

Lower Neuse Basin Association®/Neuse River Compliance Association®
September 6, 2018 Meeting Minutes
City of Wilson, N.C.

Attending:

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|----------------|--------------------|-------------------|--------------------------------|
| Paul Ray | Town of Cary | Jimmy Pridgen | City of Wilson |
| T. J. Lynch | City of Raleigh | Jeff White | Dow Dupont-Kinston |
| Barry Parks | City of Wilson | Chandra Farmer | Johnston County |
| Paul Allen | Town of Benson | Tony Hawkins | City of New Bern |
| David Hardin | Town of Apex | Fred West | City of Havelock |
| John Kiviniemi | City of Raleigh | Fred Dancy | SGWASA |
| Elliot Thomas | Craven County | Chuck Smithwick | Contentnea MSD |
| Marco Valero | NCSU | Michael Douglas | Town of Kenly |
| Cassidy Kurtz | DWR | James Warren | Town of Clayton |
| Glenn Dunn | Poyner & Spruill | Joe Pearce | Aqua, N.C. |
| Mike Wagner | City of Goldsboro | Steve Tedder | B & V & Tedder Farm Consulting |
| Nick Coco | DWR | Mark Vander Borgh | DWR Water Science |
| Casey Garland | The Wooten Company | 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 13 of 22 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 May 3, 2018 meeting were presented and approved by the Boards.

Treasurer's Report - The Treasurer's Reports for June, July, and August, 2018 were presented by Haywood in Donald Smith's absence. As of April 25th, the LNBA account balances were \$225,801.58 and NRCA account balances are \$226,628.87. Barry Parks made a motion to approve the reports as presented, seconded by Chuck Smithwick, and approved by the Boards.

Dr. Hans Pearl with the Institute of Marine Sciences of UNC Chapel Hill requested funding from the NRCA for the ModMon program for FY 2018-19 in the amount of \$5,000. Haywood reviewed the ModMon program and gave a brief presentation on the estuary information the associations receive from the monitoring program. Haywood noted these funds were budgeted and approved in the FY 2018-19. Following discussion Chuck Smithwick made a motion to authorize approval of the request, seconded by Barry Parks and approved by the Board.

LNBA Sampling Report – Work on the Lower Neuse River Monitoring Service Contract No. 5 with Environment I continues. All sampling was completed by Environment 1 in May, June, July, and August, 2018. Data sets have been received through June, 2018 and loaded on the website. July sampling results are in final review.

J5410000 (Mill Creek at Richardson Bridge Road) returned to service in May and site J5420000, temporary site, was discontinued in May. All invoices through August, 2018 have been processed and paid. There were no sampling exceptions for each period are listed above.

2018 303(d) Listing Methodology and Integrated Report - The integrated Report is part of the 303(d) listing process however it is not circulated for public comment. In July Forrest Westall with the UNRBA, Jay Sauber, and myself met with the EMC Chair and the EMC Water Quality Committee Chair and expressed concerns as to why the report is not available for public review since it is an integral part of the 303(d) process. Examples were given to illustrate the need for public comment.

2018 NRCA Midyear Report – Haywood reported the NRCA’s Midyear Report for 2018 has been completed. The summary page of the report was presented to the Board and Haywood noted the achievements in nitrogen reductions continued. Haywood noted 14 facilities achieved annual end of pipe total nitrogen concentrations (for the 12 month period) of less than 3.0 mg/l and 3 facilities averaged between 3 and 4.0 mg/L.

Update on Proposed Buffer Rule, Trading Rule, and Water Quality Standards (Chlor-A) - Dan reviewed the comments the associations submitted on the above rules that had deadlines since the last meeting. Of concern with the Proposed Buffer Rules is the new requirement on maintenance of sewer lines in riparian buffers and the owner’s ability to maintain and line improvements. Comments submitted on the Proposed Trading rule decreased the term requirement from 30 year to 10 years and the requirement to purchase nitrogen credits from non-point source at 200% of the HUC rate (currently \$21.86 per pound of nitrogen) through Div. of Mitigation Services to 110% rate of the HUC value. Comments submitted on the Water Quality Standards on the proposed Chlorophyll-A standard stated that 40 Ug/L standard should have qualifications that if designated use are not impaired then exceeding the standard is not a violation.

Neuse Wastewater Rule - Dan and Haywood updated the Board on discussions that have occurred on the proposed wastewater and trading rule. There has not been any movement on the draft rules as the financial analysis is being performed. It was noted that several members are currently in need of nitrogen allocation and would have to seek allocation through the non-point source market (which is not an option under the current rule). Dan noted the Board may want to consider proposing draft language for legislative consideration. The City of Raleigh, Johnston County, and the Town of Clayton confirmed their need for additional nitrogen allocation due to growth in the region. Following discussion, T. J. Lynch with a motion to allow the Executive Committee to prepare draft legislation for the members use and continue discussion with appropriate parties, seconded by James Warren, and approved by the Board.

WEF Nutrient Conference in Raleigh, N.C. – Haywood reported the NRCA presented at the national conference held in Raleigh in June. Dan presented for the association. A special thanks to Erika Bailey with the City of Raleigh for her significant contribution and excellent work on the paper and presentation.

LNBA-NRCA Annual Training Workshop – Haywood reported the annual workshop had a total of 96 attendees receiving CEU credit this year (48 in Raleigh and 48 in Kinston). The cost for both workshops (snacks & lunch) was \$1,829.53. Thank you to the Training Committee (for the program), the City of Kinston (host), and the City of Raleigh (host).

The next meeting is scheduled for November 1, 2018 at 10:00 to be hosted by the Town of LaGrange. With no further business, the meeting was adjourned.