Nutrient Scientific Advisory Board Meeting #4 Minutes

Friday, January 7, 2011
TJCOG - 4307 Emperor Blvd, Durham NC, 27703
9:30 am -12:00 pm

Attendees

Members: Matt Flynn, Michael Layne, Bill Hunt, Kathy DeBusk (BH alt), Matt Lauffer, Andy McDaniel (ML alt), John Cox, Fred Royal, Grady McCallie, Larry Band, David Phlegar, Trish D'Arconte

Non-Members: Andy Sachs, Jason Robinson, Rich Gannon, Kathy Stecker, Heather Saunders, Sarah Bruce, Britt Stoddard, Sally Hoyt

Convene

The NSAB facilitator convened the meeting and outlined the agenda and desired outcome of the meeting:

- Closure on ground rules document
- Feedback on DWQ's draft outline of SAB meeting topics, January – May.
- Understanding of each SAB member's perspectives and information needs with respect to establishing a method for calculating baseline loading per 3(d)(2)(b).
- Clarification of Board members' needs with respect to online support.

The Board agreed on the proposed agenda and approved the minutes from the last meeting. The Board also approved the Board's ground rules. The remainder of the meeting was used to discuss DWQ's draft timeline, the Board member's perspective of its tasks, and future meeting agendas.

Board Discussion

NSAB Timeline

a) Rich Gannon and Jason Robinson ("DWQ") distributed and briefly summarized a draft timeline for the NSAB process. The Board's discussion is summarized below. A flip-chart list of topics created by the facilitator can also be found on page 3.

b) DWQ explained that SL 2009-216 did not describe the requirements for the Board's annual reports to the Division Secretary. The first annual report to the Secretary is due by July 1, 2012.

c) Some Board members suggested that the Board complete tasks 1-4 before deciding how to accomplish task 3d2b. Some thought that tasks 1-4 could be completed quicker than was shown in the draft timeline.

d) DWQ explained that the Session Law (SL) requires tasks 1-4 to be completed by July 1, 2012. The SL does not establish a date for completion of task 3d2b, but DWQ would prefer it be completed 6 months to one year prior to the July 12, 2013 date when DWQ must complete a Model Stage 2 program.

e) Several Board members suggested that more than one model or accounting tool may be necessary to meet the multiple requirements of 3d2b. The model(s) must be useful for estimating (1) the 97-01 baseline nutrient loading , (2) the '01-'12 interim loading and

crediting, (3) the site-specific retrofit crediting, and (4) the programmatic measures accounting.

f) Cary and perhaps some other local governments and state and federal entities have been using the Tar-Pam Accounting Tool to estimate nutrient loading and crediting for the '01-'12 interim period. Board members wondered how that would be taken into consideration in the Board's future discussions.

g) The Board discussed the differences between estimating nutrient loading through modeling and achieving results at the lake.

h) The Board discussed the requirement in the SL that the modeling should differentiate between lands the local governments are responsible for, on one hand, and land owned by state and federal entities. Loading from wastewater, agriculture, and forestry also should be excluded from the accounting.

i) Funding for a consultant was discussed. Some board members believe that the consultant's scope of work could be a very time-consuming/labor intensive endeavor. Some Board members questioned whether a contractor could determine the baseline loading and credit accounting. Some felt that the Board should have a clear direction of what it wants before approaching a contractor.

Future topics for discussion and agendas

The remainder of the meeting was spent listing topics for future monthly meetings. Tentative agendas were established. Please see the facilitator's flip-chart notes for a brainstorming list for each month, as well as a more finalized tentative agenda for the upcoming months.

Meeting Follow-up

- John Cox will send out a Virginia document that lists different site-specific accounting tools.
- Board members will share additional information with each other concerning baseline and site specific loading and accounting.
- Bill Hunt will ask Trevor Clements of Tetra Tech to give a brief presentation to the Board on other site-specific accounting methods.

Discussion items for upcoming February meeting

Methods to account for small scale loading/crediting

- Bill Hunt and Kathy to present the Tar-Pam and improved Jordan Nutrient Accounting Tool
- Sally Hoyt of UNC to present UNC's experience using the Tar-Pam method
- Trevor Clements of Tetra Tech to present other potential methods for accounting/crediting for small scale projects
- Other group member to share additional information

Winter/Spring meeting dates and times

1. February 4, 2011 (9:30-12:00, TJCOG)
2. March 4, 2011 (9:30-12:00, TJCOG)
3. April 1, 2011 (9:30-12:00, TJCOG)

Facilitator Flip-Chart Notes

While the group discussed the draft NSAB process timeline proposed by DWQ, the facilitator noted on flip chart pages the following discussion topics for future meetings raised by individual group members:

- What features/characteristics of the model(s)?
- What classes of management practices?
- How to calculate 1997-2001 baseline load?
- How to calculate 2001-2012 "credits?"
- What reduction assignments to each jurisdiction?
- Review the 1997-2001 data to clarify/understand it.
- Relevance of new development accounting tool(s) to existing-development loading.
- How to assign loads to jurisdictions?
- What's been done so far to calculate loads to the lake, including the Tar-Pam model? Understand and evaluate.
- Two different conversations: there are models we need to understand, and then implementation methods.
- What local government strategies to employ?
- What are the accounting methods?
- Begin with the simplest way to proceed (Tar-Pam), and then identify what is wrong with Tar-Pam as a compliance tool, and then discuss alternative ways to deal with those problems.
- Need a systematic look the limitations of Tar-Pam, and other models.
- What do we want a model to do?
- Look at what data exists, along with what modeling that has been done.
- Multiple models
    - Large watershed models
    - Accounting tools
- Understanding why the shift was made from Tar-Pam to Jordan Lake Accounting tool. What have we learned?

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At the facilitator's direction, the full group then divided into break out groups to brainstorm specific tasks for each of the February through May meetings. For each month, the following ideas were reported by one or more of the break out groups:

<u>February Brainstorm List</u>

- Review accountability tools (baseline calculations, compliance)
- Tar-Pam Presentation
    - How it works
    - Limitations
    - Assumptions
    - Best used for
    - How Jordan Tool is different/better
- Initiate contract for baseline loading contractor to present options/review available data, present to SAB, address questions/options

- Other models/tools for loading
    - Watershed scale – GWLF
    - Local - Jordan Lake Accounting Tool

March Brainstorm List

- Watershed tool: how it works, limitations, best use.
- Management strategies
- Identify non-structural BMP's for credits
- UNC Tar application
- Loads/data
    - Baseline
    - All bring their data to table
    - DWQ loads from GWLF model

April Brainstorm List

- Begin discussion on how to assign credit to management strategies. Involve DWQ Stormwater Group (Robert Patterson).
- What data do we have/need? What do we need the models to do? Can existing models be revised?
- Decide baseline methodology (is a contractor necessary?)
- Decide best possible accounting methodology for watershed and practices (site scale).

May Brainstorm List

Synthesize February-April

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After reviewing the break out groups' ideas, the full group reorganized the brainstormed ideas into the following monthly agenda outlines, and generated timeframes and assignments for the February 2011 meeting, as follows:

February 2011 Meeting Agenda Outline

Local-scale loading models/tools

- Bill and Kathy present on Tar-Pam and new Jordan (one hour)
- Sally presents on UNC experience with Tar-Pam (15 minutes)
- Trevor to be invited by Bill to present on other local scale loading tools (15 minutes)
- All other group members invited to share additional information with each other via email in advance of the meeting.
- Discussion (one hour)

March 2011 Meeting Agenda Outline

Watershed-scale loading models/tools

April 2011 Meeting Agenda Outline

Loads and data
Management strategies
Begin contractor discussion

May 2011 Meeting Agenda Outline

Synthesis of previous meetings
Continue contractor discussion