

Upper Neuse River Basin Association (UNRBA) Board of Directors (BOD) Meeting Agenda June 16, 2021, 9:30 AM to Noon

[Remote Access Only \(see last page for instructions\)](#)

Materials related to this BOD Meeting have been placed on the UNRBA website unless noted otherwise on the [Meeting page](#). See items under the June 16, 2021 meeting date. A direct link to the meeting presentation is provided [here](#).

- I. Opening—Sig Hutchinson, Chair
 - A. Introductions, Board Member Comments, and Announcements
 - B. Roll Call for Quorum
 - C. Identification of any Conflicts
 - D. Review and Approval of Agenda

II. Action Items – UNRBA Board

- A. Approval of [March 17, 2021 Draft Board Minutes](#)
- B. Approval of the [Treasurer's Report](#)
- C. Approval of FY 2022 Contracts

Item Summary (Forrest Westall): The contracts for FY2022 were summarized at the June 1st Path Forward Committee (PFC). No issues were identified. The final draft contracts were provided to the Board and the PFC ahead of today's meeting. The following contracts need Board approval: Brown and Caldwell for the Modeling, Regulatory, and Communications Support project for FY2022; Sauber Water Quality Consulting; Phthisic Consulting; MFG Consulting LLC (web support); Executive Director Services; and a new contract for support of site-specific criteria development (Dr. Marty Lebo). The Modeling and Regulatory Support Workgroup reviewed the main tasks and summary of the Brown and Caldwell budget at their May meeting prior to the PFC meeting in June. The Executive Director will present these contracts and request approval and Board authorization to the Chair to sign on behalf of the UNRBA. "Forrest and Haywood are reaching out to the Executive Committee to make a recommendation on an agreement with the previous audit firm. If there is agreement, there will be a recommendation to the Board on approving the use of this company for the FY 2022 audit.

III. Action Item – Compliance Group Committee

- A. **Stage I Existing Development Interim Alternative Implementation Approach (IAIA) Program - Confirm by Resolution Participation of Each Local Government**

Item Summary (Forrest Westall): The Chair will call into order a meeting of the Compliance Group Committee. The members of the UNRBA have previously confirmed that they will comply with the Existing Development Rule by adopting and following the IAIA approach. Based on the schedule in the Existing Development component of the Falls Lake Rules for implementation of the Model Program approved by the NC Environmental Management Commission in January 2021, a compliance program must be submitted within six months of the approval of the Model Program. On March 17, 2021, the Board confirmed participation by each local government, voted to approve the [IAIA Program Document](#) and the [revised UNRBA Bylaws](#) which include the IAIA Program Document, and voted to form a Compliance Group Committee (CGC) composed of the Board Directors of the participating jurisdictions. The UNRBA Board Chair and Vice Chair are to serve in those roles for the CGC. In the absence of Board Directors, alternates may serve on the CGC consistent with the provisions for operation of the Board. At the June 16, 2021 meeting, the Executive Director will present the recommended

IAIA package, including a resolution formally submitting recommend IAIA, to the CGC. He will request that the CGC authorize the Chair to sign on behalf of the CGC.

IV. Status Reports and Informational Items

A. Falls Lake Nutrient Management Studies Symposium and Future Communications Planning

Item Summary (Forrest Westall): On May 19, 2021, the UNRBA and UNC Collaboratory held a joint Symposium on the Falls Lake Nutrient Management Studies. 115 people attended this virtual event which included presentations from the UNRBA and Policy Collaboratory-funded researchers studying Falls Lake, three question-and-answer sessions, and three interactive sessions for participant feedback. The results of the question-and-answer sessions and interactive sessions will be sent out to participants when available. Many of the UNRBA members attended this event, and the Executive Director will request feedback from the Board during the meeting. It is likely another joint symposium will be held in Spring 2022. The UNRBA is also planning a technical stakeholders' workshop for Fall 2021 to discuss the status of the modeling efforts. The Board will continue to discuss external stakeholder communication needs.

B. Proposed Chlorophyll-a Site Specific Standards for High Rock Lake and Importance to Site Specific Standards for Falls Lake

Item Summary (Forrest Westall, Jay Sauber): At the January 2021 Board meeting, the Board authorized the Executive Director and the UNRBA subject matter experts to comment on the proposed High Rock Lake (HRL) site-specific chlorophyll-a criteria. Comments were provided to the NC Environmental Management Commission prior to the Water Quality Committee meeting in May. The HRL site-specific standard proposal was discussed at the EMC Water Quality Committee in May and the proposed standard was referred to the full EMC. It is expected the proposal will be presented to the EMC in July. This proposal is precedent setting for site specific chlorophyll-a criteria in NC lakes and reservoirs and will likely affect the process for establishing a site-specific standard for Falls Lake. The YPDRBA provided comments to DWR in February 2021, and DWR made a presentation at the Yadkin/Pee Dee River Basin Association (YPDRBA) on April 9th. The NC Water Quality Association provided comments to DWR in April 2021. To date, no changes have been made to the draft proposal resulting from comments nor have responses been provided by DWR.

C. 2022 303(d) Listing and Delisting Methodology

Item Summary (Forrest Westall): DWR requested approval of the 2022 303(d) Listing and Delisting Methodology at the May EMC WQC. On April 1, 2021, the UNRBA submitted detailed comments on the Draft 2020 303(d) and Integrated Report to the Division and copied all members of the EMC, and the UNRBA Comments included input on the Assessment Methodology. There were six comment letters submitted to DWR concerning the Draft 2020 303(d) list and Integrated Report. The 303(d)-listing methodology determines the process of identifying waters in need of a TMDL or management strategy. These management approaches often require regulated communities and local governments to expend substantial resources. In a comment letter to the EMC on May 6, 2021, the UNRBA suggested that before acting on the 2022 Assessment Methodology, there should be a substantial effort to reach out to the interested public so concerns could be properly addressed. The UNRBA suggested a workgroup of WQC members to work through these concerns, but the WQC voted to move the proposal forward to the full EMC meeting the next day where it was approved.

D. Statistical Model Development and Regulatory Options for the Chlorophyll-a Water Quality Standard

Item Summary (Forrest Westall): On October 4th the UNRBA Legal Group discussed the FY2021 scope of work with Barnes and Thornburg relative to their legal support to the UNRBA. The discussion included the modeling

team and plans for utilizing the statistical modeling effort to support the development of relationships between the water quality parameters and use support. Development of a site-specific chlorophyll-a standard represents an important consideration for a revised Falls Lake management strategy. A Technical Advisors Workgroup to support these efforts will provide input to the statistical modelers and the legal group and report to the MRSW and PFC.

E. Modeling and Regulatory Support (MRS) Status:

Item Summary (Alix Matos): The modeling team is continuing work on the WARMF watershed model for water quality calibration and has begun model development of WARMF Lake. The modeling team is continuing to work on the watershed modeling report. The modelers are refining the calibration of lake level in the lake response model (EFDC hydrodynamic model) based on review and input from DWR and the UNC Collaboratory third party reviewers following approval of calibration approach by the MRSW. In preparation of the transition from model development and calibration to model scenario evaluation, the Modeling and Regulatory Support Workgroup (MRSW) and PFC formed two workgroups that will provide recommendations for review and input from the larger groups. One group will recommend a scenario selection process and a list of potential scenarios to evaluate with the models, and this workgroup has made recommendations on three scenarios that the MRSW and PFC have approved. The other workgroup has recommended to the MRSW and PFC an online platform for sharing and comparing scenario results to aid in interpretation and decision making.

F. Ongoing Discussions/Issues:

Item Summary (Forrest Westall):

- Communications:
 - Development plans are underway for a UNRBA Technical Workshop in fall 2021.
 - Working with the Policy Collaboratory for a potential Symposium in Spring of 2022
 - Objectives continue to be reviewed relative to communication opportunities with stakeholders. To support the re-examination process and achieve broad support for the UNRBA recommendations, additional outreach to external stakeholders including DWR, DEQ, and other interested stakeholders is needed; coordination with local leaders to convey messages and facilitate outreach will be necessary. This is a huge undertaking. To be successful, this effort will require the support of the UNRBA membership, staff, and Board representatives.
- We still plan to have a face-to-face session with DWR/DEQ to review and discuss findings presented in the 2019 Annual Monitoring Report.
- We plan to have a meeting with the leadership of the Department of Environmental Quality once the Secretary appointment process is completed.
- Several interrelated issues dominate our ongoing efforts, including, completing the re-examination, engaging DWR on the 303(d) assessment procedures, need for a site-specific chlorophyll-a standard for Falls
- Continue to engage DWR in the model development process, MRSW meetings, and the larger technical stakeholder sessions, and the evaluation/incorporation of the work of the UNC Collaboratory.

G. Closing Comments—Board Members and Chair

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- Unless you are speaking, please mute your computer/device microphone or phone microphone to **minimize background noise**
- UNRBA meetings are open meetings; however, for this remote access meeting, please **limit the discussion to UNRBA Board Members** to facilitate moving through action items