

COASTAL BEND BAYS & ESTUARIES PROGRAM, INC.
BOARD OF DIRECTORS MEETING

July 28, 2011
MINUTES

BOD Members/Proxies Present

Tom Bridges for San Patricio County
Greg Brubeck for the Port of Corpus Christi Authority
Robert Corrigan for the Bays Council
Tom Curlee for Port Industries of Corpus Christi
Jay Reining for the City of Corpus Christi
Tom Russell for Port Industries of Corpus Christi
Robert Wallace for Coastal Bend Bays Foundation

Others Attending

Jeff Foster, TCEQ
Doug Jacobson, EPA – Dallas, via telephone

Staff Present

Ray Allen	Alice Sanchez
Sara Bounds	Leo Trevino
Jake Herring	Jace Tunnell
Anne Hulse	Beth Wilson
Lari Jo Johnston	

1. Call to Order, Welcome and Introductions, and Quorum Determination

Mr. Robert Wallace, Chairman, called the meeting to order at 8:05 a.m. and a quorum was set.

2. Consideration and Action re: Minutes of Meeting held on April 28, 2011 – Ms. Anne Hulse (attachment 1)

Mr. Bridges made the motion to approve the minutes of the April 28, 2011 meeting as written. The motion was seconded by Mr. Russell and passed unanimously.

3. Consent Agenda: The following items are of a routine or administrative nature and do not require an action of the Board. Any member of the Board of Directors may request that an item on the consent agenda be discussed in open session:
a. Monthly Financial Report, Local Government Funding Report, and Working Capital/Reserve Fund Report – Ms. Alice Sanchez (attachments 2A, B, C)

Ms. Sanchez reported that to her knowledge the EPA audit had no findings, although the final report had not been issued because the audit had just been completed two days prior.

She explained that the project approval process required for all EPA grants, including the new grant currently pending, involves seeking project approval from all entities potentially affected by the project, in advance of submitting the project for EPA approval and funding. In the past, this process was handled by the Council of Governments; however, they claim they no longer perform this function. She had requested the Council of Governments reconsider the request. Ms.

Sanchez asked for guidance on the most expeditious method to obtain regional project approvals in the event her request was denied again.

Mr. Jacobson suggested posting a public notice requesting comments on the projects within a specified timeframe. If no public comments are forthcoming by the deadline, then the projects are considered approved.

Ms. Sanchez agreed to post a public notice if the Council of Governments refuses her request a second time.

- b. Monthly Project Status Report – Mr. Leo Trevino (attachment 3)**
- c. Grants and Proposals Update – Prepared by Dustin Cravey (attachment 4)**
- d. Communications Activities Update – Ms. Beth Wilson (attachment 5)**
- e. Environmental Education Activities Update – Ms. Lari Jo Johnston (attachment 6)**

Ms. Johnston announced that approximately 6,000 students participated in fieldtrips at the Nueces Delta Preserve this past school year. A total of 42 teachers and 16 partners participated in the Learning on the Edge (LOTE) program this summer. Texas Parks & Wildlife Department's Project Wild, Texas Forest Service's Project Learning Tree, Texas State Aquarium, Texas Sea Grant's Karma, TAMUCC's Wetland Explorer, Wild Times Education, Not So Creepy Critters, Padre Island National Seashore, and Aransas National Wildlife Refuge were just some of the partners involved in LOTE this year.

- f. CBBEP Property Management – Prepared by Mr. Jake Herring (attachment 7)**
- g. Coastal Bird Program Activities – Prepared by Mr. David Newstead (attachment 8)**

Mr. Bridges expressed concern over Mr. Newstead's report regarding bird disturbance issues. Mr. Allen explained that efforts are being made to educate the fishing and boating public about the ecological impacts of their activities on the birds and seagrasses through public service announcements, distribution of literature, sign posting, and enlisting cooperation and assistance from area fishing guides with the "Eyes on the Islands" program.

- h. Future Meeting Schedule – Ms. Anne Hulse (attachment 9)**

4. Update on Funding for FY 2012 and Development of Annual Work Plan – Mr. Ray Allen (attachment 10)

Mr. Allen informed the Board that EPA funding for 2012 is reduced by \$200,000 from 2011. We anticipate approximately \$75,000 in carryforward funds from the current budget year. TCEQ funding is only reduced by \$47,000 from 2011, but approximately \$200,000 of TCEQ's funding will be pass-through Federal 604(b) funds, which means that all new state funds are committed as match for the Federal funds. Additionally, Federal 604(b) funds are restricted for planning projects only and must be spent quickly. CBBEP continues to receive good local support.

Mr. Reining expressed concern over City budgets and funding issues; and Mr. Russell commented that Port Industries is re-evaluating how they utilize their funds, as well.

Mr. Allen commended the staff on \$759,000 awarded in various project-specific grants this fiscal year. The \$1.5 million CIAP funding originally designated for NDP habitat acquisition has been re-designated for marsh restoration at the request of the Texas General Land Office. An additional CEPR grant proposal for erosion control at Indian Point is currently under consideration by the Texas General Land Office. If awarded, those CEPR funds could be used as match for the Federal funds, which would then leave more base funding available for other projects.

Since the majority of CBBEP's FY 2012 funding has been identified, the Coordination Team can now meet to develop a work plan for the Bays Council to approve and recommend to the Board of Directors.

5. Consideration and Action regarding reallocation of \$35,000 of funds remaining from project # 0905 (Nueces Delta Shoreline Erosion Project) for proposed Seagrass Monitoring Project - Mr. Leo Trevino and Mr. Jace Tunnell (attachment 11).

The University of Texas Marine Science Institute (UTMSI) has successfully developed a seagrass monitoring plan acceptable to TCEQ, Texas Parks and Wildlife, and the Texas General Land Office. Both Padre Island National Seashore (PINS) and the Mission-Aransas National Estuarine Research Reserve (MANERR) have agreed to fund seagrass monitoring through UTMSI, in their respective areas. CBBEP has been asked to fund seagrass monitoring in the Upper Laguna Madre and Corpus Christi Bay.

The implementation team ranked this project third in their list of recommendations. The team's two higher ranking projects have already been selected for funding by TCEQ, utilizing the pass-through Federal 604(b) funds.

Mr. Reining expressed reluctance to enter into a project requiring a long-term funding commitment. Mr. Allen stated that even though this project could potentially be funded every year, it could also be extremely useful as a 'snapshot' project, to only be performed every five years, as it provides valuable data for a baseline analysis. Mr. Allen explained that PINS has committed long-term funding to the project, so CBBEP would simply be adding a component to an existing project requiring only minimal additional funding.

Mr. Brubeck made a motion to reallocate \$35,000 of the remaining funds in project #0905 (Nueces Delta Shoreline Erosion Project) to the proposed Seagrass Monitoring Project. The motion was seconded by Mr. Bridges and passed unanimously.

6. Update on San Antonio Bay Partnership – Mr. Ray Allen and Ms. Rosario Martinez (attachment 12)

Mr. Allen stated that the Texas State Soil and Water Conservation Board (TSSWCB) funding has been delayed by concerns from the Guadalupe-Blanco River Authority that CBBEP's involvement with the San Antonio Bay Partnership would conflict with the interests of their newly-formed organization, the San Antonio Bay Foundation. The process has begun to move forward once again and the hope is that the Guadalupe-Blanco River Authority will be fully engaged with the San Antonio Bay Partnership, which could potentially lead to future partnering opportunities. The TSSWCB funds will come to CBBEP, with no match requirement, and will be spent entirely to fund the San Antonio Bay Partnership, along with a CMP grant which has been awarded.

7. Executive Session: Public Notice is given that the Board of Directors may go into an Executive Session as authorized by the Open Meeting Act, Chapter 551.072 to deliberate regarding real property acquisition of Whooping Crane Habitat on Copano Bay and in the Nueces Delta and may in open session take such action as appropriate on items deliberated in Executive Session

The meeting remained in Open Session. Mr. Herring announced that a signed contract had been presented to the Hammett Family. Once the contract is executed, a property survey will be requested. With this acquisition, CBBEP will own all property located between the Odem Heirs and the State lands in the Nueces River Delta.

Mr. Herring also announced that US Fish and Wildlife Service, the acquisition funding agency, has agreed to allow a review of the yellow book appraisal on the Copano Bay property.

- 8. Executive Director Comments** – Mr. Allen announced that he met with the EPA Regional Administrator and two other regional NEP directors from Galveston Bay NEP and Barataria-Terrebonne NEP. The BP NRDA will provide Texas with \$100 million for ecological restoration projects. Approximately 80% of the EPA penalty funds from the fines associated with the BP Oil Spill will also go toward Gulf Coast restoration projects. EPA’s travel budget is virtually non-existent and they have requested CBBEP investigate ways to upgrade our communications capabilities to include video conferencing.

Mr. Allen thanked Mr. Foster for all his efforts in expediting the 2012 TCEQ funding contract in this particularly difficult year.

- 9. Board of Director Comments** – Mr. Wallace announced that his presentation at Judge Jack’s retirement party was well received and the message delivered should help motivate others to follow Judge Jack’s example and utilize local fines locally.

He further explained that the City is preparing to move forward on a project to reduce Shoreline Drive from six lanes down to two, creating a 15 mph park road. Mr. Wallace stated that he, as an individual, will participate in discussions between the City and the First United Methodist Church in this regard. He will attempt to maintain separateness from CBBEP in these negotiations.

Mr. Wallace also stated that CBBEP needs to establish a relationship with Senator Cornyn, just as we have with Senator Hutchison.

Mr. Brubeck stated that the Port’s La Quinta Channel extension bid opening date is Sept 9th. The Ecosystem Restoration bid opening date will follow on Sept 15th and both projects appear to be on track. Two dredges are already working in the Ship Channel, one in Corpus Christi Bay and one at Port Aransas.

Mr. Russell requested Mr. Allen host a Plant Managers meeting prior to Port Industries entering a new budget cycle.

Mr. Wallace requested that Mr. Herring begin title work on the Odem Heirs property in the Nueces Delta.

- 10. Public Comments** – Mr. Jacobson thanked the Board for allowing Mr. Allen and Ms. Sanchez to visit the EPA Region 6 office and he commended them both for their outstanding organizational skills during the audit and the informational presentations made to various levels of upper management within EPA Region 6.

- 11. Adjourn** – The meeting adjourned at 9:42 am.

Approved by the Board of Directors on _____

Robert Wallace, Jr., Chairman of the Board