

AGENDA

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

**September 3, 2020
Webinar/Conference Meeting Due to Covid-19
10:00 a.m.**

- **Welcome, Roll Call, and Introduction of Guests**
- **Approval of Minutes for February 6, 2019 (AI) –**
- **Neuse River Plan Update – Francis Oggeri, DWR**
- **LNBA/NRCA Financials – Haywood**
 - * **March through August, 2020 Treasurer’s Reports (AI) –**
 - * **FY 2019–20 Expenditure Summary –**
 - * **LNBA/NRCA Update on FY 2020-21 Membership Dues Received Membership Dues –**
 - * **Request for Funding for Modmon for FY 2020-21 -**
- **LNBA Sampling Report – February through August, 2020 – Haywood**
- **2020 NRCA Midyear Report Summary - Haywood**
- **SB 315, Transport Factor and Nutrient Offset Credits Update – Dan & Haywood**
 - * **Documents Received from Public Information Request from DEQ & DWR – Dan & Haywood**
 - * **Modeling of Neuse River Transport Factors for Point Sources – Dan & Haywood**
- **Member Reports**
- **Next Meeting and Adjourn – Location/Date: To Be Determined - November 5th, 2020**

Action Items (AI)

**Lower Neuse Basin Association®/Neuse River Compliance Association®
February 6, 2020 Meeting Minutes
City of Raleigh, N.C.**

Attending:

Fred Dancy	SGWASA	Jimmy Pridgen	City of Wilson
Barry Parks	City of Wilson	Farmville Rep	Town of Farmville
Tony Hawkins	City of New Bern	John Cratch	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	Donald Smith	Town of Cary
James Warren	Town of Clayton	Robert Krueger	Aqua, N.C.
Timothy Lawrence	MCAS-CH (call in)	Martin Lebo	AquaAeter
Mike Graham	Duke Energy (call in)	Peter Raabe	American Rivers
John Preyer	Restoration Systems	Barrett Jenkins	Restoration Systems
Marla Dalton	City of Raleigh	Reginald Hicks	City of Durham
Erica Bailey	Raleigh Water	Dana Hill	CWSNC
Jay Sauber	Water Quality Consultant (call in)		
John Kiviniemi	City of Raleigh	Steve Tedder	Tedder Farm Consulting & B & V
Haywood Phthisic	LNBA/NRCA		

The Chair, Dan McLawhorn, called the meeting to order and welcomed everyone. The roll was called and there were 11 of 18 members present representing the LNBA and 17 of 25 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 November 7, 2019 meeting were presented and approved as submitted by both Boards.

Financials – *Treasurer's Report* - The Treasurer's Reports through February 03, 2020 were presented by Donald Smith. As of Feb. 3rd, the LNBA account balance was \$202,945.92 and NRCA account balance was \$229,930.93. T. J. Lynch made the motion to approve the reports as presented, seconded by Dan Wall, and approved by the Boards. Donald also Phthisic presented a year to date summary of LNBA and NRCA expenditures for the Boards' review.

FY 2020-21 Budget & Membership Fees Finance Committee Recommendation – Donald Smith presented the FY 2020-21 recommended budget and membership fees for FY 2020-21 to the Boards. There was no increase in expenditures proposed for the LNBA nor NRCA. With the City of Durham and Town of Hillsborough joining the NRCA there will be a modest shift in the membership fees. The budget includes funding Modmon at the same level as the current year, \$5,000. Following discussion, the Boards accepted the recommendation from the Finance Committee and unanimously approved the Budget and membership fees.

LNBA Sampling Report – Work continues with the Lower Neuse River Monitoring Service Contract No. 5 with Environment I. All sampling was completed by Environment 1 in November, December, 2019, and January, 2020. Data sets have been received through November, 2019 and loaded on the website. December sampling results are in data review. All invoices through September, 2019 have been processed

and paid. There were sampling exceptions in November due to dry streams:

J4080000 (Popular Creek at Bethlehem Road, Wake County)

J4690000 (Middle Creek at Holly Springs Road, Wake County)

Town of Clayton Support on Nutrient Offset Credits – James Warren with the Town of Clayton updated the Board on their efforts on the acquisition of nutrient offset credits for the new facility the town plans to build. He reviewed the meetings the Town had participated in with the Division and the Department. James asked that the association support the Town in its efforts. The Chair then reviewed some the issues arising in the use of offset credits and the Divisions interpretation that the transport factor would not be used in offset credits added to NPDES permits in the Neuse basin. The Division has refused to state their position in writing. Following discussion, James Warren made a motion to authorize the Chair to submit a “Public Records Request” to the Division and DEQ for all information on the discussion of the transport factor and the Neuse River TMDL (for the past 18 months), seconded by Dan Wall, and approved by the Board.

Staff Changes at the Division of Water Resources – Danny Smith is now the Director of Water Resources and Jay Zimmerman is the acting Deputy Director.

The next meeting is scheduled for May 7, 2020 at 10:00 to be hosted by Contentnea MSD (date subject to change due to meeting conflict). With no further business, the meeting was adjourned.

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

Treasurer's Report

8/5/2020

LNBA

Balance Forward: (checking per bank statement - 1/31/2020)	Checking	\$	130,368.33
	Savings		72,577.59
Debits:		\$	
Environment I, Inc. (LNBA, Invoices)			45,924.36
Environment I, Inc. (Raleigh, Invoices)			8,511.30
MFG Consulting LLC (Jan, Feb, Mar Invs)			450.00
PCi, Inc. (Invoices)			9,227.25
			<hr/>
Total Debits		\$	64,112.91
Credits:		\$	
Interest (checking)			45.66
Interest (savings)			1,242.24
Transfer to Savings Acc't			65,000.00
Transfer to Checking Account			5,000.00
Mmembershship Fees Received			19,461.29
Donation			100.00
Checking Account Balance (per bank statement - 7/31/2020)		\$	25,762.37
			133,919.83
			<hr/>
Total LNBA Account Balance		\$	159,682.20
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NRCA

Balance Forward: (per bank statement - 1/31/2020)	Checking	\$	115,270.28
	Savings		114,660.65
Debits:		\$	
PCi, Inc (Invoices)			14,802.00
UNC - Modmon Program			5,000.00
MFG Consulting LLC (April, May, & Jun Invs)			425.00
			<hr/>
Total:		\$	20,227.00
Credits:		\$	
Transfer to Savings Acc't			67,000.00
Nitrogen Assessment (Kenly)			9,448.77
Interest (Savings)			1,763.60
Interest (Checking)			49.44
Membership Fess Received			16,577.97
Account Balance (per bank statement - 7/31/2020)	Checking	\$	44,670.69
	Savings		192,873.02
			<hr/>
Total NRCA Account Balance		\$	237,543.71
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Year End Expenditures for FY 2019-20

Date: 8/04/2020

LNBA	Monitoring	ED Services	Training	Admin	Legal	Web Services	Consultant	Total	Raleigh
July, 2019	\$ 7,654.06	\$ 1,626.98	\$ -	\$ 1.00	\$ -	\$ -	\$ -	\$ 9,282.04	\$ 1,418.55
August	7,654.06	2,131.84	1,073.55	1.00	-	-	420.00	11,280.45	1,418.55
September	7,654.06	1,655.04	-	1.00	-	-	490.00	9,800.10	1,418.55
October	7,654.06	1,426.12	-	1.00	-	-	630.00	9,711.18	1,418.55
November	7,654.06	1,732.84	-	630.00	473.94	100.00	-	10,590.84	1,418.55
December	7,654.06	1,690.54	-	-	-	150.00	840.00	10,334.60	1,418.55
January, 2020	7,654.06	1,732.10	-	-	-	150.00	-	9,536.16	1,418.55
February	7,654.06	1,834.60	-	-	-	150.00	-	9,638.66	1,418.55
March	7,654.06	1,429.45	-	-	-	150.00	-	9,233.51	1,418.55
April	7,654.06	1,247.55	-	-	-	-	-	8,901.61	1,418.55
May	7,654.06	1,425.40	-	-	-	-	-	9,079.46	1,418.55
June	7,654.06	1,558.15	-	-	-	-	-	9,212.21	1,418.05
Total	\$ 91,848.72	\$ 19,490.61	\$ -	\$ 630.00	\$ 473.94	\$ 700.00	\$ 2,380.00	\$ 115,523.27	\$ 17,022.10
Budget	\$ 94,800.00	\$ 21,500.00	\$ 1,500.00	\$ 1,000.00	\$ 10,000.00	\$ 2,500.00	\$ 3,500.00	\$ 134,800.00	86%

NRCA	Permit/Grant	ED Services	Training	Admin	Legal	Web Services	Consultant	Total	ModMon
July, 2019	\$ -	\$ 3,020.00	\$ -	\$ 1.00	\$ -	\$ 120.00	\$ -	\$ 3,141.00	\$ -
August	-	3,960.00	961.77	1.00	-	100.00	-	5,022.77	-
September	-	3,075.00	-	1.00	-	130.00	-	3,206.00	-
October	-	2,647.00	-	1.00	-	100.00	-	2,748.00	-
November	-	3,217.00	-	630.00	473.93	-	-	4,320.93	-
December	3,440.00	3,140.00	-	-	-	-	-	6,580.00	-
January, 2020	-	3,225.00	-	-	-	-	-	3,225.00	-
February	-	2,599.00	-	-	-	-	-	2,599.00	-
March	-	2,753.00	-	-	-	-	-	2,753.00	-
April	-	2,318.00	-	-	-	100.00	-	2,418.00	-
May	-	2,139.00	-	-	-	150.00	-	2,289.00	-
June	-	2,338.00	-	-	-	175.00	-	2,513.00	5,000.00
Total	\$ 3,440.00	\$ 34,431.00	\$ 961.77	\$ 630.00	\$ 473.93	\$ 875.00	\$ -	\$ 45,811.70	\$ 5,000.00
Budget	\$ 3,500.00	\$ 42,500.00	\$ 1,500.00	\$ 2,500.00	\$ 22,500.00	\$ 1,500.00	\$ 3,500.00	\$ 77,500.00	59%

LNBA Membership Dues for FY 2020-21

Date: 8/26/2020

Member	FY 2019-20 Amount	Date Payment Received/Deposit	Check #	Amount	
Town of Fuquay-Varina	\$ 2,403.96	8/12/2020	106014	\$ 2,403.96	\$ -
City of Havelock	1,804.83	7/27/2020	44597	1,804.83	-
Duke Energy Progress	1,742.64	8/17/2020	1000042504	1,742.64	-
Dupont - Kinston	2,737.74	8/10/2020	2000000590	2,737.74	-
City of Kinston	8,438.80	8/17/2020	183869	8,438.80	-
Jounston County	6,814.86	8/3/2020	112057	6,814.86	-
City of Goldsboro	10,062.74	8/3/2020	154258	10,062.74	-
Town of LaGrange	768.28	7/27/2020	768.28	768.28	-
Contentnea MSD	2,668.63	8/21/2020	17304	2,668.63	-
Town of Kenly	685.35	7/21/2020	30672	685.35	-
City of Wilson	9,924.53	7/21/2020	403247	9,924.53	-
Town of Benson	1,562.97	7/21/2020	79922	1,562.97	-
Town of Farmville	2,668.63	8/10/2020	89833	2,668.63	-
Town of Cary	17,387.74	8/3/2020	738277	17,387.74	-
City of Raleigh	72,694.23	8/26/2020	221062	72,694.23	-
City of New Bern	4,741.75	8/12/2020	229350	4,741.75	-
Town of Apex	2,737.74	7/28/2020	244537	2,737.74	-
Town of Clayton	1,977.59	7/28/2020	127188	1,977.59	-
TOTAL:	\$ 151,823.01			\$ 151,823.01	
			Outstanding:	\$ -	

NRCA Membership Dues for FY 2020-21

Date: 8/26/2020

Member	FY 2020-21 Amount	Date Payment Received/Deposit	Check #	Amount
City of Havelock	1,364.09	7/27/2020	44602	\$ 1,364.09
Duke Energy Progress	257.83	8/12/2020	1000042502	257.83
Dupont - Kinston	380.22			-
City of Kinston	3,098.31	8/12/2020	183792	3,098.31
Jounston County	3,578.10	7/28/2020	111974	3,578.10
City of Goldsboro	7,223.09	8/4/2020	154267	7,223.09
Town of LaGrange	1,163.86	7/27/2020	22627	1,163.86
Contentnea MSD	1,191.06	8/12/2020	17308	1,191.06
Town of Kenly	671.73	7/28/2020	30687	671.73
City of Wilson	3,832.55	7/28/2020	403519	3,832.55
Town of Benson	1,101.35	7/28/2020	79966	1,101.35
Town of Farmville	547.70	8/10/2020	89842	547.70
Town of Cary	4,980.04	8/4/2020	738287	4,980.04
City of Raleigh	27,003.22	8/26/2020	221049	27,003.22
City of New Bern	2,380.83	8/4/2020	229249	2,380.83
Town of Apex	1,213.31	7/28/2020	244546	1,213.31
Town of Clayton	1,604.51	7/28/2020	127193	1,604.51
SGWASA	942.68	7/21/2020	31269	942.68
City of Durham	4,677.12	8/12/2020	852265	4,677.12
Town of Hillsborough	687.71	8/4/2020	68803	687.71
Aqua, N.C.	1,123.93			-
MCAS - Cherry Point	1,800.56	8/12/2020	143	1,800.56
Carolina Water Service	1,105.79	7/29/2020	1160340	1,105.79
Craven County	570.41	7/31/2020	410466	570.41
TOTAL:	\$ 72,500.00			\$ 70,995.85
			Outstanding:	\$ 1,504.15

Lower Neuse Basin Association®

TO: Board Members

FROM: Haywood Phthisic, Executive Director

SUBJECT: Sampling/Monitoring Report for February 6, 2020 Board Meeting

DATE: September 2, 2020

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.



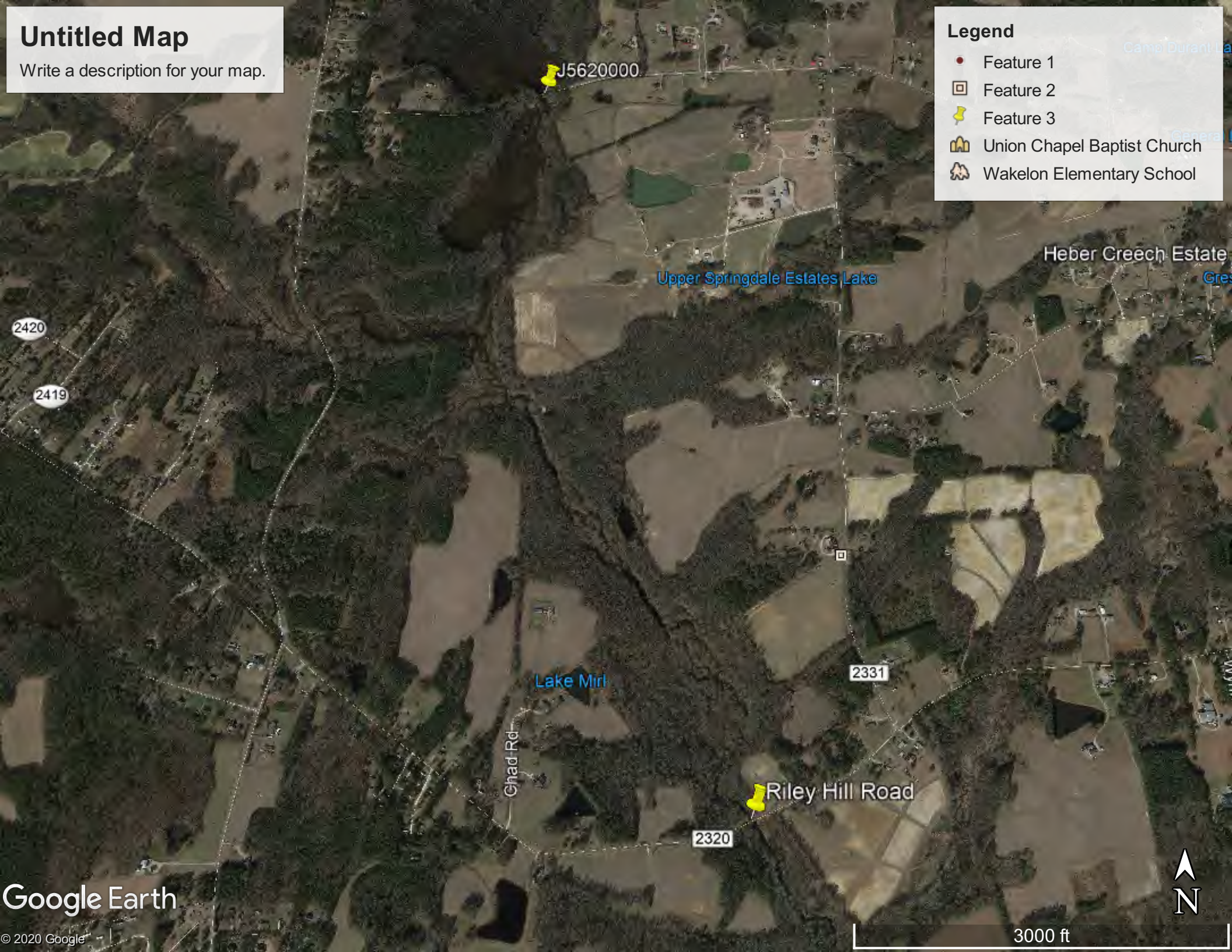
DO NOT

Untitled Map

Write a description for your map.

Legend

- Feature 1
- Feature 2
- 📌 Feature 3
- 🏠 Union Chapel Baptist Church
- 🎒 Wakelon Elementary School



J5620000

Upper Springdale Estates Lake

Heber Creech Estate

2420

2419

Lake Mirl

Chad Rd

2331

Riley Hill Road

2320

Google Earth

© 2020 Google



3000 ft



NEUSE RIVER COMPLIANCE ASSOCIATION

Total Nitrogen Mid Year Report (July 1, 2019 thru June 30, 2020) for 2020

September 1, 2020

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NPDES Permit #: NCC00001		END OF PIPE				ESTUARY					
FACILITY	NPDES Permit #	Permit Flow (MGD)	2019-20 Avg. Flow (MGD)	Member TN Allocation (Lbs/Yr.)	Member TN Discharge (Lbs/Yr.)	Transport Zone	Annual Lease Amount	Member Estuary Allocation	Adjusted TN Allocation 2019 (Lbs/Yr.)	2020 TN Delivery (Lbs/Yr.)	% of Estuary Allocation
City of Durham	NC0023841	20.000	9.884	97,655	63,038	10%	0	9,767	0	6,304	65
Town of Hillsborough	NC0026433	3.000	1.011	10,422	4,271	10%	0	1,042	0	427	41
SGWASA	NC0026824	5.500	1.582	22,420	10,509	10%	0	5,860	0	1,051	18
Town of Apex	NC0064050	3.600	1.264	40,547	12,893	50%	0	20,274	0	6,446	32
Town of Benson	NC0020389	1.900	1.376	33,070	11,949	50%	0	16,535	0	5,974	36
Town of Cary ~ North	NC0048879	12.000	6.065	143,246	37,697	50%	0	71,623	0	18,848	26
Town of Cary ~ South	NC0065102	12.800	4.929	180,211	27,539	50%	0	90,105	0	13,769	15
City of Raleigh ~ Smith Creek	NC0030759	3.000	2.106	70,814	36,308	50%	0	35,407	0	18,154	51
City of Raleigh ~ Neuse	NC0029033	75.000	46.400	687,373	247,960	50%	0	341,242	0	123,980	47
Raleigh ~ Ground Water	NA	NA	NA	NA	74,742	50%		NA		37,371	
City of Raleigh ~ Little Creek	NC0079316	2.200	0.834	26,660	5,589	50%	0	13,330	0	2,795	21
Town of Clayton	NC0025453	2.500	1.400	22,832	16,222	50%	0	11,416	0	8,111	71
Neuse Colony, (Aqua NC)	NC0064564	0.350	0.332	8,447	10,343	50%	0	4,224	0	5,172	122
Johnston County	NC0030716	9.500	4.826	71,476	32,774	50%	0	35,738	0	16,387	46
Town of Kenly	NC0064891	0.630	0.415	7,096	8,249	50%	0	3,548	0	4,124	116
Town of Farmville	NC0029572	3.500	1.045	42,211	4,468	50%	0	21,106	0	2,234	11
City of Wilson	NC0023906	14.000	9.111	157,886	59,469	50%	0	78,943	0	29,735	38
Duke Energy ~ H F Lee Plant	NC0003417	NA	0.005	3,260	7	70%	0	2,282	0	5	0
City of Goldsboro	NC0023949	14.200	8.993	199,822	59,339	70%	0	139,876	0	41,537	30
Town of LaGrange	NC0021644	0.750	0.448	8,447	7,328	70%	0	5,913	0	5,130	87
City of Kinston (Regional)	NC0024236	11.850	4.987	126,711	41,185	70%	0	88,697	0	28,830	33
Contentnea MSD	NC0032077	3.500	1.838	37,100	9,015	70%	0	25,970	0	6,311	24
Dupont-Kinston, Inc.	NC0003760	3.600	0.325	25,493	1,657	70%	0	17,845	0	1,160	6
City of New Bern	NC0025348	6.500	3.563	64,210	37,696	100%	0	64,210	0	37,696	59
MCAS Cherry Point	NC0003816	3.500	1.513	39,421	21,213	100%	0	39,421	0	21,213	54
City of Havelock	NC0021253	2.250	1.499	21,400	20,049	100%	0	21,400	0	20,049	94
Craven County	NC0089460	0.860	0.666	NA	2,704	100%	0	0	0	2,704	100+
CWS Systems, Inc.	NC0033111	0.600	0.345	11,263	14,192	100%	0	11,263	0	14,192	126
		217.090	116.761					1,174,755		479,708	

* Indicates expired NPDES permits.

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.