

NC COASTAL RESOURCES ADVISORY COUNCIL
February 7, 2017
Hilton DoubleTree
Atlantic Beach, NC

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|-------------|---|------------------------|
| 3:00 | CALL TO ORDER* (Hatteras/Pamlico Room) <ul style="list-style-type: none">• Roll Call• Announcements• Approval of November 30, 2016 Meeting Minutes | Greg Rudolph,
Chair |
| 3:10 | CRAC White Paper discussion
(Attached) | Greg Rudolph |
| 3:30 | Hurricane Matthew Impacts on Development Lines | Spencer Rogers |
| 4:15 | Beach Bulldozing on Nourished Beaches | Spencer Rogers |
| 4:55 | Old/New Business | Greg Rudolph |
| 5:00 | Adjourn | |



N.C. Division of Coastal Management
www.nccoastalmanagement.net
Next Meeting: April 26-27, 2017
Manteo

CRAC OBJECTIVES, MEMBERSHIP, & WORKFLOW RELATIONSHIP WITH THE CRC

The current Coastal Resources Advisory Council (CRAC) Guidebook, which dates from 2009, is now obsolete. The Guidebook addresses membership criteria for a 45 member group, duties for each category of membership, the purpose and role of standing (sub) committees, and other procedures that are no longer followed or relevant. The CRAC is now constrained to 20 persons, and there are no longer any standing sub-committees. As a result, the CRAC believed a review of its membership designations, duties, and overall mission was both timely and necessary. Such a review might also provide valuable input for the development of a new CRAC guidebook to supplant the old one, should the CRC decide to go in that direction.

As a result, at their last meeting on December 1, 2016 in Atlantic Beach, the CRAC, with participation of several members of the Coastal Resources Commission (CRC) and Division of Coastal Management (DCM) staff held a wide-ranging discussion about its (CRAC's) own objectives, organization, membership, and workflow relationships with the CRC and DCM. The CRAC undertook discussion of these issues with the intent of; (1) reviewing their organizational structure for ways to improve the efficacy and efficiency of their substantive inputs to the process, and (2) analyzing administrative and procedural working relationships with the CRC and DCM. The goal was to find ways to increase the CRAC's "value-added" worth to the overall mission of the CRC. This paper summarizes the major issues discussed at that meeting along with the CRAC's views on the issues.

CRAC MEMBERSHIP

Four issues were discussed regarding CRAC membership: (1) the **number** of CRAC members, (2) the **composition** of CRAC members (divided between local government and private sector representation), (3) the **geographic balance** of CRAC representation from coastal regions, and (4) the usefulness of **standing sub-committees**.

- (1) **Numbers:** currently there are 20 members of the CRAC (16 active, with 4 vacancies) which most believed was a good number (as opposed to the previous unwieldy 45 members).
- (2) **Composition:** membership consists of representatives from local governments (both elected officials and civil service employees), and members-at-large with special expertise in coastal issues (sciences, law, engineering, business, etc.). During the discussion, it was recognized the composition of the CRAC can influence and be influenced by the dual roles the CRAC plays as both; (1) an educational and informational body ensuring local governments remain informed of CRC and DCM policies and regulations, and (2) as a participant and political/technical advisor to the CRC on the formulation of coastal policies and rules. The importance of both of these roles was recognized during the discussion. Currently there are slightly more government representatives than members-at-large, and most believed this was a good composition to aim for without being too prescriptive (sixtyish/fortyish but not 60/40). Because local governments are the ones tasked with implementing and enforcing CRC/DCM policies and rules, many expressed the opinion there should be a minimum of 10 local government representatives (elected or employed) serving on the CRAC, or a minimum of 50% of CRAC membership going forward. It was noted many local government representatives currently on the CRAC also possess special expertise in related areas (e.g. geology, law, economics, etc.) they bring to the table, affording them the opportunity to make contributions to the work of the CRAC/CRC that go beyond their local government roles.

- (3) **Geographic Balance:** recognizing the challenge finding the right person with the right talents, there was widespread agreement that the CRC should strive to appoint a mix of CRAC representatives from the northern, central, and southern coastal counties as well as from oceanfront, coastal plain and estuarine communities, again, without being too overly prescriptive about regional representation numbers. In the aftermath of Hurricane *Matthew*, there was some discussion of the need for additional representation from riverine/coastal plain communities. In general terms, there was widespread agreement the CRAC should strive for both adequate geographical representation and “issue” representation to keep an “Oceanfront-Estuarine-Coastal Plain” balance on the Council at all times.
- (4) **Standing Sub-committees:** There was a discussion of the desirability/usefulness of having formal standing sub-committees, as the CRAC had in previous years. There was agreement that, with only 20 members, there wasn’t a need to formally sub-divide the group into permanent standing committees, and most issues could be dealt with by the CRAC as one body. Nevertheless there was also agreement that, from time-to- time, and depending on the issue, there may be a need for the CRAC to establish “ad hoc” committees or working groups in real time to look into particular policies, rules, and initiatives in greater detail. Membership on these “ad hoc” groups would be determined by the CRAC from its membership with particular expertise or interest in the issue, with the possibility of help from outside experts, if needed. Many believed smaller groups of volunteers and experts can save time and streamline the process by taking on an issue, reviewing the basic information, doing needed research, and presenting some initial suggestions and recommendations on how to proceed to the full CRAC.

ROLE OF THE CRAC

There was a wide-ranging discussion of the role of the CRAC, particularly as it pertains to its primary focus as an “advisory” body to the CRC in the formulation of coastal policies and regulations, and its role as an important “liaison” or link between local governments and the CRC. There was agreement on the fact that issues can emerge from many sources, and open channels of communication are the best means of bringing issues to the attention of everyone involved. Still, many believed we could have a useful discussion about the processes the CRAC uses, or should be using, to solicit public input. It was also recognized many coastal policies and regulations are inter-related, and changes to one or more of these rules can have intended and unintended consequences in other areas. Several members believed there was a need to better define the scope and role of the CRAC to be more detailed in regard to policy initiatives without being too limited. For example many believed flood mapping issues, sea level rise, review of permitting processes, funding for initiatives, and other issues were all pertinent to the CRAC; but most people believed that, on any given issue, a certain amount of back-and forth, give-and-take with the CRC would be necessary to better define the CRAC’s role in that particular issue’s development.

Given issues can emerge from the General Assembly, from the DCM, from local governments, from advocacy groups, and from the CRC and CRAC; many agreed there was a need to have a more clearly-defined process for examining the issues and formulating appropriate policy responses. Recognizing issues can come from anywhere, it was important to have several approaches establishing processes that would make our working relationship with the CRC more defined and, hopefully, more efficient. Some of the pathways discussed for defining the rule-making process include the following:

- “Up the Chain” – or bottom-up approach – All or most policy/rule initiatives and major changes emanating from the DCM or General Assembly would go through the CRAC first during the development process before being presented to the CRC (for discussion or decision, along with a recommendation?).

- “Down the Chain” – or top-down approach – All or most policy/rule initiatives and major changes emanating from the CRC or the General Assembly would go through the CRAC first during the development process before the DCM formulates the rule or policy.
- “From the Chain” – The CRAC would be free to initiate policy/rule initiatives by working with the DCM and presenting the ideas, or proposed rule language directly to the CRC.

The central theme of this discussion was to address ways to improve the efficiency of the rule-making process. For example, the CRAC could enhance its advisory role by assuming a “Planning Board” type of relationship with the CRC. Strengthening the CRAC’s role as an advisory body and establishing a few defined pathways for issues to move efficiently through the rule-making process can free up precious time currently spent “drafting by committee” in CRC meetings.

In conclusion, since our discussion at the last meeting on December 1, 2016 in Atlantic Beach, the CRAC has examined the issues presented and prepared this white paper for the CRC’s consideration. Reviewing the organizational structure, analyzing administrative and procedural working relationships with stakeholder groups and finding ways to add “value” to the CRC is the goal of the CRAC. Given the aforementioned, the CRC is requested to accept this white paper, and direct NCDCCM staff to formulate a new CRAC Handbook using the membership criteria components contained herein, suggest public/local government outreach methodologies the CRAC should be adhering to, and codify information/approval pathways between the CRAC, CRC, and NCDCCM staff with respect to rule-making and policy.

- Prepared by J.B., K.R., & G.R.
- Approved by full CRAC on 2/7/17.