

AGENDA

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

**November 7, 2019
City of Goldsboro, N.C.
10:00 a.m.**

- **Welcome, Roll Call, and Introduction of Guests**
- **Approval of Minutes for September 19, 2019 (pages 2-4)**
- **LNBA/NRCA Financials – Donald and Haywood**
 - * **September and October, 2019 Treasurer’s Reports – (pages 5-6)**
 - * **Update on Associations’ Bank Accounts -**
 - * **Preview of FY 2020-21 Membership Dues – (page 7)**
 - * **Contractor Agreements -**
 - * **990 Tax Reports -**
- **NRCA Total Nitrogen Compliance Summary - Haywood**
- **LNBA Sampling Report – September and October, 2019 - Haywood**
 - * **DWR Request to LNBA on Dissolved Metals - Committee**
- **Meeting with the DWR Director – Dan and Haywood**
- **Nutrient Rules & Rules Review Commission Progress – Dan and Haywood**
- **Nutrient Offset Presentation on October 25th Review – Dan and Haywood**
- **Member Reports**
- **Next Meeting and Adjourn – Location/Date: City of Raleigh - February 6th, 2020**

Lower Neuse Basin Association®/Neuse River Compliance Association®
September 19, 2019 Meeting Minutes
City of Wilson, N.C.

Attending:

Fred Dancy	SGWASA	Kenny Stevens	City of Kinston
Jimmy Pridgen	City of Wilson	Emily Elmore	City of Kinston
Barry Parks	City of Wilson	Brian Leavitt	Town of Benson
Nicola Hill	HDR	Tony Hawkins	City of New Bern
David Hardin	Town of Apex	Dan Wall	Johnston County
Dan McLawhorn	City of Raleigh	T. J. Lynch	City of Raleigh
Chuck Smithwick	Contentnea MSD	Rich Cappola	Town of Clayton
Donald Smith	Town of Cary	James Warren	Town of Clayton
Mike McAllister	Town of Kenly	Joe Pearce	Aqua, N.C.
Michelle Daw	City of Goldsboro	Steve Tedder	Tedder Farm Consulting
Mark Vander Borgh	DWR Water Science	Mike Graham	Duke Energy
Mark Oliveira	Environmental I	Elliot Thomas	Craven County
Mark Vander Borgh	DWR Water Science	Mike Templeton	DEQ DWR Permitting
Reginald Hicks	City of Durham	Erica Bailey	City of Raleigh
Glenn Dunn	Poyner & Spruill	Jay Sauber	Water Quality Consultant
Kathy Hill	City of Goldsboro	Jeff Mahagan	Town of Hillsborough
John Craft	Town of LaGrange	Jeff White	Dow-Dupont, Kinston
Haywood Phthisic	LNBA/NRCA		

The Chair, Dan McLawhorn, called the meeting to order and welcomed everyone. The roll was called and there were 15 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 May 2, 2019 meeting were presented and approved as submitted by both Boards.

Financials – *Treasurer's Report* - The Treasurer's Reports for June, July, and August, 2019 were presented by Donald Smith. As of August 26th, the LNBA account balance was \$258,166.18 and NRCA account balance was \$248,500.57. A year end 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.

Haywood Phthisic reported that the Executive Committees for the LNBA and NRCA selected Civic Federal Credit Union to replace the LGFCU. An extension was received on the time to close the LGFCU accounts and Haywood hoped to have the transition to Civic FCU completed in October.

ModMon Program – A request to support the ModMon Program for Fiscal Year 2019-20 (July 1, 2019 to June 30, 2020) has been received. The request is for \$5,000 which is included in the NRCA budget for this fiscal year. Following discussion, T. J. Lynch made the motion to approve the request for \$5,000, seconded by Dan Wall, and approved by the NRCA 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 May, June, July, and August, 2019. Data sets have been received through June, 2019 and loaded on the website. July sampling results are in data review. All invoices through July, 2019 have been processed and paid.

There was a sampling exception during this period:

7/15/2018, J4080000 (Poplar Creek at SR 2049 (Bethlehem Road near Knightdale)), unable to collect a sample due to low water level. Full sample collection was completed on 7/30/19 at this site.

Memorandum of Agreement (MOA) with the Division of Water Resources has been completed, executed, and went into effect August 1st. There was a revision in the sampling station on Crabtree Creek. Site J3310000 (Crabtree Creek at North Raleigh Blvd.) replaced J3290000 (Crabtree Creek at Capitol Blvd). due to safety concerns.

Division of Water Resources (DWR) Request – The LNBA received a request from DWR to sample dissolved metals at 4 selected sites in the Neuse River Basin. Those sites are in the upper portion of the basin. These sites were previously listed on the 303(d) list for total metals impairing these waters. The water quality standards have been revised to a dissolved metals standard. Mark Vander Borg with DWR made a presentation to the Board supporting the request and Jay Sauber, the LNBA's water quality consultant present also. Following discussion, the Chair appointed a committee to review the information and report a recommendation to the Board at the November meeting. Those appointed are: Donald Smith, Erica Bailey, and Mike Wagner.

NRCA Midyear Report – Haywood reported the NRCA's Midyear Report has been completed. The end of pipe total nitrogen concentration was 2.44 mg/L at a daily flow of 116.133 million gallons per day. Haywood noted the midyear report is used in the NRCA's dues calculations.

Membership Request from City of Durham and the Town of Hillsborough - Haywood reported the City of Durham and the Town of Hillsborough have requested membership in the NRCA. The City of Durham and the Town of Hillsborough (like SGWASA) have reserve nitrogen allocation that is not in their NPDES permit which could be available for leasing. The City of Durham total nitrogen concentration 2.3 mg/L in 2017, 2.3 mg/L in 2018, and 1.6 mg/L the first 6 months of 2019. The Town of Hillsborough averaged 2.0 mg/L in 2017, 1.9 in 2018, and 1.6 mg/L for the first 7 months of 2019. Both jurisdictions will be able to lease from their nitrogen allocations in their individual permits and they would be able to lease their reserve allocation to other NRCA members. Following discussion, Kenny Stevens made the motion to approve both jurisdictions as NRCA members beginning January 1, 2020, seconded by T. J. Lynch, and approved by the NRCA Board.

NRCA Membership for Facilities Less than 0.5 mgd with Nitrogen Limits – Haywood discussed with the Board smaller facilities are receiving nitrogen allocation when flow increases are requested in their NPDES permits. The Town of Trenton recently increased from 0.070 mgd to 0.140 mgd and received nitrogen limits. Haywood noted the bylaws do not allow membership for facilities under 0.5 mgd. Further discussion and consideration may be warranted.

EMC Approval of the Proposed Nutrient Rules – The EMC approved the nutrient rules with the credit ratio of 1.5 to 1 instead of 1.1 to 1. The next step is the Rules Review Commission.

Update on Legislative Action in the General Assembly, HB 812 & 816 – Dan reported to the Board HB 812 is now law. HB 816 is sitting idle at the present time but the nutrient ratio was removed.

Meeting Dates for 2020 – Haywood presented dates for the Board’s consideration for 2020:

February 6, 2020; May 7, 2020; September 3, 2020 (Alternative Date, August 6, 2020); November 5, 2020

The next meeting is scheduled for November 7, 2019 at 10:00 to be hosted by the City of Goldsboro. With no further business, the meeting was adjourned.

DRAFT

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

Treasurer's Report

11/4/2019

LNBA

Balance Forward: (checking per bank statement - 9/25/19)	Checking	\$	177,610.03
	Savings		71,031.88
Debits:		\$	
PCi, Inc. (Sept, 19 Inv)			1,426.12
Environment I, Inc. (Sept, 19 Inv)			1,418.55
Environment I, Inc. (Raleigh Sept, 19 Inv)			7,654.06
Sauber Water Quality Consulting (Sept, 19 Invs)			630.00
Fund Savings Accounts			1,060.00
Bank Charges (checks & maintenance fees)			1.00
			<hr/>
Total Debits		\$	12,189.73
Credits:		\$	
Interest (checking)			26.17
Interest (savings)			1,135.92
Membership Fees			-
Checking Account Balance (per bank statement - 11/01/19)		\$	165,446.47
LGCU Share Account Balance (savings account)			72,167.80
			<hr/>
Total LNBA Account Balance		\$	237,614.27
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NRCA

Balance Forward: (per bank statement -9/25/19)	Checking	\$	133,138.02
	Savings		112,879.75
Debits:		\$	
PCi, Inc (September, 19 Inv)			2,647.00
MFG Consulting, LLC (September, 19 Inv)			100.00
Fund Savings Account			1,060.00
Bank Charges (checks & maintenance fees)			1.00
			<hr/>
Total:		\$	3,808.00
Credits:		\$	
Membership Fees			-
Interest (Savings)			1,133.36
Interest (Checking)			19.70
Account Balance (per bank statement - 11/04/19)	Checking	\$	129,349.72
LGCU Share Account Balance (savings account)	Savings		114,013.11
			<hr/>
Total NRCA Account Balance		\$	243,362.83
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Lower Neuse Basin Association, Inc. / Neuse River Compliance Association, Inc.

Treasurer's Report

10/10/2019

LNBA

Balance Forward: (checking per bank statement - 8/26/19)	Checking	\$	187,134.30
	Savings	\$	71,031.88
Debits:		\$	
PCi, Inc. (August, 19 Inv)			1,655.04
Environment I, Inc. (August, 19 Inv)			7,654.06
Environment I, Inc. (Raleigh August, 19 Inv)			1,418.55
Sauber Water Quality Consulting (August, 19 Inv)			490.00
Bank Charges (checks & maintenance fees)			1.00
			<hr/>
Total Debits		\$	11,218.65
Credits:		\$	
Interest (checking)			22.82
Interest (savings)			29.20
Membership Fees			1,671.56
Checking Account Balance (per bank statement - 9/25/19)		\$	177,610.03
LGCU Share Account Balance (savings account)			71,061.08
			<hr/>
Total LNBA Account Balance		\$	248,671.11
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NRCA

Balance Forward: (per bank statement -8/26/19)	Checking	\$	135,667.20
	Savings		112,833.37
Debits:		\$	
PCi, Inc (August, 19 Inv)			3,075.00
MFG Consulting, LLC (August, 19 Inv)		\$	130.00
Bank Charges (checks & maintenance fees)			1.00
			<hr/>
Total:		\$	3,206.00
Credits:		\$	
Membership Fees			660.14
Interest (Savings)			46.38
Interest (Checking)			16.68
Account Balance (per bank statement - 8/26/19)	Checking	\$	133,138.02
LGCU Share Account Balance (savings account)	Savings		112,879.75
			<hr/>
Total NRCA Account Balance		\$	246,017.77
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Example LNBA/NRCA Membership Dues for Fiscal Year 2019 -2020

Date: 11/04/19

MEMBER	2019-20 NRCA Base Fee	18 - MidYear EOP Pounds of TN	2019-20 NRCA (\$/lbs.)	2019-20 Total NRCA Dues
Town of Fuquay-Varina*	\$ -	0	\$ -	\$ -
City of Havelock	250.00	24,228	1,790.79	2,040.79
Duke Energy Progress	250.00	188	13.90	263.90
Dupont-Kinston, Inc.	250.00	1,795	132.68	382.68
City of Kinston	250.00	33,769	2,496.00	2,746.00
Johnston County	250.00	41,384	3,058.86	3,308.86
City of Goldsboro	250.00	55,985	4,138.08	4,388.08
Town of LaGrange	250.00	6,198	458.12	708.12
Contentnea MSD	250.00	8,177	604.39	854.39
Town of Kenly	250.00	9,424	696.57	946.57
City of Wilson	250.00	54,547	4,031.79	4,281.79
Town of Benson	250.00	8,187	605.13	855.13
Town of Farmville	250.00	5,369	396.84	646.84
Town of Cary	250.00	65,357	4,830.80	5,080.80
City of Raleigh	250.00	406,715	30,061.94	30,311.94
City of New Bern	250.00	23,974	1,772.01	2,022.01
Town of Apex	250.00	11,328	837.30	1,087.30
Town of Clayton	250.00	20,121	1,487.22	1,737.22
SGWASA**	250.00	8,640	638.62	888.62
Neuse Colony, Aqua, NC	250.00	7,638	564.56	814.56
MCAS Cherry Point**	250.00	25,137	1,857.98	2,107.98
Carolina Water Service	250.00	13,903	1,027.63	1,277.63
Town of Hillsborough	250.00	5,507	407.04	657.04
City of Durham	250.00	60,318	4,458.35	4,708.35
Craven County	250.00	1805	\$ 133.41	383.41
Total Flow NRCA	\$ 6,000.00	899,694	\$ 66,500.00	\$ 72,500.00
Total Flow LNBA			72,500.00	\$ 72,500.00

* indicates LNBA member only

NRCA Total Nitrogen Allocation Exceedance Summary by Facility

Date: 10/28/19

NPDES Permit #: NCC00001		2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	
FACILITY	NPDES Permit #	(-) A	(-) A	(-) A														
SGIWASA	NC002824	-	-	-	-	-	X	-	-	-	-	-	-	-	-	-	-	1
Town of Apex	NC0064050	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Town of Benson	NC0020389	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Town of Cary ~ North	NC0048879	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Town of Cary ~ South	NC0065102	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
City of Raleigh ~ Smith Creek	NC0030759	(-) B	(-) B	(-) B	-	-	-	-	-	-	-	-	-	-	-	-	-	0
City of Raleigh ~ Neuse	NC0029033	(-) C	(-) C	(-) C	-	-	-	-	-	-	-	-	-	-	-	-	-	0
City of Raleigh ~ Little Creek	NC0079316	(-) C	(-) C	(-) C	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Town of Clayton	NC0025453	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Neuse Colony, (Aqua NC)	NC0064564	-	-	-	-	X	X	X	X	-	-	-	X	X	-	-	X	7
Johnston County	NC0030716	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Town of Kenly	NC0064891	X	X	X	X	X	X	X	X	-	-	-	-	-	-	X1	X	10
Town of Farmville	NC0029572	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
City of Wilson	NC0023906	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Duke Energy ~ Lee Facility	NC0003417	-	-	-	-	-	-	X E	X E	(-) E	(-) E	-	-	-	-	-	-	2
City of Goldsboro	NC0023949	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Town of LaGrange	NC0021644	-	-	-	-	-	-	-	-	-	-	-	X	X	X	-	X	4
City of Kinston (Regional)	NC0024236	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Contentnea MSD	NC0032077	X	X	X	X	-	-	-	X	-	-	-	-	-	-	-	-	5
Dow - Dupont, Inc.	NC0003760	X	X	(-) D	(-) D	(-) D	(-) D	(-) F	(-) F	(-) F	(-) F	(-) F	(-) F	(-) F	(-) F	(-) F	(-) F	0
City of New Bern	NC0025348	X	-	-	-	-	-	X*	-	-	-	-	-	-	-	-	-	1
MCAS Cherry Point	NC0003816	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
City of Havelock	NC0021253	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Craven County	NC0084460	-	-	-	-	-	-	-	-	-	-	-	ND	ND	ND	X	X	2
Carolina Water Service, Inc.	NC00033111	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	2

Legend - (red indicates the TN allocation violation)

Facility Ownership Revisions -

- A. DHS - Butler
 - B. Town of Wake Forest
 - C. Town of Zebulon
 - D. Unifi - Kinston, LLC
 - E. Progress Energy Carolinas
 - F. Dupont-Kinston
- X - TB Allocation Exceedance and payment of Assessment to NRCA
 - x - TN Allocation Exceedance and TN leased to avoid Assessment by NRCA
 - X* - Special case, had nitrogen allocation but not in NPDES permit
 - X1 - Failed to Monitor TN
 - ND - No Discharge
 - or (-) - Compliant with TN Allocation
 - Indicates period before becoming a NRCA member.

Lower Neuse Basin Association ®

TO: Board Members

FROM: Haywood Phthisic, Executive Director

SUBJECT: Sampling/Monitoring Report for November 7, 2019 Board Meeting

DATE: November 6, 2019

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, 2019. Data sets have been received through August, 2019 and loaded on the website. September sampling results are in data review. All invoices through September, 2019 have been processed and paid.

Dissolved Metals Sampling Request from the Division of Water Resources (DWR) – The Division made a presentation on presented its request for the LNBA to sample and analysis dissolved metals at September Board meeting. A committee was appointed to review the request and supporting information and make a recommendation to the Board. Mark Vander Borgh with the Division is here to answer any questions or comments the Board may have on DWR's request.

The Committee members are Erica Baily, City of Raleigh; Donald Smith, Town of Cary, and Mike Wagner, City of Goldsboro and will discuss their recommendation to the Board. A map of the sites is included on the next page indicating location of the sites as related to the facility discharge pipes in the area.

Untitled Map

Write a description for your map.

Legend

- Anderson Creek Golf Club
- Bentonville Battlefield
- Discharge Pipe
- Feature 1
- Feature 2
- Feature 3
- Feature 4
- NC Roadtrips Travel Center

