she gave an update on the permitting of advanced wastewater treatment systems in response to the requirements of the Pollution Control Strategies.

ADJOURNMENT

There were no requests for public comment. At 11:50 a.m., Rick Eakle made a motion to adjourn; Dell Tush seconded the motion. The motion passed unanimously.

Respectfully submitted,

Harry Haon, Acting Secretary

HH/ejc & eal