Nutrient Scientific Advisory Board Meeting #3 Minutes

Friday, December 3, 2010

TJCOG - 4307 Emperor Blvd, Durham NC, 27703

9:30 am -12:00 pm

Attendees

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

Non-Members: Andy Sachs (facilitator), Jason Robinson, Rich Gannon, Kathy Stecker, Mike Schlegel, Heather Saunders, Sarah Bruce, Britt Stoddard

1. Introduction

Jason Robinson, DWQ, opened the meeting.
NSAB website has been developed. The web address will be sent to the members soon, and linked to the Jordan webpage. Member's agreed that minutes should not be posted on this website until they have been approved by the group.

Draft minutes for Meeting #2 were discussed, revised, and approved.
"Silence would generally be considered consent" was removed from the minutes, as it was removed from the ground rules at the last meeting

It was made clear that only the primary member can speak if both the primary and alternate members attend a meeting. This was already stated in the Ground Rules.

2. Board Ground Rules and New Facilitator

After all attendees introduced themselves, Andy Sachs, the Board's new facilitator, introduced himself and, with the Board's permission, stepped into that role.

The Board adopted the meeting's proposed desired outcomes and agenda:
Desired Outcomes
- Consensus on facilitator's role and SAB ground rules
- Agree on SAB's role, including tasks
- Clarify needs regarding SAB decision process

The Board then reviewed the Ground Rules document prepared by DWQ in accordance with the discussion at the Board's last meeting.

The ground rule concerning visitors was discussed in relation to how DWQ should be treated. It was decided that Jason Robinson and Rich Gannon of DWQ would be considered regular participants at the Board meetings and could join in on the Board's discussions, but are not part of the Board and do not have a decision-making vote on the Board. Other DWQ members may be invited by the Board or by the DWQ regular participants (Robinson and Gannon), but could not speak unless asked by the Board. It was decided that this would be added to the Ground Rules. As was decided at the

last meeting, other visitors to the meeting may not speak unless specifically invited by the Board to talk about a specific subject.

DWQ will prepare a revised ground rules document for final adoption by the Board via email or at its next meeting

The facilitator was asked how he would enforce the ground rules. The facilitator explained that, with the Board's permission (which was granted), he will point-out respectfully to each meeting participant if he notices that any of the three foundations for each meeting – desired outcomes, agenda or groundrules –are not being followed. He asked for the Board to tell him if he is not fulfilling his role as a facilitator, and to offer suggestions for improvement (which the Board agreed to do).

The Board agreed to the following with respect to the facilitator's role:

1. Help the group at each meeting to achieve its desired outcomes, use its time well, and work well together.
2. Help the group with process
3. Help the group stay on time and on topic
4. Help the group work through disagreements, help find mutually beneficial solutions
5. Remain content neutral
6. Honor all points of view
7. Encourage full participation
8. Enforce ground rules
9. Provide feedback to individual group members and group as a whole if they're off track, off topic, or not adhering to ground rules.
10. Solicit feedback from group on his own performance and accept that feedback non-defensively.
11. Help the group decide on a decision making process

3. Board's Role and Tasks

The Board reviewed a document that describes DWQ's interpretation of the Board's role and tasks. The goal was for the Board to agree on the interpretation of each task. Task interpretations of the tasks may evolve as the Board tackles these tasks. Jason pointed out again that 3.(d)(2)(b) is Jordan specific, while the tasks of 4.(b) may be universally applied to other nutrient strategies.

- **3.(d)(2)(b) –** ***Recommending a more appropriate method than the Tar-Pam Calculator for calculating baseline loads and reduction goals for local .***
  The Board agreed with DWQ's interpretation of this item. The Board also agreed that it needs a better understanding of the Tar-Pam method, as well as other methods and models that are available that could be potentially be used to calculate baseline loading. DWQ explained that the Session Law 2009-216 requires baseline loading to be calculated for each jurisdiction, along with loading and reductions that have occurred since the baseline loading (1997-2001) up until when local governments begin implementing New Development programs in the Summer of 2012. Percent reduction goals will be applied to each jurisdiction's existing development loading to determine the jurisdiction's load reduction goals. It was discussed if determining jurisdiction

loading was even possible, given the discrepancy between watershed boundaries and jurisdictional boundaries. It was mentioned that the Board could come to the conclusion that this might not be attainable.

- **"4.(b)(1) – Identify management strategies that can be used by local governments to reduce nutrient loading from existing development."**
  It was decided that this task should mean that the Board will develop a list all potential strategies that they feel could be used to reduce nutrient loads, potentially including the types listed in DWQ's document - structural BMPs, programmatic measures, wastewater activities, and ecosystem restoration practices. The list provided by DWQ may be revised by removing or adding strategies.
- **"4.(b)(2) – Evaluate the feasibility, costs, and benefits of implementing the identified strategies."**
  The Board decided that this task will involve looking at the list of potential strategies developed in 4.(b)(1) and determining if they are worth applying Task 4.(b)(3) to them.
- **"4.(b)(3) – Develop an accounting system for assignment of nutrient reduction credits for the identified management strategies."**
  The Board agreed that strategies it determines are feasible ways of reducing nutrient loading from existing development shall then be assigned credit accounting. The Board discussed whether it would be more appropriate to look at reductions from a watershed- rather than a site-specific scale. It agreed to allow for both perspectives within this task, at this point in the SAB process.
- **"4.(b)(4) – Identify the need for any improvements or refinements to modeling and other analytical tools used to evaluate water quality in nutrient-impaired waters and nutrient management strategies."**
  The Board did not discuss the interpretation of this task in any detail, except to recognize that it might relate to task 3.(d)(2)(b).

4. Meeting Follow-up

a) DWQ to revise the groundrules document for final Board approval
b) DWQ to develop a draft process timeline for the Board's review
c) DWQ to provide name tags for each meeting participant to make it easier for the facilitator to call on people.
d)) Members to look into model options that may be used to accomplish task 3.(d)(2)(b).

5. Suggested discussion items for next few meetings (to be incorporated into the draft process timeline):

a) Discuss Tar-Pam method and other methods for calculating baseline loading from existing development
b) Consider two trajectories?? (Matt L)
c) Discuss ways to differentiate jurisdictional boundaries
d) Talk more about monitoring and how it may coincide with baseline loading
e) Members to bring data to the table and discuss data limitations
f) Local governments to comment on how they would like to implement existing development requirements

6. Winter/Spring meeting dates and times

1. January 7, 2011 (9:30 – 12:00, TJCOG)
2. February 4, 2011 (9:30-12:00, TJCOG)
3. March 4, 2011 (9:30-12:00, TJCOG)