



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

BOARD OF DIRECTORS' MEETING MINUTES

*Center for the Inland Bays
Indian River Inlet Facility
DEC 15, 2017
Approved MAR 02, 2018*

ATTENDANCE

<i>Board Members Present</i>	<i>Board Alternates Present</i>
Pat Coluzzi (House)	Terry Deputy (DNREC)
Jonathan Forte (Board Elected)	
Susie Ball (Acting Chair, CAC)	<i>Center for the Inland Bays Staff</i>
Rob Robinson (Senate)	Chris Bason
Scott Andres (STAC)	Andrew McGowan
Michelle Price-Fay (EPA)	Marianne Walch
Vickie York (Secretary, Board-Elected)	Michelle Schmidt
<i>Board Members Absent</i>	<i>Members of Public</i>
Sec. Shawn Garvin (DNREC)	Mike Hoffmann (EPA)
Todd Lawson (Sussex County)	Tyler Monteith (DNREC)
Open Seat (SCAT)	Maddy Lauria (The News Journal)
David Baird (Treasurer, SCD)	
Sec. Michael Scuse (DDA)	

CALL TO ORDER/MEETING AGENDA REVIEW/WELCOME

Acting Chair Susie Ball called the meeting to order at 1:30 p.m. She led introductions. Terry Deputy introduced himself as the Acting Director for the DNREC Division of Watershed Stewardship and Sec. Garvin's alternate for the meeting. Michelle Schmidt, the Centers new Watershed Coordinator, introduced herself. Pat Coluzzi introduced herself as the new Appointee of the Speaker of the House. S. Ball thanked Joanne Cabry for her service to the Board and informed them of a plaque that was produced in her honor and a gift for her. S. Ball directed attention to the agenda, requested any changes and heard none.

S. Ball referred the Board to the notes from the three Executive Committee meetings, asked for any questions, and heard none.

SECRETARY'S REPORT

Vickie York requested any corrections or changes to the minutes and hearing none requested a motion for approval of the minutes. Rob Robinson made the motion and was seconded by Pat Coluzzi.

TREASURER'S REPORT

Chris Bason provided the report in David Baird's absence. He reviewed the FY18 Board Budget Summary and proposed budget revision. He asked for any questions or concerns and heard none. He reviewed the updated operating reserves policy that was based on the FY18 revised budget. S. Ball requested a motion to approve the FY18 budget and revision. P. Coluzzi made the motion and was seconded by R. Robinson. P. Coluzzi confirmed that the operating reserve was \$162,658 short of its goal and that private funds are being raised to meet it; C. Bason confirmed. S. Ball requested a motion to approve the revised operating reserves policy; P. Coluzzi made the motion and was seconded by R. Robinson.

REPORTS

Citizens Advisory Committee (CAC)

S. Ball reported that the CAC that two new people are interested in joining the CAC. Susie will continue to Chair the CAC until a new Chair is identified. At the last meeting, CAC focused on the Mountaire Poultry Processing Facility wastewater permit violations.

DNREC

Terry Deputy reported that DNREC received a letter of intent from Tidewater Utilities representing Allen Harim to construct a deboning facility at Allen Harim's Indian River Facility that will generate wastewater at an average flow of 40 to 50 thousand gallons per day. The wastewater would be treated by an updated plant at the facility and spray irrigated for disposal. DNREC has not received a construction permit. R. Robinson asked about the status of the point source discharge permit and T. Deputy replied that DNREC continues to discuss this permit with Allen Harim. The next step would be a permit application and there is no timeline for that. P. Coluzzi asked if there were any fines that the company was paying for leaving in the point source; T. Deputy replied he was not aware of any.

Sussex County

C. Bason provided the report on behalf of Hans Medlarz who had a conflict. DNREC's Water Infrastructure Advisory Council approved the County's competitive proposal for a no interest loan to fund a land conservation and restoration project involving the Center and the Conservation District located in the Guinea Creek Watershed; the recommendation goes to the Sec. Garvin for approval. Hans and Michell Schmidt have identified another 100 plus acres of cropland to include in the Center's Watershed Reforestation planning effort. S. Ball inquired about the CIB's Angola Neck Reforestation project that was underway. C. Bason reported 100 volunteers had signed up to plant trees. Almost 600 acres are on deck to be reforested by the Center over all projects. S. Andres inquired about the nature of the Guinea Creek project. C. Bason replied that 200 acres of forest would be preserved, a headwater stream would be restored and 60 acres of cropland would be reforested.

EPA

Michelle Price-Fay provided the report. The new EPA Regional Administrator Cosmo Servidio has been appointed. Michelle would like to assemble a coalition to proactively address the

requirement for an MS4 stormwater permit, which the EPA has been petitioned to develop for the Inland Bays Watershed. S. Andres requested that the issue of groundwater contamination from stormwater infiltration practices in well head protection areas experienced in New Castle County be considered in the requested MS4 permit process.

Scientific & Technical Advisory Committee (STAC)

S. Andres reported that the STAC met in December to hear presentations on building evidence based education programs to influence homeowner behavior and on imaging coastal bays to locate submerged aquatic vegetation. A subcommittee has been formed to address the water quality model recommendation of the Inland Bays Environmental Monitoring Plan. The STAC will hold an election for its officers at its next meeting.

OLD BUSINESS

CIB Action on Clean Water for Delaware Legislation

S. Ball referred the Board to the summary of Sen. Bryan Townsend's presentation to the Board at its last meeting in the minutes and she summarized the Senate Clean Water and Flood Abatement Task Force. Upon her request, C. Bason summarized the previous day's Breakfast for local legislators at the Center where the bill drafted by the Task Force was discussed. He reported that the legislators supported the need to clean up the Bays but were concerned about additional taxes. A number of legislators focused on the need for additional funding for waterway management. The bill was pre-filed with the legislature today with 10 sponsors. S. Ball requested a motion from the Board to support the legislation. V. York made the motion and P. Coluzzi seconded. T. Deputy stated that Sec. Garvin is supportive of the Task Force and its recommendations overall but has some concerns about the funding in light of the overall budget; there is a need to explore existing sources of funding more. The vote was 6 in favor with DNREC abstaining.

NEW BUSINESS

Mountaire Farms Poultry Processing Facility Permit Violations

S. Ball recognized CAC Member John Austin for his summary of wastewater permit violations at the facility provided to the CAC at its last meeting, and in turn summarized this for the Board. She listed the concerns of the CAC: 1) contamination of groundwater with bacteria and nitrogen, 2) contamination of drinking water wells, 3) the eutrophication threat to the already polluted Indian River, 4) concerns about adequate enforcement by DNREC, 5) the need for a groundwater quality remediation plan, 6) the lack of a permit condition, (believed to be common among permits issued in other states) that would require stoppage of effluent discharge when pollutant concentrations are exceeded, and 7) the need for closer monitoring of the effluent.

S. Ball asked the Board what role the Center has in response. T. Deputy reported that Mountaire continues to try to improve effluent pollutant concentrations. They have returned bacteria concentrations to within permit limits. Effluent nitrogen concentrations have decreased by 80%, although they remain above limits. Mountaire has provided bottled water to area residents and sampled 75 nearby wells detecting nitrogen over the drinking water standards at 25. They intend to provide point of entry nitrate treatment systems to effected residents.

R. Robinson asked what monitoring will assess the effect of the pollution on the Bays. C. Bason presented average and maximum monthly algae and nitrogen concentration data from a DNREC surface water quality station off the facility in the Indian River; the parameters far exceeded the healthy limits for water quality. S. Andres remarked that assembling data on pollution around the site would be worthwhile. He reaffirmed that better sensing technology is need to measure the parameters of interest per the Environmental Monitoring Plan. He recounted that the facility location was a former hatchery. The site has a decades long history of nutrient over loading. A short discussion of the potential cost of the pollution on the company's profits, the environment and human health ensued.

The Board acknowledged information about the pollution is coming from the newspapers not the regulatory agency. C. Bason shared his request to DNREC to partner with CIB on a public educational forum was declined in favor of DNREC working with Mountaire to hold a forum to which CIB was invited as a stakeholder. R. Robinson felt there were trust problems between the public and DNREC and Mountaire. The public expects the Center to take a leadership role and the Center should move forward on this regardless of DNREC.

M. Price-Fay remarked that mitigation projects for the pollution has specific requirements. S. Ball asked if there were ways to mitigate the groundwater. S. Andres replied there were and that they were very expensive given the extent of the contamination. S. Andres stated that identifying the scope of the problem was important but this would be a large task given that 30-40 monitoring wells exist.

V. Yorke suggested the Board form a committee to work with Chris to identify suggestions to help the effected community and foster dialogue about the issue. Scott, Vickie, Pat, Rob volunteered to serve and Susie requested John Austin participate. V. Yorke suggested the Center reach out to members of the effected community to participate. J. Austin suggested data on the issue is not public. T. Deputy suggested that it can be requested from DNREC or Dept. of Health and Human Services; this could be requested from EPA too.

M. Price Faye reported that EPA's drinking water group has been involved with the facility since 2003 under an open EPA administrative order (1431) for public health. The order required Mountaire to provide bottled water in the short term to correct drinking water violations impacting 8 homes and submit monitoring reports quarterly until contaminant concentrations were below safe limits. EPA continues to work with DNREC on the open order. EPA's general practice is to have a state agency take leadership when a state permit is in play. The monitoring data can be requested from EPA with a very specific request.

Presentation and Approval of FY2018 Workplan Revision

C. Bason presented proposed revisions to the Center's EPA workplan and requested approval. One recent change to the revisions as proposed was for the Banks Harbor Marina Living Shoreline Project which was cancelled due to the landowner who backed out. P. Coluzzi motioned to approve the revisions and was seconded by V. York; the vote was unanimous to approve.

Approval of Nomination of STAC Presiding Officers

S. Ball presented for approval the nomination of Scott Andres as Chair, Jen Volk as Vice Chair and Richard Watson as Secretary. She requested a motion for approval that was made by P. Coluzzi and seconded by V. York; the vote to approve was unanimous.

Nomination and Vote on Board-Elected Director Candidates Susie Ball and Mike Dunmeyer

V. York requested a motion to nominate S. Ball as Chair of the Center for the Inland Bays and described her credentials. R. Robinson made the motion and P. Coluzzi seconded the motion; the vote for approval was unanimous. V. York reported that the Executive Committee met with Mike Dunmeyer at its last meeting and recommends his nomination as a Board-Elected Director. She requested a motion to nominate Mike to serve as a Board-Elected Director. R. Robinson made the motion and was seconded by S. Andres; the vote for approval was unanimous.

Anchorage Canal Drainage Area Stormwater Retrofit Demonstration Project

C. Bason and Marianne Walch provided the presentation. Jonathan Forte asked if the retention pond of the Boathouse property was included in the project scope. C. Bason replied that the facility was constructed per stormwater regulations at the development of the property during the project time period and was not a retrofit. M. Walch added that the Town of Dewey Beach is considering developing an ordinance that would require small scale redevelopments to treat stormwater runoff that would be more beneficial than the state regulations under development. P. Coluzzi inquired about the cost of the Little Store Retrofit. M. Walch replied much of the cost is in engineering design. M. Price-Fay added that EPA Region III has supported public-private partnerships to support retrofits. She mentioned that EPA has been working with FEMA on green infrastructure projects to reduce flooding.

ADJOURNMENT

The Chair adjourned the meeting at 3:35 p.m.

Respectfully submitted,
Vickie York, Secretary/cwb –