

AGENDA

Lower Neuse Basin Association, Inc.® Neuse River Compliance Association, Inc.®

**November 5, 2020
Webinar/Conference Meeting Due to Covid-19
10:00 a.m.**

- **Welcome, Roll Call, and Introduction of Guests**
- **Approval of Minutes for September 3, 2020 (AI) –**
- **Neuse River Resource Recovery Facility Presentation – Erica Bailey**
- **LNBA/NRCA Financials –**
 - * **September and October, 2020 Treasurer’s Reports (AI) – Donald**
- **LNBA Sampling Report – September and October, 2020 – Haywood**
- **2021 Meeting Dates - Haywood**

February 4, 2021; May 6, 2021; September 2, 2021, & November 4, 2021
- **Operator Certification CEUs - Haywood**
- **SB 315, Transport Factor and Nutrient Offset Credits Update – Dan & Haywood**
 - * **Modeling of Neuse River Transport Factors for Point Sources and Nutrient Credit –**
- **Member Reports**
- **Next Meeting and Adjourn – Location/Date: To Be Determined - February 4th, 2021**

Action Items (AI)

Lower Neuse Basin Association®/Neuse River Compliance Association®
September 3, 2020 Meeting Minutes
Webinar Meeting (Virtual due to Covid-19)

Attending:

Kenny Stevens	City of Kinston	Jimmy Pridgen	City of Wilson
Barry Parks	City of Wilson	James Shoulders	Town of Farmville
Tony Hawkins	City of New Bern	David Hardin	Town of Apex
Dan Wall	Johnston County	Dan McLawhorn	City of Raleigh
T. J. Lynch	Raleigh Water	Chuck Smithwick	Contentnea MSD
Mike Wagner	City of Goldsboro	James Warren	Town of Clayton
Joe Pearce	Aqua, N.C.	John Kiviniemi	City of Raleigh
Marie Strandwitz	Town of Hillsborough	Mike Graham	Duke Energy Progress
Elliot Thomas	Craven County	Rich Cappola	Town of Clayton
Jon Carpenter	Dupont-Kinston	Reginald Hicks	City of Durham
Brian Leavitt	Town of Benson	Jay Sauber	Water Quality Consultant
Haywood Phthisic	LNBA/NRCA	Steve Tedder	Tedder Farm Consulting
Ian McMillan	DWR Planning	John Brinkley	Black & Veatch
Mark Vander Borgh	DWR Ecosystem	Mike Templeton	DWR Permitting
David Hill	DWR Permitting	Jim Hawhee	DWR Ecosystem
Nora Deamer	DWR Planning	Julia Byrd	DWR
David Huffman	DWR Ecosystem	Francis Oggeri	DWR Planning

The Chair, Dan McLawhorn, called the meeting to order and welcomed everyone. The roll was called and there were 14 of 18 members present representing the LNBA and 18 of 24 members present representing the NRCA. There was a quorum present for both associations. Guests were introduced and recognized.

Board Minutes – The Board Minutes from the February 6, 2020 meeting were presented and approved as submitted with no revisions.

Neuse River Plan Update – Francis Oggeri with DWR Planning briefed the Boards on the schedule of the Neuse Plan update. That schedule is: meeting with stakeholders first quarter of 2021, public comment period in third quarter 2021 (October), present to EMC Water Quality Committee first quarter of 2020 (January) and present to EMC in March 2022 as a single plan for the Neuse River Basin. This is to be completed for the NPDES permit cycle of 2023 – 2028.

SB 315, Transport Factor and Nutrient Offset Credits Update – The Chair discussed SB 315 and the requirements to evaluate the point source transport factor and those factors related to nutrient offset credits. Dan noted DWR has started the process by applying for a grant through the N. C. Attorney General's Office (Smithfield Foods settlement funds). Jim Hawhee, DWR Ecosystems Supervisor, spoke concerning the grant application and stated the proposal was for a calibrated nutrient response model (full watershed like Falls Lake and Jordan Lake have prepared). He noted the Division has 3 calibrated estuary models but no watershed model. The watershed model will be used to develop delivery factors for nutrient credits or transport factors for point sources. Jim noted stakeholders will be asked to provide input in this process but no time frame is available. Dan asked if the modeling will be directed at the current transport factors in the NPDES and Jim responded no decision has been made at this time. Jim noted that while he

was involved with the development of the grant application he was no longer involved in the process (in his new position) and the DWR Planning group will take lead on the modeling.

Financials – Treasurer’s Report - The Treasurer's Reports through July 31, 2020 were presented by Haywood. As of Feb. 3rd, the LNBA account balance was \$159,682.20 and NRCA account balance was \$237,543.71. T. J. Lynch made the motion to approve the reports as presented, seconded by Barry Parks, and approved by the Boards.

FY 2019-201 Year End Expenditures – Haywood presented the FY 2019-20 year end expenditure report. The LNBA spent 86% of its budget (\$134,000) and the NRCA spent 59% of its budget (\$77,500).

FY 2020-21 Membership Dues – Haywood reported all the LNBA membership dues have been received for the current year. All the membership fees with the exception of one has been received for the NRCA.

Request for Funding ModMon for FY 2020-21 – Hans Pearl with the UNC has requested continued support for the ModMon Program for FY 2020-21 in the amount of \$5,000. The amount was approved in the current budget. Tony Hawkins made the motion to approve the request, seconded by Mike Wagner, and approved by the Board.

LNBA Sampling Report – Work continues on the Lower Neuse River Monitoring Service Contract No. 5 with Environment I. All sampling was completed by Environment 1 in February through August, 2020. Data sets have been received through June, 2020 and loaded on the website. July sampling results are in data review. All invoices through July, 2020 have been processed and paid.

February: All samples collected, analyzed and reported per MOA requirements. Final results have been submitted.

March: All samples collected, analyzed and reported per MOA requirements with 1 exception. J4690000 (Middle Creek at Holly Springs Rd. nr Holly Springs) 06/26/20: unable to access due to bridge construction. No sample collected. Final results have been submitted.

April: All samples collected, analyzed and reported per MOA requirements. Final results have been submitted.

May: All samples collected, analyzed and reported per MOA requirements. Final results have been submitted.

June: All samples collected, analyzed and reported per MOA requirements with 1 exception. J4170000 (Neuse River at NC42 nr Clayton) 06/02/20: unable to access due to bridge construction. No field parameter data. Full sample collection was completed on 06/17/20. Final results have been submitted.

July: All samples collected, analyzed and reported per MOA requirements with 1 exception. J4080000 (Poplar Creek at SR 2049 Bethlehem Rd. nr Knightdale) 07/01/20: stream too shallow; no field parameter data or sample collection. On 07/14/20, only field parameter data was collected. Stream till too shallow for sample collection. Results are in final data review.

August: All samples collected per MOA requirements. Analysis of these samples is ongoing

Sampling Site J5620000 – The bridge that the samples were collected collapsed in May, 2020. This sample location is the beginning of Little River near Zebulon. A new site has been identified on Riley Hill Road just downstream from J5620000 and pending agreement with the City of Raleigh.

NRCA Midyear Report for 2020 – Haywood presented the draft midyear for 2020 and noted that each member should review and provide correction if necessary. It was also noted that the City of Raleigh decreased its total nitrogen discharge by an amount of 50,000 lbs. through process controls. More information will be presented in the future on their work. Haywood also noted facilities that have not received renewed permits. Dan asked the status of the Kenly facility and Haywood reported Kenly didn't renew its contract with their manager, the interim manager is current working on improvements at their facility, and they hired someone to assist in making improvements. Haywood also noted the town was assessed for exceeding their nitrogen allocation, the amount of that assessment was \$9,448.77, and payment has been received.

The next meeting is scheduled for November 5, 2020 at 10:00. With no further business, the meeting was adjourned.

Lower Neuse Basin Association, Inc. / Neuse River Compliance Association, Inc.

Treasurer's Report

11/3/2020

LNBA

Balance Forward: (checking per bank statement - 8/31/2020)	Checking	\$	147,354.43
	Savings		134,175.24
Debits:		\$	
Environment I, Inc. (LNBA, Invoices)			15,308.12
Environment I, Inc. (Raleigh, Invoices)			2,837.10
MFG Consulting LLC (Invs)			150.00
PCi, Inc. (Invoices)			3,972.28
			<hr/>
Total Debits		\$	22,267.50
Credits:		\$	
Interest (checking)			34.12
Interest (savings)			401.04
Transfer to Savings Acc't			-
Transfer to Checking Account			-
Membership Fees Received			-
Donation			-
Checking Account Balance (per bank statement - 10/31/2020)		\$	125,121.05
			134,576.28
			<hr/>
Total LNBA Account Balance		\$	259,697.33

NRCA

Balance Forward: (per bank statement - 8/31/2020)	Checking	\$	96,067.51
	Savings		193,240.88
Debits:		\$	
PCi, Inc (Invoices)			4,963.00
Poyner & Spruill		\$	274.73
MFG Consulting LLC (Invoice)			150.00
			<hr/>
Total:		\$	5,387.73
Credits:		\$	
Transfer to Savings Acc't			-
Interest (Savings)			577.61
Interest (Checking)			23.65
Membership Fees Received			1,504.15
Account Balance (per bank statement - 10/31/2020)	Checking	\$	92,207.58
	Savings		193,818.49
			<hr/>
Total NRCA Account Balance		\$	286,026.07

Lower Neuse Basin Association®

TO: Board Members

FROM: Haywood Phthisic, Executive Director

SUBJECT: Sampling/Monitoring Report for November 5, 2020 Board Meeting

DATE: November 5, 2020

Work continues on the Lower Neuse River Monitoring Service Contract No. 5 with Environment I. All sampling was completed by Environment 1 in September and October, 2020. Data sets have been received through August, 2020 and loaded on the website. September sampling results are in data review. All invoices through September, 2020 have been processed and paid.

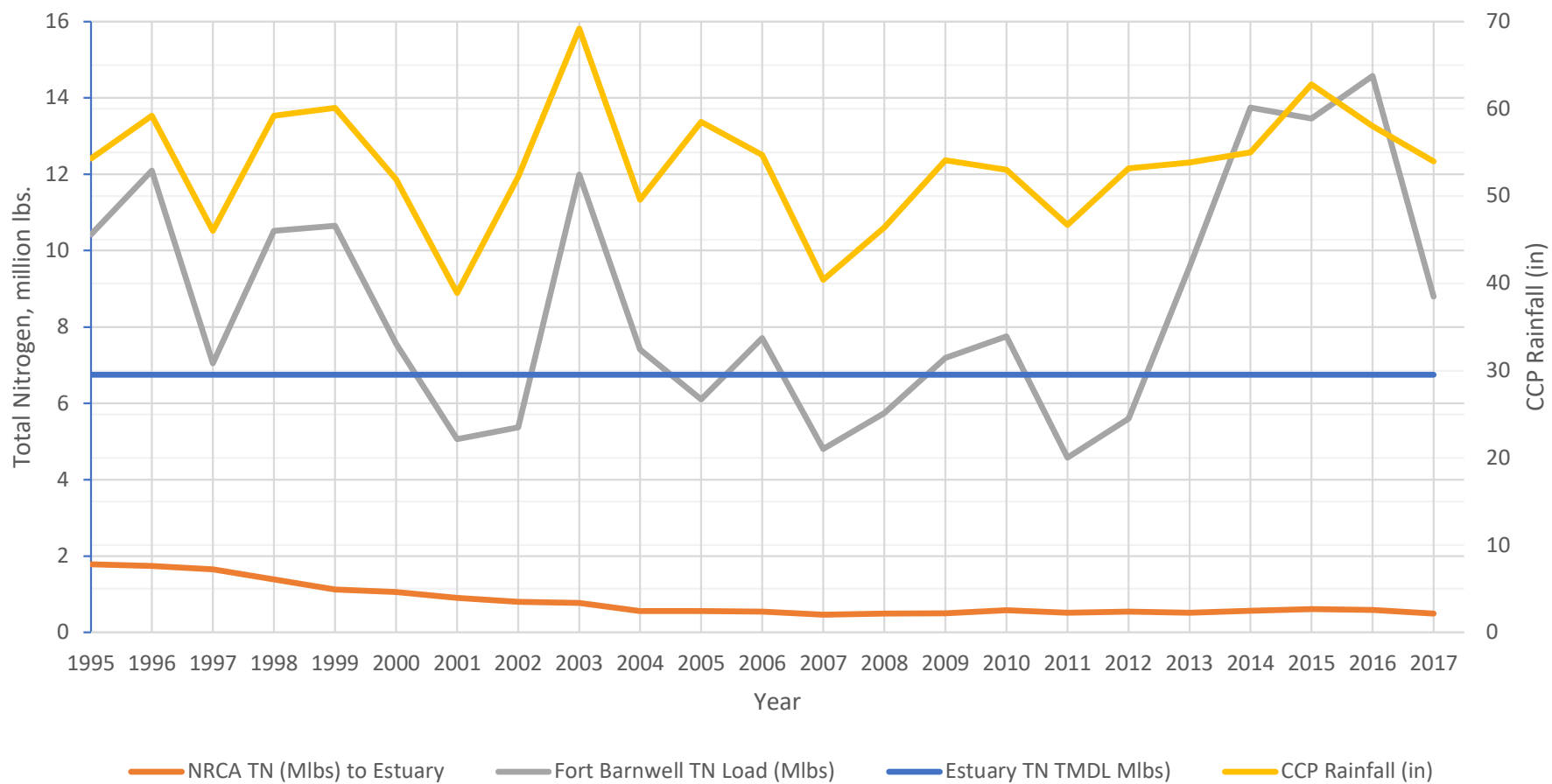
September: All samples were collected, analyzed and reported per MOA requirements.

October: All samples were collected per MOA requirements and those samples are being processed.

J5620000 (Little River at SR 2333 (Smithfield Road) near Zebulon) has been replaced due to bridge collapse. The sampling site has been replaced with J5630000 (Little River at Riley Hill Road near Zebulon beginning in October.

I have received a note from Hans Pearl at the Institute of Marine Sciences in Morehead City, UNC-CH. The ModMon program did not receive funding from the General Assembly in the last session and the future of ModMon program may be compromised.

Total Nitrogen Load at Fort Barnwell, Station J7850000



measures of grant administration and grant implementation efficiency and effectiveness. For purposes of this subdivision, the "Western Stream Initiative" refers to the portion of federal Environmental Quality Incentives Program funding provided to the Western North Carolina Stream Initiative for the counties of Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Cherokee, Clay, Cleveland, Graham, Haywood, Henderson, Iredell, Jackson, Lincoln, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Stokes, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey."

AGRICULTURE AND FORESTRY AWARENESS DAIRY STUDY

SECTION 14. The Agriculture and Forestry Awareness Study Commission shall study policy options available to support the dairy industry in North Carolina, including, but not limited to, the reestablishment of the North Carolina Milk Commission, the creation of a tax credit for milk producers, the creation of a fund to make grants or loans to dairy operations for infrastructure improvements, and the creation of a dairy promotion board or other marketing program for North Carolina dairies within the Department of Agriculture and Consumer Services. The Department of Agriculture and Consumer Services shall assist the Commission in the conduct of the study as requested by the Commission. The Commission shall report its findings and recommendations, including any legislative proposals, to the General Assembly by December 1, 2021.

SPECIFY THAT THE TMDL TRANSPORT FACTOR APPLIES WHEN OFFSETTING CERTAIN PERMITTED WASTEWATER DISCHARGES

SECTION 15.(a) Notwithstanding 15A NCAC 02B .0701 (Nutrient Strategies Definitions), 15A NCAC 02B .0703 (Nutrient Offset Credit Trading), and 15A NCAC 02B .0713 (Neuse Nutrient Strategy: Wastewater Discharge Requirements), nutrient offset credits shall be applied to a wastewater permit by applying the TMDL transport factor to the permitted wastewater discharge and to the nutrient offset credits.

SECTION 15.(b) Subsection (a) of this section applies only to wastewater discharge permit applications for a local government located in the Neuse River Basin with a customer base of fewer than 15,000 connections.

SECTION 15.(c) No later than August 1, 2020, the Department of Environmental Quality, in conjunction with affected parties, shall begin the modeling necessary to determine new transport zones and delivery factors for the Neuse River Basin for point source discharges and nutrient offset credits. Once the Department has completed the modeling, the Environmental Management Commission shall use the modeling and other information provided during the public comment period to adopt new transport zones and delivery factors by rule. The Environmental Management Commission may adopt temporary rules to implement this section.

SECTION 15.(d) This section is effective when it becomes law. Subsections (a) and (b) of this section shall expire when the rule required by subsection (c) of this section becomes effective.

SEVERABILITY CLAUSE AND EFFECTIVE DATE

SECTION 16.(a) If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and, to this end, the provisions of this act are declared to be severable.