

AGENDA

Clean Water Management Trust Fund Acquisition

Funding Committee

September 12, 2017 – 9:30 a.m.

William G. Ross Conference Center

121 W. Jones Street, Raleigh, NC 27603

Nature Research Center, 4th Floor Conference Room

Committee Members:

Frank Bragg, Greer Cawood, Frederick Beaujeu-Dufour, Dr. Troy Kickler, Charles Vines

1) Call to Order (Chair)

a) Welcome

b) Roll Call

c) Compliance with General Statute § 138A-15

General Statute § 138A-15 mandates that the Chair inquire as to whether any Trustee knows of any conflict of interest or the appearance of a conflict of interest with respect to matters on the agenda. If any Trustee knows of a conflict of interest or the appearance of a conflict of interest, please state so at this time.

d) Please Put Cell Phones on Vibrate or Off

e) Revisions, Additions, and Adoption of the Agenda

2) Review of 2017 Cycle Applications – Acquisition

Staff will give presentations for 2017 acquisition applications and the committee will develop funding recommendations for 2017.

Staff members: Nancy Guthrie, Damon Hearne, Justin Mercer

Agenda Item: 2. Acquisition applications review and funding recommendation.

The Acquisition Funding Committee needs to review the 2017 applications for acquisition projects. The Committee also needs to decide on an allocation for the Donated Minigrant Program.

Each trustee was mailed a usb drive that contained an Excel spreadsheet with application scores and links to applications, project summaries, and PowerPoint presentations. The spreadsheet allows calculation of funding scenarios.

PowerPoint presentations will be given by staff during the Committee Meeting.

Actions needed from committee:

- 1) Recommendation to full board of amount of funds to provide for the Donated MiniGrant Program.
- 2) Recommendation to full board of prioritized list of applications to be funded.
- 3) Recommendation to full board of prioritized list of applications to be funded as funds become available from license plate fees and funds currently encumbered to acquisition projects that may become unencumbered before June 30, 2018.

Attachments (same as documents included on the usb drive):

1. Introduction to Worksheet and Project Summaries for Acquisition applications.
2. Water Quality abbreviations and terms used in Project Summaries.
3. Standard CWMTF state-held easement Reserved and Prohibited Activities
4. CWMTF Working Forest Conservation Easement guidelines (may be used for applications 2017-042 and 2017-043)

2017 Acquisition Worksheet

The 2017 Acquisition Worksheet lists all 2017 acquisition applications. If you have questions about the worksheet, please contact [Nancy Guthrie nancy.guthrie@ncdcr.gov](mailto:nancy.guthrie@ncdcr.gov) or 919-707-9126

Total Points: Total Points is the score derived by applying criteria adopted by the CWMTF Board in February 2014. The range of scores for 2017 acquisition projects is 19-86 out of 100 points; the average score is 70. Additional statistics are found at the bottom of the Worksheet.

When a tie occurred: applications are sorted first by total score; second by resource protection score; third by match score (considers % and source of match); fourth by match status; and fifth by public access.

Total Available Funding The committee will be given an exact amount before the committee begins. \$14,700,000 is an estimate from mid-August. The worksheet shows three line items to be deducted from the Total Available: Donated Minigrants, Military Buffers, and Earmarks.

- **Donated Minigrants** are funded from the Acquisition Committee allocation. \$100,000 has been used as a placeholder on the worksheet; the final amount will be decided by the committee.
- **Military Buffers** \$1,000,000 of recurring funds are mandated for military installations. In addition, \$883,107 was returned from a previously awarded military buffer project. The funds are subtracted from the total available. The projects eligible for these funds are listed both in the complete list of projects and on the second tab of the worksheet, labeled “military buffer projects”.
- **Earmarks** \$3,209,000 were earmarked for two specific projects in 2017. These projects are listed in the complete list and are labeled for identification. The “Committee Recommended Funding” for these projects are blank because the funds have been subtracted from the total available funds.

CWMTF 2017 Acquisition Project Summary

Each application has a Project Summary that provides project information and the scope of work for each application.

Conservation Strategy

A state-held conservation easement through CWMTF is the primary instrument to protect riparian buffers and conservation and historic/cultural values in perpetuity. Restrictive covenants may be considered for local governments when the land will be used for greenways and property managed as a local park, and for uplands owned by non-profit organizations. Dedication as a State Nature Preserve or Historic Site in lieu of conservation easement is typically used for State Agencies. The attached document **Reserved Rights and Prohibited Activities in Standard CWMTF State-held Easement** list reserved and restricted rights in the standard CWMTF easement. Very similar restrictions and allowances are used for restrictive covenants.

Easements for any sites funded for the purpose of protecting historic or cultural resources where an easement is the appropriate instrument, will be developed in consultation with Department of Cultural Resources.

Water quality abbreviations and terms used in Application Summaries 2017 Applications for Acquisition

303(d)	A list of water bodies that do not fully support beneficial uses such as aquatic life, fisheries, drinking water, recreation, industry, or agriculture and that have been prioritized for water quality improvement. The State of North Carolina assembles the 303(d) list and reports it to EPA on every even numbered year, per 40 CFR 130.7.
Ag BMP	Agricultural Best Management Practice implemented to mitigate impacts to surface water
BMP	Best Management Practice; A practice or combination of practices, that is determined to be an effective and practicable means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.
B (Class B)	Class B Water Quality Classification. This classification denotes freshwaters protected for primary recreation and where swimming and other recreational activities involving human body contact with water take place in an organized manner or on a frequent basis.
C (Class C)	Class C Water Quality Classification. This classification denotes the standard minimum classification of all North Carolina streams, lakes and rivers and has the general goal of “Drinkable, swimmable, fishable” or, more formally: freshwaters protected for secondary recreation, fishing, wildlife, fish and aquatic life propagation and survival, and others uses.
CA	Critical area (CA) is the land adjacent to a water supply intake where risk associated with pollution is greater than from remaining portions of the watershed.
DCM	Division of Coastal Management (Department of Environmental Quality)
DMS	Division of Mitigation Services (Department of Environmental Quality)
DPR	Division of Parks and Recreation (Department of Environmental Quality)
DWR	Division of Water Resources (Department of Environmental Quality)
DWR bioclassification	A rating of water quality based on the outcome of benthic macroinvertebrate sampling of a stream (excellent, good, fair, poor)
DWR exceptional wetland	Wetland of exceptional state or national ecological significance documented by DWR
DWSR	Drinking Water Susceptibility Rating. A rating of a drinking water supply’s threat to becoming impaired (higher, moderate, lower), developed by Department of Environmental Quality Division of Public Water Supply.
EEP Iwpa	Ecosystem Enhancement Program local watershed planning area.
EQUIP	Environmental Quality Incentive Program
Headwaters	Small streams and associated drainage that converge to form a larger stream in a watershed.
HQW	Supplemental classification intended to protect waters which are rated excellent based on biological and physical/chemical characteristics through Division of Water Resources (DWR) monitoring or special studies.
LF or lf	Linear feet, often used to describe length of stream.
NCCF	North Carolina Coastal Federation

NCFS	North Carolina Forest Service (Department of Agricultural and Consumer Services)
NRCS	Natural Resources Conservation Service
NSW	Nutrient Sensitive Waters. A supplemental surface water classification intended for waters needing additional nutrient management due to their being subject to excessive growth of microscopic or macroscopic vegetation.
USDA	United States Department of Agriculture
ORW	Outstanding Resource Waters. A supplemental surface water classification intended to protect unique and special resource waters having excellent water quality and being of exceptional state or national ecological or recreational significance.
PNA	Primary Nursery Areas, as defined by the Marine Fisheries Commission, are those areas in the estuarine system where initial post-larval development takes place.
rare aquatic species	Aquatic organisms that are endangered, threatened, or otherwise occur in small or unknown numbers.
SA	Class SA Water Classification. This classification denotes saltwaters that have sufficient water quality to support commercial shellfish harvesting.
SA conditional	Class SA Water Classification that may be closed after significant rainfall event due to resultant runoff
SB	Class SB Water Classification. This classification denotes saltwaters with sufficient water quality for frequent and/or organized swimming or other human contact.
SC	Class SC Water Classification. This classification denotes saltwaters with sufficient water quality to support secondary recreation and aquatic life propagation and survival.
SWCD	Soil and water conservation district are organized as governmental subdivisions of the state, as well as independent political units. Districts on the county scale in a non-regulatory capacity to carry out a comprehensive conservation program that protects and improves natural resource.
TMDL	A Total Maximum Daily Load is the calculation of the maximum amount of a pollutant that can occur in waterbody and still meet water quality standards.
Tr	Trout Waters. Supplemental classification intended to protect freshwaters for natural trout propagation and survival of stocked trout.
UT	Unnamed tributary.
USDA	US Department of Agriculture
WRC Wild Trout	A designation of public trout waters by the Wildlife Resources Commission.
WS	Class WS Water Supply Water Classification. This classification denotes freshwaters used as sources of water supply.
WS - I	Waters protected for all Class C uses plus waters used as sources of water supply for drinking, culinary, or food processing purposes for those users desiring maximum protection for their water supplies. WS-I waters are those within natural and undeveloped watersheds in public ownership.
WS – II	Waters used as sources of water supply for drinking, culinary, or food processing purposes where a WS-I classification is not feasible. These waters are also protected for Class C uses. WS-II waters are generally in predominantly undeveloped watersheds.

- WS – III Waters used as sources of water supply for drinking, culinary, or food processing purposes where a more protective WS-I or II classification is not feasible. These waters are also protected for Class C uses. WS-III waters are generally in low to moderately developed watersheds.
- WS – IV Waters used as sources of water supply for drinking, culinary, or food processing purposes where a WS-I, II or III classification is not feasible. These waters are also protected for Class C uses. WS-IV waters are generally in moderately to highly developed watersheds or Protected Areas.
- WS – V Waters protected as water supplies which are generally upstream and draining to Class WS-IV waters or waters used by industry to supply their employees with drinking water or as waters formerly used as water supply. These waters are also protected for Class C uses.

Standard CWMTF state-held easement

Any exceptions to the reserved rights and prohibited activities in the CWMTF easement template must be identified in the application and will be listed on the Acquisition Project Summary Sheets and noted on the Acquisition worksheet. Below are rights reserved and prohibited activities in the CWMTF state-held easement template. Easements for historic and cultural sites will be developed with consultation from Department of Natural and Cultural Resources, State Historic Properties Office.

Rights Reserved in Standard CWMTF State-held Easement

- passive recreational use
- hiking and greenway trails
- observation/viewing platforms (determined at time of application)
- maintenance of existing early successional habitat area outside riparian buffer
- native community restoration
- pedestrian foot bridges
- hunting and fishing
- vegetation management for boundary marking, community restoration, fire containment, and insect and disease control

Prohibited Activities in Standard CWMTF Funded and Match Easement

State-held CWMTF Easement industrial and commercial use;

- agricultural, grazing, horticultural operations;
- disturbance of natural features, plants and animals (except for restoration of native communities, removal of disease, or safety reasons);
- construction of structures;
- most signs;
- minerals use, excavation, dredging;
- wetlands and water quality pollution or alteration of surface waters;
- dumping;
- subdivision;
- open space and development rights;
- mitigation under 33 USC Section 1344 or NCGS §143-214.11.

Easement to match CWMTF funds

- industrial and commercial use;
- minerals use, excavation, dredging;
- wetlands and water quality pollution or alteration of surface waters;
- dumping;
- conveyance and subdivision;
- mitigation under 33 USC Section 1344 or NCGS §143-214.11.