

NEUSE RIVER BASIN REGIONAL COUNCIL

Lenior County Cooperative Extension Service Bldg.
1719 Hwy. 11/55
Kinston, NC

July 22, 1999
10:00am

AGENDA

10:00am	Welcome	Chairman Bill Ritchie
10:05	Self-Introductions	All
10:10	Acceptance of Minutes (3/19/99)	Chairman Ritchie
10:15	<u>Old Business</u>	
	-By-Laws Amendment	Dr. John Costlow
	-Resolutions	Chairman Ritchie
	*Silt Runoff	
	*Testing of Groundwater	
	-Regional Council Vacancies	Joan Giordano
	-Waterways Boards	Chairman Ritchie
10:30	<u>New Business</u>	
	-Demonstration Project Concepts	
	*Surrogate Treatment of Non-point Sources of Pollution	Rick Dove, Neuse Riverkeeper
	*Development of an Accountability Process to Ensure Success of the Neuse River Basin Nutrient Reduction Strategy	Lin Xu, NC Div. of Water Quality
12:00	-Discussion	Dr. John Costlow
	*Matrix of State & Federal WQ Programs	
1:00pm	Adjourn	

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MINUTES

The meeting was called to order by Chairman Bill Ritchie at 10:10am. He welcomed those in attendance and self-introductions were made. (See Attachment A).

Special recognition was given to the new Council members present, and a request for a set of past minutes and by-laws was made. Joan Giordano, APNEP staff, agreed to sending the materials and also let the group know that the minutes from past meetings and other necessary/interesting documents were contained in the APNEP's website. The website address is:

<http://h2o.enr.state.nc.us/nep/default.htm>

The first item of business was the approval of minutes from the last meeting (3/19/99). It was brought to the attention of the Council that because there was not a quorum present at the March meeting, the meeting "technically" did not take place and there was no need to approve minutes.

Chairman Ritchie then turned to the next order of business -- an amendment to the NRBRC by-laws. Dr. Costlow, who originally brought the item before the Council, explained that much time was lost when bringing resolutions and other official business (needing to be voted upon) before the membership, because there was never a full complement of members present. In fact, sometimes there was not even a quorum present. Sondra Riggs made a motion, seconded by Andy McLawhorn, that concurrence or disagreement by those members who were **not present** at a meeting, should be sought via notice in the minutes, and communicated to Joan Giordano, Guy Stefanski or Chairman Ritchie. A time frame of 10 days should be allowed for their response. If no response was forthcoming, the matter would be decided commensurate with the wishes of those present at the meeting where the issue appeared on the agenda, providing a quorum was present. Much discussion ensued. The motion was withdrawn.

In its place, a motion by Andy McLawhorn, seconded by Dr. Costlow, was made to redefine the by-law language describing a quorum.

Article III, Section 5: Decision Making and Voting Rights now reads:

A. Majority Vote:

Decisions/resolutions shall be adopted by majority vote (not consensus) of NRBRC members present, provided a quorum is present. A quorum is defined as the number of members attending

the meeting and, of those, a 2/3 majority is required to pass official business.

B. Subcommittees of the NRBRC may operate by consensus to develop recommendations. Those recommendations would ultimately be decided upon by all members of the NRBRC through majority vote. (See A. Majority Vote).

A motion by Sondra Riggs, seconded by Anita Huffman to establish an annual calendar for NRBRC meetings, was made. The motion established the meeting date of the NRBRC to be the **4th Friday of each month**. These meeting dates may pertain to NRBRC Executive Committee meetings, as well. In other words, if there is not a **full** NRBRC meeting scheduled, then an **Executive Committee** meeting will be held. The decision determining which group will be meeting next, will be made at the preceding meeting. The motion passed.

The next order of business concerned the resolutions (Nonpoint Runoff of Silt and Groundwater Testing) which have been pending for some time. By motion of Andy McLawhorn, seconded by Norman Ricks, the silt curtain resolution was endorsed without changes. The motion passed, the resolution was signed by the Chair and Vice Chair, and will be sent to the Office of the Governor, the Departments of Environment and Natural Resources and Transportation.

By motion of Norman Ricks, with a second by Andy McLawhorn, the resolution dealing with the testing of groundwater passed with minor modification. The phrase "NC Board of Science and Technology" was stricken, and was replaced with the words "Department of Health and Human Services." This resolution was not signed at the meeting because of the change, but will be sent to Chairman Ritchie and Dr. Costlow for their signatures before forwarding to the appropriate recipients. (See Attachments B & C).

Dr. Costlow recommended that after being adopted, resolutions be sent to the press in addition to the intended recipients. After some discussion, Anita Huffman and Rick Dove (attending for Marion Smith) recommended that Council members distribute official resolutions to their respective constituencies and the press. **As an action item for the next meeting, the Chair requested that Council members report back to the Council relative to their efforts of informing others of Council business.** In order to encourage press coverage, Bruce Whitfield recommended that Council members take the meeting agendas, as well, to newspapers in their areas.

The next order of business was discussion of NRBRC vacancies. Joan Giordano outlined the process undertaken to fill the local government Council vacancies, distributed a new membership roster, (See Attachment D) and enumerated those counties that still are not participating. She further explained that the campaign to fill the interest-group vacancies on the Council was yet to be launched. The difference between the two processes (local government vs. interest-group representatives) is that the local government reps are **appointed** by their County Commissions, and the interest-group reps are determined by an **at-large nominating process**. The ultimate decision of those to be chosen rests with the Secretary of the Dept. of Environment and Natural Resources so that a parity of geographic and topical representation/distribution is achieved.



Chairman Ritchie urged all present to contact their county to fill any existing vacancies and to report back on progress made.

Chairman Ritchie reported on the River Bend Waterways Board and the demonstration projects which have been undertaken by that Board.

Following Chairman Ritchie, Rick Dove, the Neuse Riverkeeper, gave a presentation on the demonstration project being proposed by the Neuse River Foundation, *Model Strategy to Demonstrate the Advantages of Selected Creek Monitoring to Improve Non-point Source Pollution Controls on Nutrients and Sediments in the Neuse River Basin*. Following Mr. Dove, Dr. Lin Xu, DWQ gave a presentation on the demonstration project proposal entitled *Development of an Accountability Process to Ensure Success of the Neuse Agricultural Reduction Strategy Rule (15A NCAC 2B .0238)* being submitted by the Neuse Agricultural Basin Oversight Committee. (See Attachment E).

Discussion ensued with agreement from Mr. Dove and Dr. Xu to have a 1-page summary of the demonstration project proposals to staff by July 30th. That summary would then be sent out to the entire NRBRC membership (with the minutes) for comment, discussion, and voting at the "Special Call" meeting (8/10/99). They further agreed to have the **full proposals** submitted to staff by August 3rd. Staff agreed to distributing the full proposals to the NRBRC membership at the meeting on August 10th or before, if time permitted.

PLEASE NOTE: Copies of the full proposals will be made available at the "Special Call" meeting of the NRBRC (8/10/99, in Kinston) preparatory to voting and submittal to the Technical Committee of the Coordinating Council.

REMEMBER: THE NEXT MEETING IS A "SPECIAL CALL" MEETING. IT WILL BE HELD ON AUGUST 10TH, BEGINNING AT 9:00 AM, AT THE COOPERATIVE EXTENSION SERVICE BUILDING IN KINSTON (Hwy. 11/55)

There being no further business, the meeting was adjourned.

Attendance
NRBPC
7/22/99

<u>NAME</u>	<u>Affiliation</u>
Jack Szindony LIN Xu	APNEP - DWQ DWQ
Tom Jones	DENR - D. Soil/Water Conservation
ANDY McLAUTHORN	PITT COUNTY
Anita Huffman	Pamlico Co. Planner
Kelly Griffin	Wayne Co.
Jim Underwood	Franklin Co.
Bruce R. Whitfield ✓	Person SWCD
Martin Lebo ✓ (for J. Hughes)	Weyerhaeuser Company
LES TURNER	Lenoir County
Sandra Spock Riggs	Jones County Commissioner
E. Norman Ricks - CA	Wayne County
Valerie Claffin	Horton & Williams
John D. Costlow	Carteret County -
Guy Stefanini	APNEP -
BILL RITCHIE	CRAVEN COUNTY - MUNICIPAL
Rick DOVE	NRF



Attachments
B+C
on next pgs.

**RESOLUTION: TO PROVIDE REGULAR TESTING of GROUNDWATER WITHIN the
NEUSE RIVER BASIN**

WHEREAS, the population and industry, commerce, agriculture, and tourism within North Carolina have expanded over the past decade; and

WHEREAS, growth has resulted in increased utilization of groundwater for a variety of societal needs; and

WHEREAS, this increased utilization may have been accompanied by increases in discharges of potentially hazardous materials into the groundwater of the Neuse River Basin; and

WHEREAS, the introduction of potentially hazardous materials, some of which may have a long residence time in the soil and provide for infusion of these elements into the aquifers of eastern North Carolina, could represent a continuing and increasing health hazard to citizens of the Neuse River Basin;

NOW, THEREFORE, IT IS RESOLVED:

That the Neuse River Basin Regional Council requests the Office of the Governor charge the NC Department of Health and Human Services, or any other qualified body within North Carolina, to conduct a review of the degree to which regular monitoring of the groundwater within the Neuse River Basin is undertaken, indicating in biennial reports to the Council the presence and quantity of potentially hazardous materials which may be found, and indicating in what way the responsible authorities of the State of NC plan to reduce or prevent the introduction of these elements into the groundwater throughout the basin.

Adopted, this ____ day of _____, 1999.

William Ritchie, Chairman
Neuse River Basin Regional Council

John D. Costlow, Vice Chairman
Neuse River Basin Regional Council

RESOLUTION: NON-POINT RUNOFF OF SILT INTO NC WATERS

WHEREAS, development throughout North Carolina over the past two decades has resulted in significant increases in population, industry, intensive livestock operations and tourism; and

WHEREAS, statewide efforts to reduce the contamination of surface waters by nutrients and toxic chemicals resulting from these increases are currently underway by the Executive and Legislative branches of the government working with a number of citizen groups; and

WHEREAS, the continuing development throughout North Carolina has resulted in disturbance of the existing ground-cover for the construction of private dwellings, commercial establishments, and roads; and

WHEREAS, the disturbance of existing ground-cover with the subsequent exposure of the soil has resulted in large amounts being incorporated as silt into non-point source runoff associated with rain; and

WHEREAS, silt-laden runoff channeled from headwaters into major rivers throughout NC has resulted in dramatic changes in clarity and flow of surface waters; and

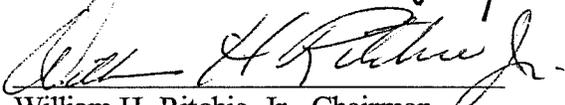
WHEREAS, the existing requirements for retention of silt associated with non-point runoff through proper installation of silt-curtains have not been consistently followed; and

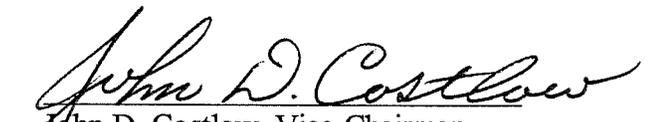
WHEREAS, the inconsistent use and potential inadequacy of silt-curtains has permitted increases in silt-laden runoff into surface waters, and has resulted in continuing reduction in water clarity and flow, and has had negative impacts on faunal and floral resources in both fresh water and estuarine waters throughout NC;

NOW, THEREFORE, it is:

RESOLVED, that the Neuse River Basin Regional Council requests the Office of the Governor charge the NC Department of Environment and Natural Resources and the NC Department of Transportation to determine what measures will be taken to provide for the regular and consistent utilization of silt-curtains, and other appropriate BMPs, at all construction sites throughout the state in compliance with existing state regulations.

Adopted this 21 day of July, 1999.


William H. Ritchie, Jr., Chairman
Neuse River Basin Regional Council


John D. Costlow, Vice-Chairman
Neuse River Basin Regional Council

NEUSE RIVER BASIN REGIONAL COUNCIL

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Municipal Representative
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GREENE	County Representative VACANT	Municipal Representative VACANT
	Recreational fishing VACANT	

JOHNSTON	County Representative VACANT	Municipal Representative VACANT
	Conservation VACANT	

JONES	County Representative Sondra Riggs County Commissioner 105 Riggstown Rd. Pollocksville, NC 28573 252-224-7431	Municipal Representative VACANT
	Agriculture VACANT	

LENOIR	County Representative Mr. Dee Smith County Commissioner Route 8, Box 225 Kinston, NC 28501 252-522-4171	Municipal Representative Les Turner <i>POB 68 Kinston, NC 28504</i> W - 252-527-5505 H - 252-568-2357
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PERSON	<p>County Representative William Hurdle County Commissioner P.O. Box 200 Hurdle Mills, NC 27541 910-364-1776 Hurdleb@person.net</p> <p>Soil & Water Conservation District Bruce Whitfield 5968 Gordonton Rd. Hurdle Mills, NC 27541 910-597-4805</p>	<p>Municipal Representative VACANT</p>
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Model Strategy to Demonstrate the Advantages of Selected Creek Monitoring to Improve Non Point Source Pollution Controls on Nutrients and Sediments in the Neuse River Basin

Summary of Draft Proposal - Neuse River Foundation Inc.

What: This is a two-year pilot program to determine the feasibility and effectiveness of monitoring the mouth of creeks throughout the Neuse watershed to establish the contribution of pollutants emanating from these creeks. Sediments are the major cause of impaired streams in the upper Neuse and nutrients are the major cause of poor water quality in the lower basin.

Who: This project will be a joint effort between the Neuse River Basin Regional Council (NRBRC), NRF and the Department of Environment and Natural Resources, Division of Water Quality. Contacts are Rick Dove and Marion Smith.

How: Volunteers from the Neuse River Foundation, Inc., under the supervision of the Neuse Riverkeeper and other responsible officials to be designated by the Foundation, will sample at the mouth of two creeks in the Neuse watershed, i.e., Crabtree (Raleigh) and Beards (Lower Neuse near Minnesott). Volunteers will be trained by NRF and NRK to take weekly samples on the same day and at the same time each week at the mouth of the respective creek. The following samples will be taken: Ammonia, Sediments (NTU), Nitrogen (TKN), Phosphorus, Fecal, Dissolved Oxygen, PH and Temperature. Sampling protocols and water testing competency of each volunteer will be established, based on the standards normally used for these parameter by DWQ for staff water quality testing. All volunteers will available to demonstrate their sampling protocols and testing procedures at the beginning of the project and, upon request subsequently to the satisfaction of designated DWQ staff.

The following samples will be collected by trained volunteers and analyzed by a state certified laboratory: ammonia, nitrogen, phosphorus, and fecal. All other tests will be accomplished by use of approved and properly maintained instruments in the test kits.

Where: Crabtree Creek is known to be a major contributor of sediments to the Neuse River. Beards Creek is a small creek located on the North shore of the Neuse River, immediately upstream of Minnesott Beach at in the areas long identified as impaired from excessive nutrients.

When: Project will begin in the first week of October 1999 and continue through the month of September 2001, for a total of 24 months.

Cost: Excluding value of volunteer time and the test kits and equipment supplied by NRF, the total cost of this project is \$24,911.00.

Development of an Accountability Process to Ensure Success of the Neuse Agricultural Reduction Strategy Rule (15A NCAC 2B .0238)

Summary of Draft Proposal by *the Neuse Agricultural Basin Oversight Committee*

WHAT: This project will enhance the accuracy and confidence of an innovative agricultural accounting tool – Nitrogen Loss Estimation Worksheet (NLEW). The project will determine the extent of pre-1996 fertilization rates, best management practices (BMPs) and their coverage in the Neuse basin. This will verify agriculture's baseline loading of nitrogen to the Neuse, against which reductions can be measured. Through the application of NLEW, farmers will be able to collectively achieve the nitrogen reduction goal mandated by the NC General Assembly and to implement site-specific cost effective BMPs to reduce nitrogen loss.

The Neuse Agricultural Nitrogen Reduction Strategy Rule requires the Basin Oversight Committee (BOC) to develop an accountability process. This process includes a tracking and accounting methodology for evaluating nitrogen loading from agricultural operations and progress toward reaching the 30% reduction goal. The proposed accounting tool is the Nitrogen Loss Estimation Worksheet (NLEW). NLEW is a field-based procedure to estimate nutrient export from agricultural management units. The primary goal is to estimate relative effects of the implementation of BMP systems on nutrient export through a pre- and post-BMP implementation estimation. The output of the worksheet is an estimate of export from the cropped area.

WHY: To address the accuracy, and to enhance the confidence of the accountability process, a statistical field sampling procedure must be conducted. The BOC proposes that independently contracted statisticians design a field sampling procedure to collect information on pre-1996 fertilization rates and BMP coverage. Results from this analysis will be used to verify and adjust fertilization and BMP information surveyed basinwide. In order to ensure the success of the Neuse agricultural rule, it is critical that this project be conducted.

WHO: The Neuse Agricultural Basin Oversight Committee will oversee this project. NC Division of Soil and Water Conservation and Division of Water Quality are the lead organizations. Tom Jones and Lin Xu are the primary contact persons.

HOW: It is proposed that independently contracted statisticians design a field sampling procedure to determine the extent of pre-1996 fertilization rates and BMP coverage and practices. Field visits will then begin to be conducted to assess actual practices implemented prior to 1996.

WHEN: It will take approximately five months to establish sites and design statistic sampling procedure.

COST: Grant funds from the Neuse River Basin Regional Council would be pooled together with funds from other sources. It is estimated that a total of \$100,000 is needed to successful conduct this project.

