Nutrient Scientific Advisory Board Meeting #14 Minutes

Friday, December 2, 2011
TJCOG - 4307 Emperor Blvd, Durham NC, 27703
9:30 am -12:00 pm

Attendees
Members: Matt Flynn, John Cox (& Michelle Woolfolk, alt), David Phlegar, Trish D'Arconte, Bill Hunt (& Kathy Debusk, alt), Matt Lauffer (& Andy McDaniel, alt), Larry Band, Grady McCallie

Non-Members: Andy Sachs (facilitator), Jason Robinson (DWQ), Rich Gannon (DWQ), Adugna Kebede (DWQ), Fred Royal (Brown and Caldwell), Trevor Clements (TetraTech), Josh Johnson (AWCK), Britt Stoddard (Wake Co), Melinda Clark (Wake Co), Jennifer Mitchell (Wake Co), Tom Davis (Orange Co), Terry Hacket (Orange Co), Alex Matos (Cardno ENTRIX), Jewell Engineering Representative

Agenda
- Status report n the process for finding a watershed remodel consultant
- GIS Subcommittee Report
    - Land Cover Findings
    - Interpretive Guidance on Assigning Existing Development Nutrient Loads

List of Materials
- October Minutes (distributed October 12, 2011)
- Draft Summary of GIS Subcommittee Meeting (provided at meeting)
- Interpretive Guidance on Assigning Existing Development Nutrient Loads – (distributed Nov 22, 2011)

Convene
- Board members and guests introduced themselves
- The October minutes were approved

Status report on the process for finding a watershed remodel consultant

Rich Gannon summarized recent discussions with contractors and others concerning the method for selecting a contractor to perform the Jordan Watershed Remodeling. The Request for Proposal (RFP) drafted to date would require contractors to do excessive work just to address the issues in the RFP and prepare a submittal, which could limit submissions. Staff has decided to select a contractor for the remodel based on their qualifications though a Request for Qualifications (RFQ) in a similar fashion to the state process for contracting engineering work. After a contractor is selected, much of the content that is currently in the draft RFP document can be used to discuss specifics of the remodel. Content from the draft RFP will be included in the RFQ to guide contractors in presenting their qualifications, but they will not be asked to address the issues unless they are selected. This will relieve the Board of making some decisions prior to selecting a contractor. Several Board members expressed their support of the described RFQ process, and one explained that this could give the group more flexibility for using new methods that the Board may not be aware of, or may be developed in the future. DWQ plans to revise the existing RFP document in accordance with this new direction, and to provide a draft RFQ to the Board prior to the Board's next meeting. Rich also explained that the remodel contract would have to be done through a local government or a non-profit organization using 319 funds.

GIS Subcommittee Report

Land Cover Findings

DWQ provided a draft summary (attached) of the progress made by the GIS Subcommittee. The Subcommittee had not had a chance to review the summary document. Rich walked the group through it. Larry and John added details. Larry noted that EPA RTP Land Characterization Branch has done some of this land cover interpretation and may be a useful resource for the project.

Discussion revisited the question of what time period to model and the associated apples/oranges concern, and showed that the group was not resolved. Use of a Simple Method approach for post-baseline accounting was viewed as a potentially critical deficiency for comparing to model-based allocations. One suggestion was to avoid annual reporting and instead remodel periodically. This raised the cost concern. Equity concern were also raised (Trish?).

Andy McDaniel will provide language revision for the bullet in the "2001 NLCD Enhancement" section that discusses how DOT roads were handled in the High Rock landcover enhancement.

Interpretive Guidance on Assigning Existing Development Nutrient Loads

DWQ developed an Interpretative Guidance draft document (attached) with the assistance of the GIS Subcommittee, and distributed it to the Board prior to this meeting. Rich walked the group through it, explaining first that the document is intended to serve as a conceptual basis for remodel discussions with the contractor, and the best modeling approach may differ from the ideals set out here. To discuss the section *How are Load Reduction Needs Determined,* Rich referred to a flipchart graph (attached).

On the crediting of existing BMPs, discussion explored the nature of local compliance programs and the extent to which faithful construction, operation and maintenance could be verified individually. Local governments described varying levels of compliance review for different time periods. The general concept of extrapolating ground-truthed results was raised but not resolved.

Views differed on staff's intent to use the remodel to partition the baseline NPS loads set out in the Goals rule instead of accepting and partitioning the remodel's presumably more accurate NPS loads. A proposal was made for the SAB to recommend using the new estimates, and to recommend setting the expectation of periodically updating the targets adaptively. No decision was taken on this, but the desire was expressed to sort out which issues the SAB ought to make decisions over.

On determining the added load from interim development, the point was made that if the 2023 monitoring invokes the 35% TN reduction goal in the Upper New Hope, then the reference loading rate targets shown in Table 2 would accordingly decrease to 2.2 lb N/ac/yr.

The Interpretive Guidance document will be revised and redistributed prior to the Board's January meeting based on comments at today's meeting.

Other Items

Potential Future Agenda Items

- Revised RFQ Document for Contract
- Existing Development BMPs and associated accounting
- Presentation on Sparrow

Next Meeting

- Unless specifically rescheduled, the first Friday of each month, 9:30 – 12:00 at TJCOG
- January's Meeting has been rescheduled for the second Friday, January 13, 2012