

AGENDA

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

**September 5, 2024
Goldsboro, N. C.
10:00 a.m.**

- **Welcome, Roll Call, and Introduction of Guests**
 - * Member Introductions**
- **Approval of Minutes for May 2, 2024 (AI) – (pages 2 – 4)**
- **LNBA/NRCA Financials –**
 - * May, June, July, and August, 2024 Treasurer’s Reports (AI) – (page 5)**
 - * FY 2023-24 Year to Date Expenditures – (page 6)**
 - * 2024 Draft 990 Tax Returns -**
- **LNBA/NRCA Bylaw Revisions for Consideration -**
- **Neuse Basin Modeling Update – (pages 7 – 8)**
- **LNBA Updates -**
 - * Sampling Report – May, June, July, and August 2024 – (page 9)**
 - * DWR MOA with LNBA -**
- **NRCA Updates -**
 - * NRCA Permit Renewal Update -**
 - * NRCA 2023 Midyear Draft Report – (page 10)**
 - * Nature Conservancy Letter – (page 12)**
- **LNBA/NRCA Training Workshop for 2024 Review -**
- **Member Reports -**
- **Next Meeting and Adjourn – November 5, 2024, City of Kinston, N. C.**

Action Items (AI)

Lower Neuse Basin Association®/Neuse River Compliance Association®
May 2, 2024 Meeting Minutes
City of Wilson, Wilson, N. C.

Attending:

Chuck Smithwick	Contentnea MSD	Jonathan Bulla	Town of Cary
Lori Avent	Town of Apex	Corrie Bondor	Town of Cary
Dan McLawhorn	McLawhorn Legal	Ed Buchan	City of Raleigh
Andrew Stevenson	Aqua, N. C.	Justin Bauer	Town of Benson
Reggie Hicks	City of Durham	Joshua Baird	Town of Clayton
David White	Town of Clayton	Adam Stephenson	Town of Fuquay-Varina
Richard Hamilton	City of Goldsboro	Anthony Futrell	Carolina Water Service
Tony Konsul	Carolina Water Service	James Blalock	Town of Clayton
Jimmy Pridgen	City of Wilson	David Suggs	CovationBio
Dan Wall	Johnston County	Nicholas Eatmon	City of Wilson
Jay Sauber	Sauber WQC	T. J. Lynch	Hazen & Sawyer
Ron Boquist	Waypoint Anal.	Benjamin Overton	City of Kinston
Brian Pridgen	Contentnea MSD	Drake Robart	CWS/Town of Snow Hill
Haywood Phthisic	LNBA/NRCA		

The Chair, Chuck Smithwick, called the meeting to order and welcomed everyone. The roll was called and there were 12 of 19 members present representing the LNBA and 14 of 24 members present representing the NRCA. There was a quorum present for both associations and guests were introduced and recognized.

Board Minutes – The Board Minutes for the February 1, 2024 meeting were presented. Being no revisions, Jimmy Pridgen made the motion to approve, seconded by Dan Wall, and approved by the Boards.

LNBA/NRCA Financials – Treasurer's Report – Jimmy Pridgen presented the Treasurer's Report for the period of February, March, and April, 2024 to the Board. As of April 30th, the LNBA account balance is \$244,476.06 and NRCA account balance is \$355,51.23. Also available for the Board's review were the year-to-date expenditures for both associations. Following discussion, Dan Wall made the motion to approve the reports as presented, seconded by Jimmy Pridgen, and approved by the Boards, respectively.

McLawhorn Law Agreement – Haywood reported to the Board the agreement with McLawhorn Law would expire June 30th and recommended to the NRCA Board to renew for another year. Following discussion, Jonathan Bulla made the motion to approve, seconded by Reggie Hicks, and approve by the Board.

Executive Director Service Agreement – Chuck presented the Boards with the terms of the Executive Director Service Agreement that PCi was requesting. The term would be 3 years at an hourly amount of \$85 (budgeted at 1,040 hours annually), and reimbursable expenses including the cost of the financial software. Haywood noted that he is entering into his sixteenth year serving the Boards and noted it has been a pleasure to see the work the members have achieve in reducing nitrogen from their facilities. Following discussion, Jonathan Bulla made the motion to authorize the Chair to execute the agreement, seconded by Ed Buchan, and approved by the Boards.

Neuse Watershed Modeling Update – Haywood presented a memorandum from Dr. Marty Lebo on the work his firm has completed to date. The review is continuing with the draft watershed model should soon

be delivered to the Division.

LNBA Updates –

Work continues on the Lower Neuse River Monitoring Service Contract No. 6 with Waypoint Analytical. All sampling was completed in November and December with the exceptions listed below:

Work continues on the Lower Neuse River Monitoring Service Contract No. 6 with Waypoint Analytical. All sampling was completed by Waypoint in January, February, March, and April with the exceptions listed below:

January 2024

01/30/24 – J5630000 (Little River at Riley Hill Road near Zebulon) - Unable to collect due to bridge construction.

February 2024

2/08/24 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.

March 2024

03/04/2024 - J4520000 (Swift Creek at Steel Bridge Rd nr Smithfield) - Unable to collect due to construction.
03/21/2024 - J5630000 (Little River at Riley Hill Rd nr Zebulon) - Unable to collect due to bridge construction.

April 2024

4/25/24 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.

All invoices have been processed and paid through March, 2024.

Memorandum of Agreement with DWR (July 31, 2024) – The draft agreement from DWR has been received and distributed to the Executive Committee for review. The signature authority list has been updated so please review the list. If any changes occur related to the signature authority between now and completion of the MOA agreement please contact me immediately.

LNBA Annual Report for 2023 – Haywood reported the LNBA Annual Report was submitted as required by the Memorandum of Agreement. Graphs illustrating the annual nitrate-nitrite and TKN concentrations and one illustrating the nitrogen concentrations for the past 10 years were presented.

NRCA Updates –

NRCA Permit Renewal Update – Haywood reported that the NRCA has not received notice of its permit renewal request. The Executive Committee received a draft in January and submitted draft comments to the Division. Haywood recommended the NRCA Board approve the draft comments and submit to the Division for the record. Following discussion, Dan Wall made the motion to approve the comments and submit to the Division, seconded by Jimmy Pridgen, and approved by the NRCA Board.

NRCA Annual Report for 2023 – Haywood reported the NRCA annual report was submitted as required by

the Association's NPDES permit. The members delivered 2.51 mg/L of total nitrogen to Neuse estuary for 2023. The NRCA is currently at 42% of its permit nitrogen allocation for end of pipe discharged effluent.

Annual Training Workshop Committee – Haywood reported the committee was close to completion on the program for 2024. The dates for the workshop are July 30th in Raleigh and August 1st in Kinston. Registration will begin in early June.

LNBA/NRCA Delegates – Haywood reminded the membership to please keep the membership delegates updated by notifying him.

The next meeting is scheduled for September 5, 2024 at 10:00 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

9/2/2024

LNBA

Balance Forward: (checking per bank statement - 4/30/2024)		Checking	\$	69,093.21
		Savings		178,382.85
Debits:			\$	
	Waypoint Analytical, Inc. (LNBA, Invoices)			32,453.20
	Waypoint Analytical, Inc. (Raleigh, Invoices)			4,510.98
	City of Raleigh (Workshop)			1,038.70
	River Delta Consulting			420.00
	PCi (Invoices)			6,768.50
	Total Debits		\$	45,191.38
Credits:			\$	
	Interest (checking)			35.83
	Interest (savings)			1,807.46
	Membership Dues			82,783.40
Checking Account Balance (per bank statement -8/31/2024)		Checking	\$	106,721.06
		Savings		180,190.31
Total LNBA Account Balance			\$	286,911.37

NRCA

Balance Forward: (per bank statement -4/30/2024)		Checking	\$	67,203.24
		Savings		288,447.99
Debits:			\$	
	PCi (Invoices)			11,316.00
	WSP, Inc.			15,791.50
	City of Kinston (Workshop)			822.00
	River Delta Consulting			420.00
	Sauber Water Quality Consulting			549.00
	McLawhorn Law Office			400.00
	Total:		\$	29,298.50
Credits:			\$	
	Transfer from Checking to Savings Acc't			-
	Interest (Savings)			2,922.71
	Interest (Checking)			30.76
	Membership Dues			35,056.86
Account Balance (per bank statement - 8/31/2024)		Checking	\$	72,992.36
		Savings		291,370.70
Total NRCA Account Balance			\$	364,363.06

LNBA/NRCA Year to Date Expenditures for FY 2023-24

Date: 6/04/2024

LNBA	Monitoring	ED Services	Training	Admin	Legal	Web Services	Consultant	Total	Raleigh
July, 2023	\$ 8,113.30	\$ 1,559.75	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,673.05	\$ 1,503.66
August	8,113.30	1,833.31	818.40	-	-	180.00	-	10,945.01	1,503.66
September	8,113.30	1,490.86	-	-	-	180.00	-	9,784.16	1,503.66
October	8,113.30	1,300.00	-	650.00	-	-	-	10,063.30	1,503.66
November	8,113.30	1,464.84	-	-	-	-	-	9,578.14	1,503.66
December	8,113.30	1,613.60	-	-	-	-	-	9,726.90	1,503.66
January, 2024	8,113.30	1,692.91	-	-	-	180.00	-	9,986.21	1,503.66
February	8,113.30	1,939.82	-	-	-	-	2,013.00	12,066.12	1,503.66
March	8,113.30	1,686.04	-	-	-	-	15,000.00	24,799.34	1,503.66
April	8,113.30	1,591.02	-	-	-	-	-	9,704.32	1,503.66
May	8,113.30	1,696.68	-	-	-	420.00	-	10,229.98	1,503.66
June	8,113.30	1,350.24	-	-	-	-	-	9,463.54	1,503.66
Total	\$ 97,359.60	\$ 19,219.07	\$ 818.40	\$ 650.00	\$ -	\$ 960.00	\$ 17,013.00	\$ 136,020.07	\$ 18,043.92
Budget	\$ 97,360.00	\$ 21,500.00	\$ 2,000.00	\$ 1,000.00	\$ 10,000.00	\$ 1,500.00	\$ 18,400.00	\$ 169,804.00	\$ 18,044.00

NRCA	Permit/Grant	ED Services	Training	Admin	Legal	Web Services	Consultant	Total	WSP, Inc.
July, 2023	\$ -	\$ 2,339.00	\$ -	\$ -	\$ -	\$ 180.00	\$ 140.00	\$ 2,659.00	\$ -
August	-	2,752.00	1,270.90	-	-	-	-	4,022.90	-
September	-	2,234.00	-	-	-	-	-	2,234.00	420.75
October	-	1,700.00	-	650.00	600.00	180.00	549.00	3,679.00	970.50
November	-	2,172.00	-	-	-	180.00	-	2,352.00	-
December	-	2,421.00	-	-	-	180.00	-	2,601.00	717.45
January, 2024	4,625.00	2,540.00	-	-	-	-	-	7,165.00	690.73
February	-	3,604.00	-	-	1,600.00	-	-	5,204.00	291.75
March	-	3,131.00	-	-	-	-	15,000.00	18,131.00	-
April	-	2,956.00	-	-	-	-	-	2,956.00	5,900.85
May	-	2,545.00	-	-	-	420.00	-	2,965.00	8,266.25
June	-	2,507.00	-	-	400.00	-	549.00	3,456.00	4,292.75
Total	\$ 4,625.00	\$ 30,901.00	\$ 1,270.90	\$ 650.00	\$ 2,600.00	\$ 1,140.00	\$ 16,238.00	\$ 57,424.90	\$ 21,551.03
Budget	\$ 4,500.00	\$ 45,000.00	\$ 2,000.00	\$ 1,000.00	\$ 16,000.00	\$ 1,500.00	\$ 19,000.00	\$ 89,000.00	\$ 30,000.00



MEMO

TO: Haywood Phthisic
FROM: Martin E. Lebo
SUBJECT: Neuse Watershed Model Review Update
DATE: August 28, 2024

PROJECT OBJECTIVE

The overall objective for the project is to review the watershed model being developed by RESPEC under contract with NCDEQ for use in evaluating transport factors for Nitrogen in the Neuse River basin.

BACKGROUND

The authorized project focuses resources on evaluating the calibration of key components of the watershed model when the calibration is nearly complete. Key components are how the model simulates flow throughout the watershed, how the model simulates the deposition and erosion of particles, and how the model simulates the transformations of different forms of nitrogen.

The WSP team participated in a discussion with the model development team (RESPEC) and staff from NCDWR on September 25, 2023, on progress in model development through the time of the meeting. Access to modeling files during the development process was requested and granted.

RECENT ACTIVITY

The WSP project team has been able to gain access to modeling files from RESPEC and has evaluated the calibration of water movement and nitrogen concentrations throughout the watershed. Some recent activities are:

- February 27, 2024 – memo on calibration of flows provided to client and modeling team.
- March 23, 2024 – model results for water quality and revised flows received.
- April 24, 2024 – internal evaluation of updated flow calibration provided to client. The updated flow calibration showed some improvements in response to the comments provided by WSP on February 27, 2024.
- June 19, 2024 – memo on revised calibration of flows and calibration of water quality parameters provided to client and modeling team. Areas for improvement



in simulated water temperature and nutrient parameters were identified for the model development team.

ANTICIPATED SCHEDULE

A draft model development report has been prepared and is in NCDEQ review. WSP will request a copy for review to provide an assessment of how well the model simulates flow and nitrogen delivery to the Neuse Estuary. RESPEC provided an update to WSP on August 28, 2024, on the modeling report review status.

Lower Neuse Basin Association ®

TO: Board Members
FROM: Haywood Phthisic, Executive Director
SUBJECT: Sampling/Monitoring Report for September 5, 2024 Board Meeting
DATE: September 3, 2024

Work continues on the Lower Neuse River Monitoring Service Contract No. 6 with Waypoint Analytical. All sampling was completed by Waypoint in May, June, July, and August with the exceptions listed below:

May 2024

05/23/24 – J4868000 (Middle Creek at SR 1375 near Banks) - Unable to collect due to road closure.

June 2024

6/10/24 – J4080000 (Poplar Creek at SR 2049 near Knightdale) – Water level too low to collect sample, field parameters only.
6/20/24 – J4115000 (Marks Creek at Neuse River Trail near Archer Lodge) – Water level too low to collect sample, field parameters only.
6/06/24 – J4690000 (Middle Creek at SR 1152 near Holly Springs) – Unable to sample due to bridge construction.
6/20/24 – J5010000 (Middle Creek at NC 210 near Smithfield) – Unable to sample due to bridge construction.
6/10/24 – J5630000 (Little River at Riley Hill Road nr Zebulon) – Unable to collect due to bridge construction.
6/20/24 – J5630000 (Little River at Riley Hill Road nr Zebulon) – Unable to collect due to bridge construction.

July 2024

7/18/24 - J5010000 (Middle Creek at NC 210 near Smithfield) – Unable to sample due to bridge construction.
Alternate site has been identified and was sampled 7/30/24 (official site Station number pending).
7/01/24 - J5630000 (Little River at Riley Hill Rd nr Zebulon) - Unable to collect due to bridge construction.
7/16/24 – J4115000 (Marks Creek at Neuse River Trail nr Archers Lodge) – Water level too low to sample; field parameters only.
7/1/24 – J4690000 (Middle Creek at SR 1152 nr Holly Springs) Construction complete, samples collected.

August 2024

8/8/24 - J5390800 (Hanna Creek at Ivey Rd near Benson) - Unable to sample due to flooding.
8/19/24 - J6890000 (Contentnea Creek at SR-1622 near Wilson) - Road closed due to construction.
8/19/24 - J5630000 (Little River at Riley Hill Rd nr Zebulon) - Unable to collect due to bridge construction.

All invoices have been processed and paid (partial) through July, 2024.

Memorandum of Agreement with DWR (July 31, 2024) – The MOA with DWR has been executed and distributed.

NEUSE RIVER COMPLIANCE ASSOCIATION
Draft Total Nitrogen Mid Year Report (July 1, 2023 thru June 30, 2024) for 2024

August 26, 2024

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NPDES Permit #: NCC00001		END OF PIPE				ESTUARY					
FACILITY	NPDES Permit #	Permit Flow (MGD)	2023-24 Avg. Flow (MGD)	Member TN Allocation (Lbs/Yr.)	Member TN Discharge (Lbs/Yr.)	Transport Zone	Annual Lease Amount	Member Estuary Allocation	Adjusted TN Allocation 2024 (Lbs/Yr.)	2024 Delivery (Lbs/Yr.)	% of Estuary Allocation
City of Durham	NC0023841	20.000	9.335	97,655	70,232	10%	0	9,767	0	7,023	72
Town of Hillsborough	NC0026433	3.000	1.166	10,422	6,829	10%	0	1,042	0	683	66
SGWASA	NC0026824	5.500	1.508	22,420	11,334	10%	0	5,860	0	1,133	19
Town of Apex	NC0064050	3.600	1.156	40,547	16,579	50%	0	20,274	0	8,290	41
Town of Benson	NC0020389	1.900	0.980	33,070	9,792	50%	0	16,535	0	4,896	30
Town of Cary ~ North	NC0048879	12.000	6.114	143,246	46,236	50%	0	71,623	0	23,118	32
Town of Cary ~ South	NC0065102	12.800	5.783	180,211	32,208	50%	0	90,105	0	16,104	18
City of Raleigh ~ Smith Creek	NC0030759	3.000	2.460	70,814	40,328	50%	0	35,407	0	20,164	57
City of Raleigh ~ Neuse	NC0029033	75.000	47.346	687,373	307,867	50%	0	341,242	0	153,933	54
Raleigh ~ Ground Water	NA	NA	NA	NA	57,660	50%	0	NA	0	28,830	
City of Raleigh ~ Little Creek	NC0079316	2.200	0.904	26,660	4,938	50%	0	13,330	0	2,469	19
Town of Clayton	NC0025453	2.500	1.683	22,832	18,707	50%	0	11,416	0	9,354	82
Neuse Colony, (Aqua NC)	NC0064564	0.350	0.264	8,447	6,090	50%	0	4,224	0	3,045	72
Johnston County	NC0030716	9.500	5.109	71,476	39,920	50%	0	35,738	0	19,960	56
Town of Kenly	NC0064891	0.630	0.359	7,096	5,779	50%	0	3,548	0	2,890	81
Town of Farmville	NC0029572	3.500	1.045	42,211	3,910	50%	0	21,106	0	1,955	9
Town of Snow Hill	NC0020842	0.500	0.217	5,632	2,219	50%	0	2,747	0	1,109	40
City of Wilson	NC0023906	14.000	7.491	157,886	43,874	50%	0	78,943	0	21,937	28
Duke Energy ~ H F Lee Plant	NC0003417	NA	0.118	3,260	121	70%	0	2,282	0	84	4
City of Goldsboro	NC0023949	14.200	8.505	199,822	64,640	70%	0	139,876	0	45,248	32
Town of LaGrange	NC0021644	0.750	0.341	8,447	4,359	70%	0	5,913	0	3,051	52
City of Kinston (Regional)	NC0024236	11.850	4.030	126,711	28,376	70%	0	88,697	0	19,863	22
Contentnea MSD	NC0032077	3.500	1.623	37,100	8,290	70%	0	25,970	0	5,803	22
CovationBio, Inc.	NC0003760	3.600	0.249	25,493	3,534	70%	0	17,845	0	2,474	14
City of New Bern	NC0025348	6.500	4.152	64,210	46,545	100%	0	64,210	0	46,545	72
MCAS Cherry Point	NC0003816	3.500	1.336	39,421	17,387	100%	0	39,421	0	17,387	44
City of Havelock	NC0021253	2.250	1.268	21,400	20,437	100%	0	21,400	0	20,437	96
Craven County	NC0089460	0.860	0.884	NA	3,760	100%	0	0	0	3,760	100+
CWS Systems, Inc.	NC0033111	0.600	0.275	11,263	16,348	100%	0	11,263	0	16,348	145
		217.590	115.702		938,299			1,177,502		507,894	

This Compliance Report has been compiled from co-permittee members' monthly discharge monitoring reports. I certify that this report is accurate and complete to the best of my knowledge.

Chuck Smithwick, Chairman, Neuse River Compliance Association

Date

NOTES: 1. Average Total Nitrogen Concentration End of Pipe by NRCA Members during 2023-24 (midyear):

2.50

MG/L

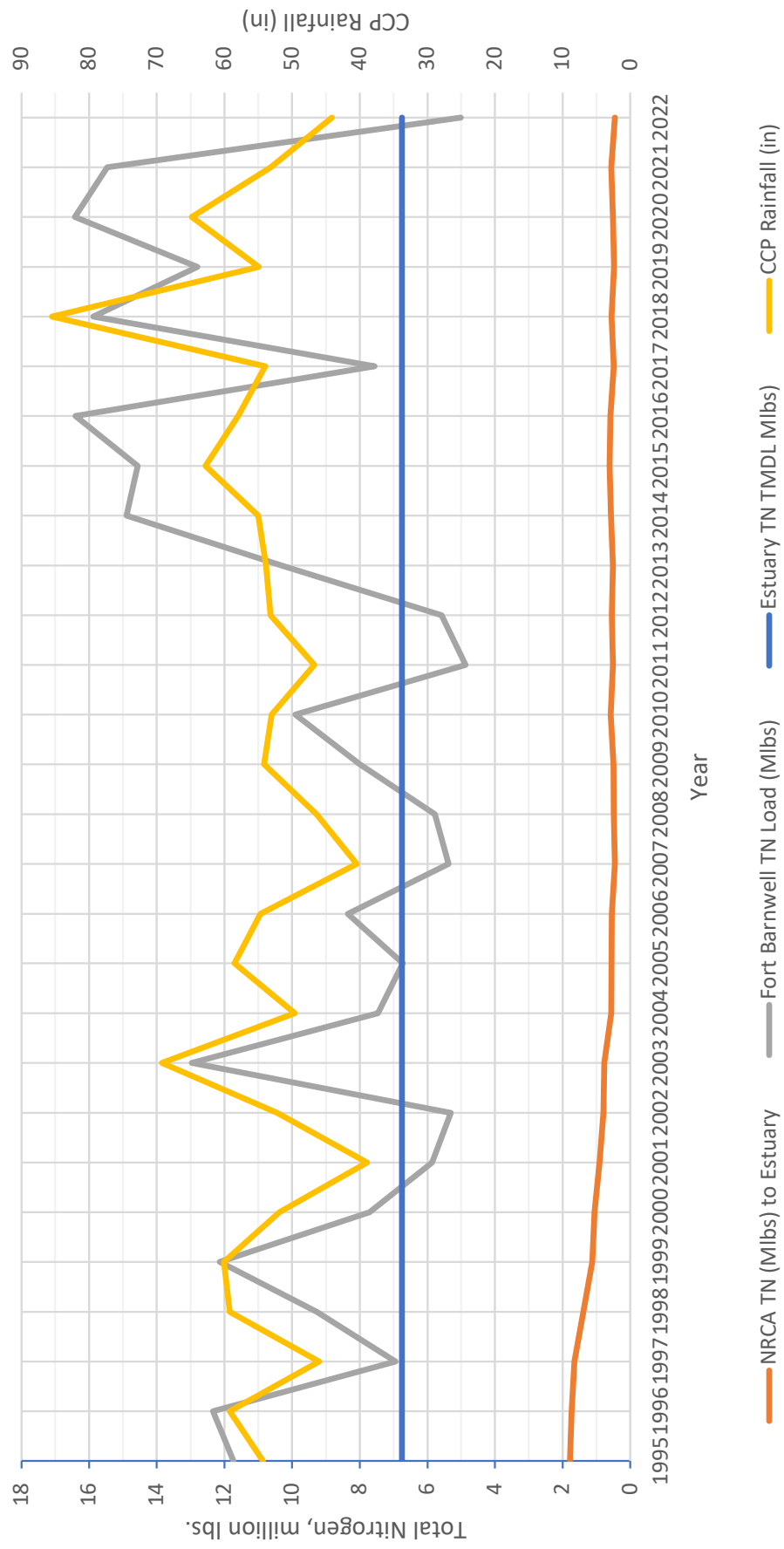
2. Average Total Nitrogen Concentration with ground water contribution in 2023-24 (midyear):

2.68

MG/L

3. NRCA's Midyear Report Prepared By: Haywood M. Phthesis, III, Executive Director

Total Nitrogen Load at Fort Barnwell, Station J7850000



"I am the Executive Director of the Lower Neuse Basin Association and Neuse River Compliance Association and our member, the City of Wilson, received the attached letter. The letter is of interest but we would like more information regarding this program such as what are you calling a "peer group"? Is this comparison based on permitted discharge flow, facilities located in the same river basin, and what are the permit parameters (such as advance secondary treatment, tertiary treatment, or advanced treatment (biological nutrient removal facilities)? I can be reached at 919.796.8049".

"Thank you for your email message. I am happy to try to answer your questions. First, you inquire about the "peer group". For the project, we defined the peer group as all National Pollutant Discharge Elimination System (NPDES)-regulated facilities operating in the same state that discharge biological oxygen demand (BOD) into surface waterbodies. Second, you inquire whether the comparison was based on particular factors. We did not base the comparison on permitted discharge flow. Instead, we focused on the permitted discharge limit regarding the amount of wastewater pollution. We did not base the peer group on the same river basin but rather the same state. And we did not base the comparison on the type of treatment; again, we focused on the permitted amount of pollution (i.e., effluent limit). I hope that my answers satisfactorily answer your questions. If not, I am happy to elaborate.

This informational letter was our first attempt to provide peer comparisons to facilities in EPA Regions 3 and 4, and we appreciate any feedback on the letter. We had discussed over many months how best to construct the peer groups and we decided to start with a broad group using a common pollutant.

Thank you again"