



UNRBA Board Meeting March 18, 2020

**Remote Access Only
(see next slides)**



Remote Access for the March 18, 2020 Board Meeting

Equipment Type	Access Information	Notes
Computers with microphones and speakers	Join Microsoft Teams Meeting Please mute your microphone unless you want to provide input.	Press control and click on this link to bring up Microsoft Teams through the internet. You can view the screen share and communicate through your computer's speakers and microphone
Computers without audio capabilities, or audio that is not working	Join Microsoft Teams Meeting (888) 404-2493 Passcode: 593 138 936# Please mute your phone unless you want to provide input.	Follow instructions above Turn down your computer speakers, mute your computer microphone, and dial the toll-free number through your phone and enter the passcode
Phone only	(888) 404-2493 Passcode: 593 138 936# Please mute your phone unless you want to provide input.	Dial the toll-free number and enter the passcode

Remote Access Guidelines

- This meeting will open 30 minutes prior to the official meeting start time to allow users to **test equipment** and ensure communication methods are working
- 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 or device microphone and 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

March 18, 2020 UNRBA Board Agenda

- Opening—Sig Hutchinson, Chair
- Action Items
 - Approval of January 15, 2020 Meeting Minutes
 - Approval of the Treasurer's Report
 - Presentation for Approval, FY 2021 Budget
 - Adjustments to HDR and BC contracts
- Status Reports and Informational Items
 - Review of the Stage I Existing Development Interim Alternative Implementation Approach Program Development Schedule
 - Review of the RRC Actions and Trading Rule Revisions
 - Summary of the Falls Lake Regulatory Forum
 - Modeling and Regulatory Support (MRS) Status
 - Ongoing DEQ Discussions/Issues
- Closing Comments

Opening—Sig Hutchinson

Opening

- Introductions and announcements
- Roll call for quorum
- Identification of any conflicts
- Review and approval of agenda

Action Items

**Approval of January 15, 2020
Meeting Minutes**

Balance Forward: (per bank statement - 1/31/2020)	Checking	\$	99,694.00
	Savings		1,065,063.72
Debits:			
McGill Asso. (Jan, 2020 Inv)		\$	20,176.39
HDR, Inc. (Jan 2020 Inv)			2,045.98
Town of Butner			460.00
Sauber Water Quality Consulting (January, 2020 Inv)			3,220.00
MFG Consulting, LLC (Jan 2020 Inv)			200.00
Phthisic Consulting Inc. (Dec. & Jan, 2020 Invs)			1,612.23
			-
			<u> </u>
		\$	27,714.60
Credits:			
Interest (checking)		\$	15.89
Interest (savings)			1,363.06
Transfer from Savings to Checking Account			75,000.00
			<u> </u>
Account Balance (per bank statement - 2/29/2020)	Checking	\$	146,995.29
	Savings		991,486.90
			<u> </u>
Total UNRBA Account Balance :		\$	<u>1,138,482.19</u>
Outstanding invoices/deposits in process since the close of bank statement (2/29/2020):			
Debits:			
McGill Asso. (February 2020 Inv)		\$	14,522.23
Brown & Caldwell (MRS, FY 20, Dec, 19, Jan, & Feb, 20 Invs)			169,434.25
MFG Consulting, LLC (February 2020 Inv)			125.00
Phthisic Consulting Inc. (February 2020 Inv)			871.45
Hicks Wrenn, PLLC			504.00
Sauber Water Quality Consulting (February 2020 Inv)			2,590.00
Credits:			
Transfer from Savings to Checking		\$	75,000.00
Current Account Balances:	Checking		37,042.36
	Savings		991,486.90
			<u> </u>
Total UNRBA Account Balance :		\$	<u>1,028,529.26</u>

Approval of the Treasurer's Report

Presentation for Approval, FY2021 Budget

Recommended UNRBA Budget/Expenditures for FY2020-21

Executive Director Services:	\$203,350
Administrative Costs:	6,000
Modeling and Regulatory Support:	800,000
Communications Support Program:	40,000
Legal Support:	100,000
Website Improvements for Monitoring Data Base:	<u>3,500</u>
Total:	<u>\$1,152,850</u>

UNRBA Membership Fee Schedule for FY2021

Recommended UNRBA Membership Fee Schedule for FY 2020-21

\$ 1,152,850.00 Projected Revenue

Date: 3/13/2020

Member	Base Rate (10%)	2019 Raw Water Demands (50%)			Jurisdiction's Land Area (40%)			FY 2020-21 Fees (Proposed)
		2018 Average Raw Water Demand (MGD)	\$ 576,425.00 (%)	Member's Sub-Share Cost	Jurisdiction's Acres Within Watershed	\$ 461,140.00 (%)	Member's Sub-Share Cost	Total Membership Fees
Town of Butner	\$ 8,868.08	NA			8,822	1.8	\$ 8,252.92	\$ 17,121.00
City of Creedmoor	8,868.08	NA			3,544	0.7	3,315.39	12,183.47
City of Durham	8,868.08	29.400	38.3	\$ 220,553.57	31,963	6.5	29,901.16	259,322.81
Durham County	8,868.08	NA			98,520	20	92,164.76	101,032.84
Franklin County	8,868.08	NA			5,284	1.1	4,943.14	13,811.22
Granville County	8,868.08	NA			71,698	14.5	67,072.97	75,941.05
Town of Hillsborough	8,868.08	1.580	2.1	11,852.88	3,713	0.8	3,473.49	24,194.45
Orange County	8,868.08	NA			121,896	24.7	114,032.84	122,900.92
Person County	8,868.08	NA			83,090	16.9	77,730.11	86,598.19
City of Raleigh	8,868.08	43.120	56.1	323,478.57	1,164	0.2	1,088.91	333,435.56
SGWASA	8,868.08	2.738	3.6	20,539.99	NA		-	29,408.07
Wake County	8,868.08	NA			62,339	12.6	58,317.69	67,185.77
Town of Wake Forest	8,868.08	NA			905	0.2	846.62	9,714.70
Total	\$ 115,285.04	76.838	100.1	\$ 576,425.01	492,938	100	\$ 461,140.00	\$ 1,152,850.05

Notes:

* Cost Allocation = 10% by uniform participation; 50% by raw water demands; and 40% by jurisdictional land area in UNRBA.

** 2018 annual daily average raw water demand reported by user systems.

*** Jurisdictional areas obtained from members, January, 2019. Percentages are calculated based on total basin acres. The towns of Mebane and Franklinton have a few acres but not enough to affect percentages. Municipal acreages do NOT include ETJs (although some municipalities may have some planning jurisdiction in ETJs, they do not collect tax revenue from these properties). SGWASA- and OAWS-owned acreages are included in their respective jurisdictional areas and are not calculated separately.

Recommended UNRBA Membership Fees for FY 2020-21

Date: 3/13/2020

Member	Recommended Membership Fees FY 2020-21
Town of Butner	\$ 17,121.00
City of Creedmoor	12,183.47
City of Durham	259,322.81
Durham County	101,032.84
Franklin County	13,811.22
Granville County	75,941.05
Town of Hillsborough	24,194.45
Orange County	122,900.92
Person County	86,598.19
City of Raleigh	333,435.56
SGWASA	29,408.07
Wake County	67,185.77
Town of Wake Forest	9,714.70
Total	\$ 1,152,850.05

* Current Fiscal Year fees are \$1,145,000.00. The recommended fees for FY 2020-21 are \$1,152,850.00

Adoption and Discussion of FY2021 Budget

Adjustments to HDR and BC Contracts

Adjustments for Communications Activities

- The February 12, 2020 Falls Lake Regulatory Summit was successful but required more coordination and work than was planned
- Follow-up activities are also needed to maintain momentum and respond to participants
- HDR Communications contract modification estimated at \$6,500
 - Additional expenses
 - Compilation of work products
- Modeling and Regulatory Support contract modification projected at \$8,500
 - Additional expenses
 - Targeted meeting follow up
- Modifications would be covered under the current fiscal year's communication support budget of \$40,000

Authorization by the Board for Contract Modifications Related to Communications

- It is recommended that the Board
 - Authorize a total budget not to exceed \$20,000 for both contracts
 - Authorize the Executive Director to develop the necessary contract modifications
 - Authorize the Chair to execute these modifications on behalf of the UNRBA

Adjustments for 319 Grant Funding

- The UNRBA has submitted an EPA 319 grant for funds to modify the watershed model code to simulate more than the default number (three) of onsite wastewater treatment systems.
- The application has been submitted and signatures are pending.
- Funds are anticipated to be released prior to the next Board meeting in May.
- The grant would provide an additional contract amount of \$23,500 to the Modeling and Regulatory Support Contract for FY2020

Authorization by the Board for BC Contract Modifications

- It is recommended that the Board
 - Contingent on approval of the grant, approve the increase of \$23,500 for the Modeling and Regulatory Support contract as Amendment 3
 - Authorize the Executive Director to develop the necessary contract modifications
 - Authorize the Chair to execute these modifications on behalf of the UNRBA

Status Reports and Informational Items


Review the Stage I Interim Alternative Implementation Approach (IAIA) Program Development Schedule

Status of the UNRBA Stage I ED IAIA

- On January 15, 2020 the UNRBA Board of Directors
 - Approved the Program Description as a guidance document
 - Authorized the Executive Director to discuss implementation pathways with DWR and others
- A meeting with DWR and NGO representative was held January 24, 2020
- Participants agreed to work the alternative approach into the Falls Lake Model Program being revised by DWR
 - Allow for individual jurisdiction compliance under the current Rules or under the alternative
 - Develop and submit MP with alternative to the EMC relatively soon
 - EMC needs to be brought up to speed on the IAIA before submittal (status item)


Prospective Development Schedule for UNRBA IAIA Program Implemented under the Falls Lake existing rules. Potential start date of July 1, 2021.

Feb 2020: DWR provides draft language in the Falls Lake Existing Development Model Program to allow an IAIA
UNRBA and members review and provide comments.



Mar and Apr 2020:

UNRBA develops draft IAIA Program including investment levels, reporting requirements, etc.




Apr 2020: Meeting with DEQ leadership to discuss IAIA and impacts on other practices like land conservation



May 2020: Internal review of UNRBA IAIA

Develop revised draft for external review; provide status presentation to UNRBA Board



June 2020: DWR reviews UNRBA IAIA Program document



July 2020: DWR provides a revised draft Model Program for UNRBA review



August 2020: UNRBA reviews DWR Model Program and finalizes IAIA Program



Sep 2020: DWR finalizes draft Model Program

Presentation of IAIA Program to UNRBA Board; DWR/UNRBA information update to EMC WQC



Oct 2020: Local governments brief local councils and decision makers; UNRBA prepare for UNRBA/DWR/NGO presentation to EMC WQ Committee



Nov 2020: UNRBA Board action to submit, or not, to the EMC for approval in January

Present Model Program with IAIA to EMC WQ Committee; DWR information update to full EMC



Jan 2021: Model Program submittal to full EMC for approval



July 2021: Submit and begin implementation of either the IAIA (with signatures of participants) or individual jurisdictions submit their own Local Programs

Review of the RRC Meeting Results

Nutrient Trading/Offset Rule Updates

- Discussed during a January 24th meeting with DWR
- UNRBA filed letter with the Rules Review Commission about specific differences in material components of trading—requested revision—RRC concurred
- DWR recommendation was to carve out two exceptions in the rules that were submitted to the RRC: one for Falls Lake that would reference back to 0282 and one for Jordan Lake.
- DWR staff noted that fully removing Falls Lake from the offset rule may jeopardize the ability for New Development to secure offsets because 2B .0240 is being recodified as 2B .0703.

Nutrient Trading/Offset Rule Updates

- Following the action of the RRC to objection to the revision the EMC's Attorney General Representative, Phillip Reynolds and DWR reached out to the Executive Director to seek revisions to the proposed rule revision that would address the UNRBA's concerns
- The Executive Director coordinated the Association's response with the Legal Workgroup
- The Rule was modified in a way that addressed the UNRBA's comments and was approved by the EMC on March 5, 2020
- This revision will be presented to the RRC on March 19th with the UNRBA's concurrence with the changes
- The Executive Director reached out to the EMC to confirm its support of the revisions developed and noted the importance of continued collaboration and cooperation

Summary of the Results of the Falls Lake Regulatory Forum

**Thank you, UNRBA
Members, for your help
and making the Forum a
big success!!!**

Overview of Forum Agenda

- Importance of jurisdictions
- Origin of Falls Lake Rules, Consensus Principles, and adaptive management
- Review of Rule requirements, Stage I successes, and Stage II challenges
- Achievements to date and what is next
- Pathway to a revised strategy
- Reaching consensus on a strategy adoption process

Large Group Questions and Panel Discussion

Topics Discussed with the Panel Members

- Role of the UNC Collaboratory
- Re-examination strategy timeline
- Existing development retrofit requirements
 - State's authority
 - Monitoring and maintenance requirements
- Significance of land conservation
- Integration with nationwide approaches/information sharing
- Collaboration with Soil and Water, Farm Bureau, cities and counties
- Chlorophyll-a compliance for different types of waterbodies
- Potential for State or Federal money available for watershed improvements including flood/hurricane relief

Small Group Discussions

Topics needing further discussion regarding the re-examination

- Defining success for the re-examination
- Understanding the timeline for Stage II and how that fits with the re-examination timeline
- Risks of the re-examination
 - Confidence of DWR, General Assembly, other stakeholders in the UNRBA efforts
 - Potential penalties for non compliance
- Regulatory options
- Need to revise the chlorophyll-a standard
- Increasing involvement of DWR
- Increasing engagement with USACE
- Additional requirements and costs on WWTP upgrades
- Assigning allocations among sectors fairly

Topics needing further discussion regarding the re-examination

- BMP retrofits
 - Monitoring data
 - Service life
 - O&M requirements
- Balancing affordability and competing priorities
- Funding for farms and agricultural best management practices
- Building consensus with external stakeholders
- How rollbacks at the federal level could affect efforts
- Relationships between current rules and the lake's original intended uses
- Comparison to other water supply lakes in the region
- Addressing concerns of communities that don't use Falls Lake as water supply

Local Governments Needs to Support Decision Making about Re-examination

- Forum was very helpful – need more
- Providing information to policy makers at cities and counties
 - e.g., executive summary of Annual Report on agendas
 - Routine updates from the UNRBA and experts
- UNRBA recommendations and consensus building
- Fund distribution and project prioritization
- Brochures to show options for BMPs
- Information on costs and benefits, pros and cons, old Rules new approach
- Understanding funding sources
- Understanding other influencing factors

Concerns about the Re-examination

- Maintaining progress when goals are unattainable
- Consequences for non compliance
- Statewide chlorophyll-a criteria needs to be re-evaluated
- Success of UNRBA efforts
- Need to engage additional stakeholders
 - Developers, COGs, USACE
 - State officials and legislators plus national info. conduits
 - People that may be opposed to our recommendations
- Competing priorities and limited resources
- New development concerns
 - Stormwater rules limit density and raise costs
 - Growth versus limited water supply and WWTP capacities
 - Tension between environmental protection and growth
- Need to recognize early implementation efforts and benefits of land conservation

Communication Needs

- Help informing constituents (social media, traditional media, outreach to local University students and public schools)
- Engage “upstream” jurisdictions; stress the benefits of local improvements with downstream benefits
- Convey that environmental values are important, that jurisdictions have competing priorities to balance
- Educate homeowners and landscapers regarding best practices associated with lawn fertilization
- Need more Forums like today and interactions with UNRBA representatives with decision makers, chambers of commerce, developers, etc.
- Brochures, posters, handouts, talking points that highlight accomplishments and summarize Forum briefing
 - Drafted in laymen’s terms with careful messaging
 - Convey how this process affects landowners
 - Explain consequences of staying in current Rules

Member Feedback on the Forum

- Thoughts on how the Forum went?
- Feedback from local leaders?
- Should we plan for another, and if so, when?

Amendments to Communications Contracts

- Current HDR communication contract is complete with the Forum; a new contract is not in place
- UNRBA to discuss priorities and work scope of 2020-2021
 - Forum follow up
 - Local government meetings as requested
 - Follow up on information requests and distribution
 - Evaluate best ways to utilize UNRBA resources to support member needs
 - IAIA communications
 - Meetings with DWR and individual jurisdictions to finalize the Program document (investments, reporting, etc.)
 - Status update with DEQ and impacts to other practices
 - Presentation to EMC WQC

Presentation Support Materials

- The UNRBA fast facts and infographic are available for review on the [Resource Library](#) page.
- If you use any of these presentation materials, please complete the communication tool use tracking survey : <https://www.surveymonkey.com/r/UNRBA>.

Modeling and Regulatory Support for the Re-examination of Stage II

Modeling and Regulatory Support Status

- The Modeling Team presented preliminary hydrologic calibration and validation results to the MRSW on February 4th
 - Model performance generally ranks Good to Very Good at locations with observed USGS flow data
 - Performs within expected ranges at ungaged tributaries.
- UNRBA 319 application to support revisions to watershed model code for onsite wastewater treatment systems has been submitted to DWR.
 - Discussion with DWR and UNC Collaboratory researchers on February 24th
 - UNRBA 319 application will move forward in the application process
 - ECU researchers' application has been revised to provide some additional monitoring and be resubmitted
- The next Modeling and Regulatory Support Workgroup meeting is scheduled for April 7th before the PFC meeting

2020 303(d) List & Integrated Report Evaluation of Falls Lake - Timeline Update

Update – changes to timeline

2020 303(d) and Integrated Report

Evaluation of Falls Lake

- 303(d) list & Integrated Report (IR) - data 2014 through 2018
- EMC methodology for 2020 approved November 2019
- Draft 303(d) & IR Available for review April ~~April~~ **June 2020**
- 303(d) present to EMC ~~July 2020~~ **September 2020**
- Submit 303(d) list to EPA ~~August 1, 2020~~ **October 1, 2020**
- Falls not on 303(d) list because of management strategy, but Falls Lake will be on the Integrated Report
- Integrated Report will be available for public review June 2020
- 2014-2018 Data suggest most of Falls will be impaired for chlorophyll-a with the exception of area near the Raleigh water intake and the dam

Ongoing DEQ Discussions/Issues

Ongoing DEQ Discussions/Issues

- Scheduling a meeting with DWR to review the 2019 Annual Monitoring Program Report
- Re-examination, 303(d) assessment procedures, need for a site-specific chlorophyll-a criterion(a), NC Numeric Nutrient Criteria Development Plan, the work of the Scientific Advisory Council, and the evaluation by the UNC Collaboratory
- Continue to engage DEQ in the technical stakeholder sessions and MRSW meetings to secure input to modeling as it is being developed
- Continue discussions with DEQ on the MOA—develop more specific information on submittal requirements under the Re-examination rule provision

Closing Comments

**Next UNRBA Board Meeting is Scheduled
for May 20, 2020 at the
Butner Town Hall from 9:30 AM to Noon**

**The location and access for this meeting
may be modified at a later date.**