



**Upper Neuse River Basin Association (UNRBA) Board of Directors (BOD) Meeting Agenda
May 17, 2023, 9:30 AM to Noon
Butner Town Hall with remote access option (see last page)**

Materials related to this BOD Meeting have been placed on the UNRBA website unless noted otherwise on the [Meeting page](#). See items under the May 17, 2023, meeting date. A direct link to the meeting presentation is provided [here](#).

- I. Opening—Sig Hutchinson, Chair
 - A. Introductions, Note Board Member Changes and Announcements
 - B. Roll Call for Quorum
 - C. Identification of any Conflicts
 - D. Review and Approval of Agenda (note that the regular meeting is scheduled to be completed by 11 AM and a summary of the Symposium presentations will be provided following that)
 - E. Staffing changes for FY 2024
- II. Action Items of UNRBA Board of Directors
 - A. Approval of [March 15, 2023 Draft Board Minutes](#)
 - B. Approval of the [Treasurer's Report](#)
- III. Status Reports and Informational Items

A. Overview of the Reexamination:

Item Summary (Forrest Westall): The UNRBA draft recommendations for a revised nutrient management strategy for Falls Lake are due in December 2023. We will review the schedule and activities for the next several months including development and approval of Consensus Principals 2 by the governing bodies of our members with final endorsement by the Board at the November 2023 meeting. The process must include meetings with the Director of the Division of Water Resources (DWR), DEQ leadership, and the Chairs of the Environmental Management Commission (EMC) and its Water Quality Committee. Securing approval of the recommendations in principle is essential to providing a final package of recommendations to DEQ, EMC, and General Assembly.

B. Modeling and Regulatory Support (MRS) Status:

- Watershed modeling report has been revised and is undergoing internal review
- Two lake models have been calibrated and evaluated for scenarios (EFDC and WARMF Lake); models indicate that the current chlorophyll-a water quality standard cannot be met in the upper lake even if human inputs are removed (this material is included in the content held for after the regular meeting)
- Statistical/Bayesian model finalization is proceeding

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 and is currently being evaluated for scenarios. The results of the model scenarios for the watershed and WARMF Lake model have been presented to the Path Forward Committee (PFC). These results are also being incorporated into the watershed model and lake model reports along with responses to the Modeling and Regulatory Support Workgroup (MRSW) review of the initial draft report. Once the updated watershed model report has been reviewed by the Executive Director and the Chair of the MRSW, the MRSW will review the revised draft report. Following MRSW review, an updated report will be provided to the PFC for review and comment.

The three lake water quality models (WARMF Lake, Environmental Fluid Dynamics Code (EFDC), and a Statistical/Bayesian model) are being developed considering the information generated by the watershed model (stream flows, nutrient concentrations, and delivered loads to Falls Lake). Both WARMF Lake and EFDC have been calibrated for water quality in Falls Lake with approval by the MRSW. Lake model reporting and scenario evaluation are under development.

The datasets for the statistical model have been compiled and are being evaluated to address questions about the relationships among precipitation, nutrient loading, chlorophyll-a, and satisfaction with designated uses. This model will inform the proposed revised nutrient management strategy and the petition for a site-specific chlorophyll-a standard. The modeling team has engaged the third-party model reviewers for the statistical modeling and will continue to reach out to Collaboratory-funded researchers to consider and supplement the extensive database developed by the UNRBA, our members, and DWR. The modeling effort has included extensive vetting through identified SMEs, third-party reviewers, our membership representatives, and DWR.

C. Developing Recommendations for a Revised Nutrient Management Strategy and a Petition for a Site-Specific Chlorophyll-a Water Quality Standard

- The full distribution list of the PFC has been provided a draft concepts and principals document for the revised nutrient management strategy; revisions to incorporate feedback have been incorporated
- A public-facing summary of the document is being developed for distribution to the general public and other interested parties; the summary will include a link to the latest draft with an invitation to provide feedback
- Planning is underway for a meeting with DWR leadership in June 2023

Item Summary (Forrest Westall): Since November 2002, the PFC has been discussing concepts and principles under consideration for inclusion in the UNRBA's recommendations for a revised Falls Lake Strategy/Revised Falls Lake Rules. These discussions were used to develop a preliminary draft document that describes the concepts and principles. This document was provided to the PFC for review and a revised draft was provided to the full PFC distribution list for discussion at the June 6th PFC meeting. Expanded outreach to other stakeholders including the general public, interest groups, regulated entities will continue and the document will be revised to address this feedback over the next several months. The UNRBA recommendations are due in December 2023, and this document represents an important submittal.

As a reminder, the UNRBA has met with DEQ and DWR leadership to discuss coordination efforts to finalize the models, develop a revised nutrient management strategy, and develop a petition for site specific criteria. On March 9th we met with EPA staff from Headquarters and Region 4 to introduce the work of the UNRBA and potential options for moving forward. We have continued to remind DWR that they would identify a contact for site-specific chlorophyll-a standard development, and they have filled their vacant standards management position, but have not yet identified a specific staff member as the main point of contact. John Huisman remains the primary DWR contact for work on an updated strategy. Forrest has discussed this with John recently and offered to meet with the leadership of the Water Planning Section to emphasize the importance of engaging the DWR standards program in the work of the UNRBA. This ongoing engagement will allow DWR staff responsible for the review of a request for a revision to the standard to better understand the work of the UNRBA and how it relates to the need for a revised standard. The UNRBA will continue to identify opportunities to work with other stakeholders as we move through this development process. The subject matter experts continue to evaluate other State's site-specific standards for chlorophyll-a and nutrient-related standards. The UNRBA

continues to work with Dr. Marty Lebo to complete his work and integrate his results into the site-specific standard evaluation, statistical modeling, and regulatory support efforts.

We have reached out to other regulated stakeholders, specifically agriculture, DOT and forestry, to provide input and participate in these discussions. We will expand this outreach to include stakeholders impacted by all aspects of the current rules, including other state and federal facilities, the development community (new development rule), and landholders.

D. Approach for Developing the Modeling and Regulatory Support Contract and Scope of Work for FY2024

- Contract and scope of work are under development; the PFC will review and approve a final draft version in June to inform a recommendation for the Board at their June meeting
- The total MRS FY2024 contract amount will be \$675,000, which reflects an allocation of the FY 2024 dues of \$180,000 to the fund balance

Item Summary (Forrest Westall): At the March 15, 2023 Board Meeting, the Board approved the proposed budget for FY2024 which would maintain the budget at the current FY2023 level. The UNRBA will continue working on its recommendations for a revised Nutrient Management Strategy during the first half of the next fiscal year (FY2023-2024) and will need funding for Modeling and Regulatory Support. Additionally, we anticipate feedback from DEQ/DWR about our recommendations and close coordination with the agency as they plan their actions leading up to a readoption of the Falls Lake Rules. There may be additional scenarios and modeling support to address DWR questions and to assist them in moving forward as quickly as possible on a revised strategy. Since this support will be something of an unknown, we are preparing a contract for FY2024 that will include specific support, but with a significant component of the budget in reserve so we can respond to more specific needs as they emerge. In addition to regulatory support, the UNRBA may need additional policy development support or legal support to see that the Association's recommendations are acted on and that proper revisions to the strategy are included in the readopted rules. The Executive Director will work with the project manager on a draft contract and scope of work for FY2024. Following review by the Co-Chairs of the PFC, a revised draft contract and scope of work will be provided to the PFC who will be asked to provide comments and edits via email. A final draft will be developed for review and discussion at the June PFC, and the PFC will consider a recommendation for submittal to the Board at their June meeting.

E. Gathering Data from Local Governments and Utilities to Support the Cost Benefit Analysis

- The PFC is gathering data to support this component of the reexamination

Item Summary (Forrest Westall): An important component of the re-examination is understanding the costs of past and possible future actions in the watershed as well as the benefits in terms of nutrient load reductions and improvements in lake water quality. To support this cost-benefit analysis, we have requested information from the PFC as described during the [February PFC meeting](#). Structured data requests will follow after existing data and reports have been reviewed and compiled.

F. Summary of the Joint Symposium with the NC Collaboratory

- The third joint symposium with the NC Collaboratory was held on April 19, 2023.
- Forrest will review the UNRBA presentations at the end of the regulator meeting today to prepare the Board for questions they may receive over the coming months.
- Presentations have been posted online: <https://nutrients.web.unc.edu/2023-falls-lake-research-symposium//>

Item Summary (Forrest Westall): The third joint symposium with the NC Collaboratory was held on April 19, 2023. Several UNRBA member representatives were able to attend. This in-person meeting was very successful

with substantive discussions about the challenges facing Falls Lake. The UNRBA would like to thank the NC Collaboratory and the UNC Institute for the Environment for coordinating and hosting this important event. Some of the researchers noted the importance of holding a “synthesis workshop” for the scientists to continue to the momentum and integrate the findings across studies into the final Collaboratory report. The Executive Director has reached out to Steve Wall at the Collaboratory about this workshop and requested that the UNRBA be included to hear the discussion, provide insights from the UNRBA data and modeling efforts, and integrate the science into its own final reports. Coordination with the NC Collaboratory and their Falls Lake researchers is very important and will need to continue in 2023. The Collaboratory’s report on their Falls Lake work is also due at the end of 2023. **Please note that a summary of the information presented at the Symposium will be presented following the completion of the UNRBA Board meeting.**

G. Communications

- Planning is underway for an EFDC model training with DWR in the late summer, UNRBA Technical Stakeholder Workshop in the fall, and regulatory forum in the spring of 2024.
- The Executive Director will continue scheduling presentations at the local government’s Board, Council, and other meetings to discuss the recommendations for a revised nutrient management strategy over the next several months.

Item Summary (Forrest Westall): As previously summarized, there are several efforts of outreach underway, including ongoing engagement with DWR and development of a concepts and principles document for review by a broad group of stakeholders. Following discussion with communications staff at the City of Durham, the communications team is developing a high-level, public-facing document to describe the challenges for the Falls Lake watershed and the concepts and principles under consideration by the UNRBA to maintain and improve water quality in Falls Lake. This electronic document can be distributed by the local governments and utilities to their contact lists and social media accounts to provide information about the effort and how the general public and other organizations can be involved in review of the draft documents in preparation for submittal in December 2023.

In addition to the Symposium summarized earlier, the UNRBA held a session at WRRRI’s Annual Conference the afternoon of March 23rd. This session presented the key findings from the UNRBA monitoring and modeling studies and included a participatory session to hear feedback on the draft recommendations for a revised nutrient management strategy. The UNRBA is planning a workshop with DWR, NC Collaboratory staff and researchers, and NGOs to discuss stakeholder feedback on the concepts for a revised nutrient management strategy. A Technical Stakeholder Workshop is planned for fall 2023 that will provide a more in-depth review of the materials presented at the March and April conferences and discuss updated recommendations for the revised nutrient management strategy based on feedback from WRRRI, the Symposium, and the workshop with DWR, NC Collaboratory staff and researchers, and NGOs.

We have discussed expansion of outreach efforts through our Board Directors, PFC members and their elected and leadership representatives remains a priority. We continue to seek input from our membership, including the locally elected officials, on opportunities to reach out to important local stakeholders, including the public living in the jurisdictions. The Executive Director will continue scheduling presentations at the local government’s Board, Council, and other meetings to discuss the recommendations for a revised nutrient management strategy over the next several months. He presented to the City of Durham Environmental Affairs Board on April 12, 2023 and plans to present to the Wake County Growth & Sustainability Committee on

September 18, 2023. The Executive Director will continue to reach out to local government staff to identify needs and support staff with implementation of the IAIA Program and participation in developing the revised nutrient management strategy.

A regulatory forum is planned for spring 2024 to discuss the next steps in the rules readoption process. Following submittal of the UNRBA and NC Collaboratory reports and recommendations in December 2023, we anticipate that DWR will begin to formulate a plan for readoption of the rules. We hope to engage with DWR on that process and, as already mentioned to DWR, work cooperatively with them as the new rules are drafted. American Rivers is planning a “Neuse River of the Year” event for the upper part of the basin. The UNRBA is planning a press release to coincide with the timing of the event. This press release will also reference the successes of Year 1 of the IAIA. Plans to develop videos and messaging for UNRBA members to distribute on their social media accounts is being planned to coincide with this event to streamline videography. The “open” nature of all UNRBA meetings remains a key component of a transparent communications approach. We encourage member representatives and interested individuals to speak up about ideas and opportunities to communicate our work and the importance of our recommendations on a revised strategy and a site-specific standard.

H. Ongoing Discussions/Issues:

Item Summary (Forrest Westall):

- Intensive workgroup activity and management of expectations and resources—A lot to do between now and recommendations at the end of 2023
- Ongoing DEQ/DWR Items—MOA, Neuse Watershed Model Information Session / Delivery Factors for WWTP, etc.—we plan to address in our follow-up meetings with DEQ/DWR

I. Closing Comments—Board Members and Chair

Post Meeting Agenda: Review UNRBA Presentations from the Falls Lake Nutrient Management Study Symposium

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Computers without audio capabilities, or audio that is not working	Join Microsoft Teams Meeting (888) 404-2493 Passcode: 723 709 240 # Please mute your phone unless you want to provide input.	Follow instructions above. Turn down your computer speakers, mute your computer microphone , dial the number through your phone and enter the passcode. See note below on pass code
Phone only	(888) 404-2493 Passcode: 723 709 240 # Please mute your phone unless you want to provide input.	Dial the toll-free number and enter the passcode. The system continues to update the passcode without warning. We will check the passcode the morning of the meeting and resend if needed via email.

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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