

**Upper Neuse River Basin Association (UNRBA) Board of Directors (BOD) Meeting Agenda  
September 15, 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 September 15, 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 [June 16, 2021, Draft Board Minutes](#)**

**B. Approval of the [Treasurer's Report](#)**

**C. Review of UNRBA IRS Tax Submittal Form 990 Prior to Submittal**

Item Summary (Haywood Phthisic): The UNRBA's tax preparation contractor has completed the IRS filing for the UNRBA for tax year July 1, 2020, to June 30, 2021. A copy of the draft return, Form 990, has been provided to the Board of Directors prior to this meeting. The form provides for the opportunity for Board member review prior to submittal. The form will be submitted later this month. It is requested that any comments or questions be directed to Haywood and Forrest by September 22, 2021.

**D. Review of UNRBA Audit Form**

Item Summary (Forrest Westall): The UNRBA Audit process has begun. The firm completing this Audit, Winston, Williams, Creech, Evans & Company, LLP, has several questionnaires that Haywood and I will need to complete. One of the questionnaires is for Board Directors. This form was provided prior to the meeting. We are requesting that each Board Director complete the form and mail it directly to the audit firm. Instructions for submittal are included with the form. We have also provided a link to the UNRBA's policy and procedures manual for your reference. Several of the questions can be responded to as "not applicable." Processing of invoices and management of the financial business of the UNRBA is handled through the review and approval process described in the policy manual. This process is managed through review by the budget officer for the UNRBA, Haywood, the Executive Director, the Chair and the Treasurer. The Audit itself is the main method for assuring that all financial business of the UNRBA is appropriate and that no fraud is occurring. All financial actions are summarized at each meeting in the Treasurer's report.

**E. Authorization for Executive Director to Comment on Proposed Chlorophyll-a Site Specific Standards for High Rock Lake and Importance to Site Specific Standards for Falls Lake**

Item Summary (Forrest Westall): In July, the NC Environmental Management Commission (EMC) voted to send the proposed High Rock Lake Site Specific Water Quality Standard out to public hearing. The official public notice was issued in the September 1<sup>st</sup> edition of the NC Register. The hearing will be virtual and is scheduled for October 28<sup>th</sup> at 6:00 PM with the comment period ending on November 15<sup>th</sup>. 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. At the September 15, 2021, Board meeting, the Executive Director will request that the Board reaffirm his authorization to comment on this rule-making precedent.

**III. Action Item – Compliance Group Committee**

**A. None**

**IV. Status Reports and Informational Items**

**A. EPA Approval of NC 2020 303(d) List**

Item Summary (Forrest Westall and Jay Sauber): On June 3, 2021, EPA approved North Carolina’s submittal of the **2020 303(d) list** of waters not attaining water quality standards. EPA approval of the NC 2020 303(d) list facilitated DWR’s decision to finalize the Integrated Report (IR) that includes all 305(b) water quality assessments (water quality standard assessments for waters meeting and not meeting water quality standards). Falls Lake assessments are not included in the 303(d) list because of the current water quality management strategy (Falls Rules). DWR, in responding to UNRBA Comments, stated “DWR acknowledges that the UNRBA is currently in the process of developing updated models for Falls Lake and has also conducted special studies to further the ecological understanding of the lake. These studies will support the development of any future site-specific approach(es), through the rules readoption process. Following rules readoption, DWR will determine if a site-specific assessment approach is called for and adjust the Integrated Report Category Assignment Procedure as necessary.” The **2022 methodology** has been approved by the NC EMC.

**B. EPA Approval of Ambient Water Quality Criteria Recommendations for Lakes and Reservoirs**

Item Summary (Forrest Westall and Jay Sauber): EPA noticed their Draft Ambient Water Quality Criteria Recommendations for Lakes and Reservoirs of the Conterminous United States: Information Supporting the Development of Numeric Nutrient Criteria on May 22, 2020. The UNRBA commented on the proposal. A summary of the comments submitted was provided during the August 4, 2020 PFC meeting ([August2020 PFC PowerPoint Presentation](#), slides 15-26). EPA issued final approval of the criteria on August 13, 2021. EPA’s approved recommendations are available at [Ambient Water Quality Criteria to Address Nutrient Pollution in Lakes and Reservoirs | US EPA](#). States are not required to adopt these criteria; EPA states it is not applicable to site-specific applications.

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

Item Summary (Forrest Westall): The UNRBA is developing a statistical/Bayesian model to link the water quality in Falls Lake to its designated uses. The Technical Advisors Workgroup for the legal group, MRSW, and PFC have identified local subject matter experts to provide data and information regarding satisfaction with the designated uses of Falls Lake (drinking water, recreation, aquatic life, and flooding). The modeling team will be coordinating virtual meetings with these experts to understand the types of data and information that are tracked with respect to designated uses to inform development of the statistical/Bayesian modeling. Development of a site-specific chlorophyll-a standard represents an important consideration for a revised Falls Lake management strategy and is linked to this modeling effort. Subject matter expert, Dr. Marty Lebo, was approved by the Board in June and has begun his work in support of this effort.

**D. Modeling and Regulatory Support (MRS) Status:**

Item Summary (Alix Matos): The Watershed Analysis Risk Management Framework (WARMF) model for the Falls Lake watershed has been calibrated for stream flows and water quality. The MRSW reviewed the model calibration and its use for developing the WARMF Lake and Environmental Fluid Dynamics Code (EFDC) models for Falls Lake and for supporting the development of the UNRBA’s recommendations for a revised Nutrient Management Strategy for Falls Lake at a special meeting on August 27, 2021. The MRSW approved the model calibration at this meeting and the calibration was reviewed and confirmed at the September 7, 2021, PFC

meeting. The calibration results and the feedback from the special meeting will be summarized during the Board meeting. The model output will soon be post-processed to identify the major sources of loading to the lake. This information will provide the best available picture of what sources in the watershed fall into the “controllable” category and lay the foundation on the feasibility and potential effectiveness of management actions to reduce nutrient input. WARMF Lake has been set up and the modeling team is working on evaluation of water movement and thermal stratification. The modeling team plans to reach out to Collaboratory funded researchers to review modeling as it progresses. Calibration of the EFDC model is also proceeding. The modeling team is working on the watershed model calibration report and the EFDC model calibration report. The two scenario workgroups (Scenario Output and the Model Scenario Output Workgroups) are continuing to develop a process to select scenarios to evaluate and to develop documentation to describe and compare output.

#### **E. Communications**

Item Summary (Forrest Westall): As a follow-up to the May 19, 2021, Symposium on the Falls Lake Nutrient Management Studies held by the UNRBA and UNC Collaboratory, Collaboratory-funded researchers have been presenting their studies to the UNRBA Path Forward Committee (PFC) and the Modeling and Regulatory Support Workgroup (MRSW). In July, August, and September, researchers presented on water movement, nitrogen processing, and sediment and carbon processing in Falls Lake. Future presentations will include studies of onsite wastewater treatment systems in the Falls Lake watershed. Each of these studies provide important information relevant to the watershed and lake models being developed by the UNRBA. The modeling team will continue to coordinate with these researchers as the models are developed and calibrated to ensure the models reflect the latest science and information. The UNRBA is also planning a **technical stakeholders’ workshop for late Fall 2021** to discuss the status of the modeling efforts. Planning has also begun for another **joint symposium with the Collaboratory to be held in Spring 2022**. The Executive Director and his team recently discussed the history of the UNRBA and the re-examination project with Tim Wool, manager of Region IV’s modeling program. The UNRBA is also planning meetings with DWR and DEQ to review the technical work and discuss the general approach for the re-examination in addition to the MRSW and PFC meetings attended by DWR modeling and planning staff. The Board will continue to discuss external stakeholder communication needs.

#### **F. Re-examination Timeline**

Item Summary (Forrest Westall): The re-examination of the Falls Lake Nutrient Management Strategy will rely on completion of the models, adjustments to the regulatory framework (e.g., site specific criteria, variances, use attainability analyses), and an extensive communication effort with internal and external stakeholders. The effort to secure appropriate outreach to stakeholders is a shared responsibility within the UNRBA. To be effective, it will require the assistance of our members along with the efforts of the UNRBA management team. A good example of how the UNRBA membership is providing leadership and support of the UNRBA efforts is the management of the modeling workgroups on scenarios. Without the leadership of Michelle Woolfolk in the management of these efforts, this input to the modeling effort would be hindered. The Re-examination and recommendation for a revised Falls Lake Nutrient Management Strategy is a complex mix of technical and scientific information that must be carefully evaluated through the application of effective public policy. The schedule for developing the UNRBA’s recommendations for a revised nutrient management strategy will be reviewed during the meeting along with a discussion of the efforts.

**G. Status of the UNRBA Stage I Existing Development Interim Alternative Implementation Approach (IAIA)**

Item Summary (Forrest Westall): On June 16, 2021, the UNRBA Compliance Group Committee (CGC) submitted the Stage I Existing Development Interim Alternative Implementation Approach (IAIA) Program to DWR and the EMC. DWR acknowledged receipt of the submittal on June 30, 2021, and implementation of the program began on July 1, 2021. A reporting tool has been developed and reviewed by the IAIA Reporting Workgroup. This tool will be distributed to the PFC for review and discussion at their next meeting. There has been a lot of work by all of our jurisdictions both before the IAIA was adopted and since. We wanted to note one of the developments in this effort in Person County. Lori Oakley with the County has been working toward the completion of this project for several months. The Person County Board of Commissioners voted to proceed with moving forward with utilizing the undeveloped 300 acre “County Farm” site for IAIA compliance.

**H. Ongoing Discussions/Issues:**

Item Summary (Forrest Westall):

- Leadership and organizational changes at NCDEQ and EPA—Elizabeth Biser was confirmed by the NC Senate as Secretary of DEQ on August 24, 2021 ([Senate confirms Elizabeth Biser as DEQ secretary | Coastal Review](#), [NC DEQ: Elizabeth S. Biser](#))
- Intensive workgroup activity and management of expectations and resources—A lot to do between now and recommendations in 2023
- Ongoing DEQ/DWR Items—MOA, Neuse Watershed Model Information Session / Delivery Factors for WWTP, etc.

**I. Closing Comments—Board Members and Chair**

**Next MRSW Meeting: October 5, 2021, 9:30 AM to Noon**

**Next BOD Meeting: November 17, 2021, 9:30 AM to Noon**

### Remote Access Instructions for UNRBA Board Meetings

This meeting will open 30 minutes prior to the official meeting start time to allow for users to test equipment and ensure communication methods are functioning.

Equipment Type	Access Information	Notes
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Computers without audio capabilities, or audio that is not working	<a href="#">Join Microsoft Teams Meeting</a> (888) 404-2493 Passcode: 228 349 066# <b>Please mute your phone unless you want to provide input.</b>	Follow instructions above. <b>Turn down your computer speakers, mute your computer microphone</b> , dial the number through your phone and enter the passcode.
Phone only	(888) 404-2493 Passcode: 228 349 066# <b>Please mute your phone unless you want to provide input.</b>	Dial the toll-free number and enter the passcode.

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- If you dial in through your phone, mute your microphone and turn down your speakers to **avoid feedback**
- 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