

Lower Neuse Basin Association®/Neuse River Compliance Association®
February 7, 2019 Meeting Minutes
City of Raleigh, N.C.

Attending:

Fred Dancy	SGWASA	Jimmy Pridgen	City of Wilson
T. J. Lynch	City of Raleigh	Jay Sauber	Water Quality Consultant
Barry Parks	City of Wilson	Tim Robbins	Town of Benson
Brian Gay	Town of Benson	Tony Hawkins	City of New Bern
David Hardin	Town of Apex	Dan Wall	Johnston County
Dan McLawhorn	City of Raleigh	John Kiviniemi	City of Raleigh
Chuck Smithwick	Contentnea MSD	Michael McAllister	Town of Kenly
Donald Smith	Town of Cary	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
Mark Vander Borgh	DWR Water Science	Casey Garland	The Wooten Company
Mark Oliveria	Environmental I	Barrett Jenkins	Restoration Systems
Brian Wrenn	DWR Water Science	David Huffman	DWR Water Science
Haywood Phthisic	LNBA/NRCA	Jeff White	Dow – Dupont (call-in)

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 17 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 November 2, 2018 meeting were presented and approved by the Boards.

Financials – *Treasurer's Report* - The Treasurer's Reports for November, December and January, 2019 were presented by Donald Smith. As of January 28th, the LNBA account balance was \$179,491.19 and NRCA account balance was \$206,137.97. A year-to-date expenditure summary for FY 2018-19 was provided for the boards review. Barry Parks made a motion to approve the reports as presented, seconded by T. J. Lynch, and approved by the Boards.

Proposed Budget and Membership Fees for FY 2019-20 – The Finance Committee (Barry Parks, Chuck Smithwick, and Donald Smith) presented its recommendation to the Boards for FY 2019-20. There is no proposed increase in the budget for either association for the upcoming fiscal year but, it was noted, that due to increases in permit flow for the LNBA there would be increases/decreases for the LNBA members. The budget for the NRCA contained no increase and fund ModMon from fund balance at the same level as the current fiscal year. Following discussion, Mike Wagner seconded the Finance Committee recommendation, and the Boards approved the budget and membership fees for both associations.

LNBA By-Law Revision – The LNBA Board was presented a revision to Article VIII, Section 4. "Dues and Special Assessments" of the LNBA By-Laws. This revision would allow the LNBA to assess a member for special fees that may arise from time to time. The LNBA as well as the member would have to be in agreement on the basis of the assessment and the amount. Following discussion, T. J. Lynch made the motion to approve the by-law revision, seconded by Barry Parks, and approved by the LNBA Board.

City of Raleigh's Request to Participate in LNBA's Contract with Environment I – The City of Raleigh requested that the City be allowed to continue participation in the LNBA's agreement with Environment I and invoice the City for the cost incurred. Haywood noted that the sampling has been included in the MOA with DWR since the 2014 MOA renewal and the work has been completed for the past 5 years. Following discussion, Chuck Smithwick made the motion to approve Raleigh's participation, seconded by T. J. Lynch, and approved by the Board.

LNBA Sampling Report – Work continues on the Lower Neuse River Monitoring Service Contract No. 5 with Environment I. Sample collection was completed by Environment 1 in November, December, 2018, and January, 2019. Data sets have been received through November, 2018 and loaded on the website. December sampling results are in final review and all invoices have been processed and paid through December, 2018. The only exceptions during this period was due to bridge replacement at J6044500, Bear Creek Road near Kinston, as the site could not be accessed.

The Memorandum of Agreement (MOA) with the Division as part of the coalition monitoring program will expire in July, 2019. Haywood noted he was reviewing a draft from the Division and would report back at the May Board meeting.

303(d) Presentation – Jay Sauber, Water quality Consultant for the Associations, gave a presentation on the Draft 303(d) Listing and Integrated Report for 2018. Jay reviewed the comments that were submitted by the LNBA/NRCA noting the EMC revised the methodology in March, 2018 (easier to place a water body on the list, harder to remove).

Officer Nominating Committee Appointment – The annual meeting will be May 2, 2019 and officers will be elected at that meeting. Dan appointed the following to serve on the Committee: T. J. Lynch, Chuck Smithwick, and Kenny Stevens.

Restoration Systems (RS) and HUC Nutrient Credit Statute - Haywood reported Restoration Systems was moving the HUC statute revised to allow offset credits to be placed in the lower estuary and allow nutrient credits to be moved to the discharge point. RS plans to get a bill introduced in the long session.

EMC Approval of the Proposed Nutrient Rules – Dan noted the Environmental Management Commission approved the Proposed Nutrient Rules in January with the offset rate set at 1.1 to 1.0 (110% of the HUC nutrient rate) and allowing for a 10 year window for demonstrating adequate nitrogen allocation for new or renewing NPDES permits. The Public Hearings for these rules will be March 26th (Kinston) and March 28th (Clayton). Haywood noted the members need to submit comments in support of the rules and attend the public hearings.

Legislative Considerations for the Long Session – Dan and Haywood noted that no action will be taken to intervene through the General Assembly while the Proposed Nutrient Rules work through the process of rule adoption.

The next meeting is scheduled for May 2, 2019 at 10:00 to be hosted by the Town of LaGrange. With no further business, the meeting was adjourned.